

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 465 Dental Services  
**SPONSOR(S):** Grant, Michael  
**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Health Quality Subcommittee	10 Y, 0 N	Gilani	McElroy
2) Health Care Appropriations Subcommittee			
3) Health & Human Services Committee			

### SUMMARY ANALYSIS

The U.S. Department of Health and Human Services' Health Resources and Services Administration (HRSA) designates Health Professional Shortage Areas (HPSAs) to identify areas and population groups within the United States that are experiencing a shortage of health care providers. HPSAs identify shortages in primary care, dental health, or mental health. The threshold for a dental HPSA is a population-to-provider ratio of at least 5,000:1. HRSA also designates Medically Underserved Areas (MUAs) and Medically Underserved Populations (MUPs); MUAs and MUPs identify geographic areas and populations with a lack of access to primary care services.

A typical dentist's debt post-graduation is between \$250,000 and \$500,000. Florida is one of nine states that does not have an operational state-funded dental student loan repayment program.

HB 465 creates the Dental Student Loan Repayment Program (Loan Program) within the Department of Health (DOH), subject to receiving an appropriation to fund it. Eligible dentists are those who are actively employed in a public health program that services Medicaid recipients and other low-income patients located in dental HPSAs or MUAs. Dentists who have disciplinary action taken against their license, cease participating in the Medicaid program, or are no longer employed by a public health program lose their eligibility for loan repayments under the Loan Program. DOH may grant an eligible dentist up to \$50,000 in student loan repayments per year for a maximum of five years, totaling \$250,000. DOH may grant 10 such awards in its first year of operating the Loan Program and up to 10 additional awards in each subsequent fiscal year.

The bill also requires DOH to establish the Donated Dental Services Program, a network of volunteer dental providers who will provide free dental services to needy, disabled, elderly, and medically compromised individuals who cannot afford necessary treatment but are ineligible for public assistance.

The bill requires DOH to adopt rules to administer both programs.

The bill has a significant, negative fiscal impact on DOH and no fiscal impact on local governments.

The bill takes effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

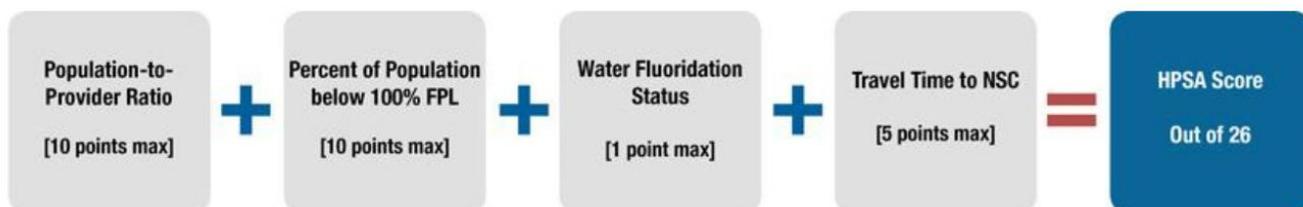
##### Current Situation

##### Health Professional Shortage Areas

The U.S. Department of Health and Human Services' Health Resources and Services Administration (HRSA) designates Health Professional Shortage Areas (HPSAs) according to criteria developed in accordance with section 332 of the Public Health Services Act. HPSA designations are used to identify areas and population groups within the United States that are experiencing a shortage of health care provider shortages in primary care, dental health, or mental health.<sup>1</sup> The threshold for a dental HPSA is a population-to-provider ratio of at least 5,000:1.<sup>2</sup> For each discipline category, there are three types of HPSA designations based on the area or population group that is experiencing the shortage:<sup>3</sup>

- **Geographic Area:** A shortage of providers for the entire population within a defined geographic area.
- **Population Groups:** A shortage of providers for a specific population group(s) within a defined geographic area (e.g., low income, migrant farmworkers, and other groups)
- **Facilities:** A facility that primarily cares for an underserved population; examples of these include state mental hospitals, federally qualified health centers, and CMS-certified rural health clinics.

Once designated, HRSA scores HPSAs on a scale of 0-26 for dental health, with higher scores indicating greater need.<sup>4</sup>



##### Medically Underserved Area

HRSA also designates Medically Underserved Areas (MUAs) and Medically Underserved Populations (MUPs). MUAs and MUPs identify geographic areas and populations with a lack of access to primary care services.<sup>5</sup> MUAs have a shortage of primary care health services for residents within a geographic area such as a county, a group of neighboring counties, a group of urban census tracts, or a group of county or civil divisions.<sup>6</sup> MUPs are specific sub-groups of people living in a defined geographic area with a shortage of primary care health services who may face economic, cultural, or linguistic barriers to

<sup>1</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *Health Professional Shortage Areas (HPSAs)*, <https://bhw.hrsa.gov/shortage-designation/hpsas> (last visited Feb. 12, 2019).

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *Health Professional Shortage Area (HPSA) Application and Scoring Process*, <https://bhw.hrsa.gov/shortage-designation/hpsa-process> (last visited Feb. 12, 2019).

<sup>5</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *Medically Underserved Areas and Populations (MUA/Ps)*, <https://bhw.hrsa.gov/shortage-designation/muap> (last visited Feb. 12, 2019).

<sup>6</sup> Id.

health care.<sup>7</sup> MUPs include, but are not limited to, those who are homeless, low-income, Medicaid-eligible, Native American, or migrant farmworkers.<sup>8</sup>

MUA and MUP designations are based on the Index of Medical Underservice (IMU), which is calculated based on four criteria:<sup>9</sup>

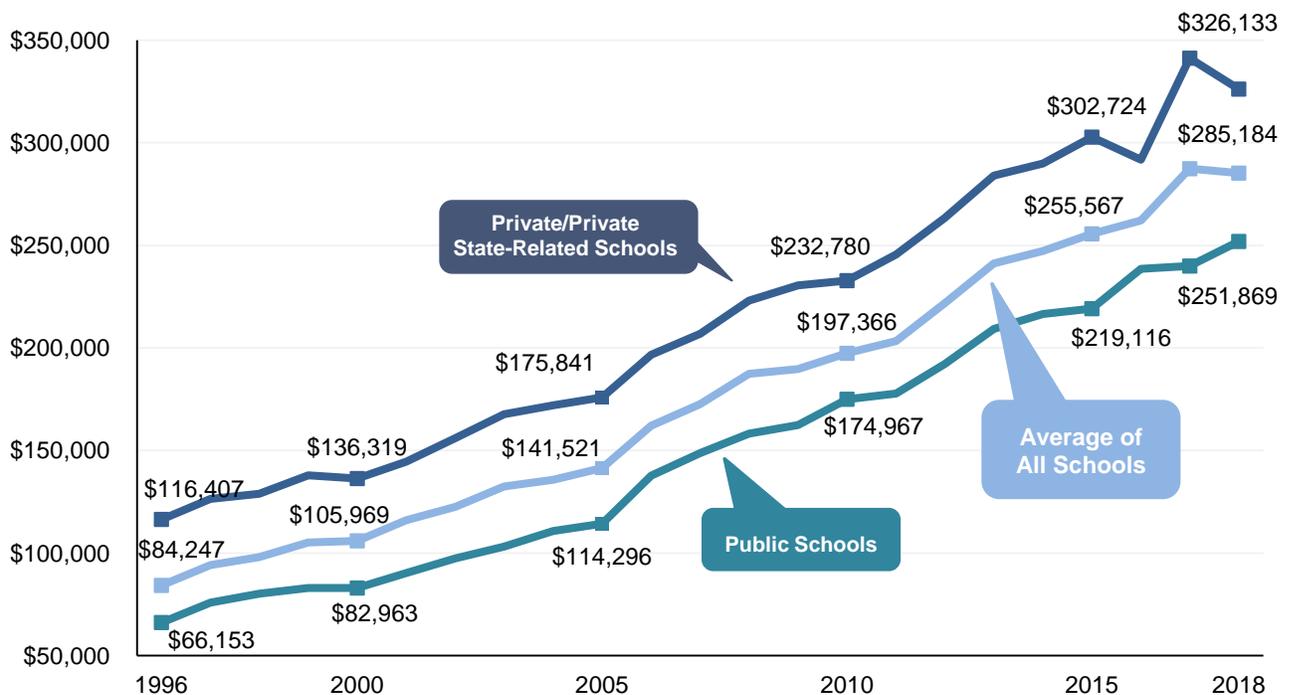
- The population to provider ratio;
- The percent of the population below the federal poverty level;
- The percent of the population over age 65; and
- The infant mortality rate.

IMU can range from 0 to 100, where zero represents the completely underserved; areas or populations with IMUs of 62.0 or less qualify for designation as an MUA or MUP.<sup>10</sup>

### Cost of Dental Education

Students enter dental school with existing debt averaging \$35,000, and approximately 83 percent of dental students rely on student loans to finance their degrees.<sup>11</sup> In the U.S., combined undergraduate and dental school debt has jumped from \$106,000 in 2000 to \$285,000 in 2018, an increase of 169 percent in 18 years.<sup>12</sup>

**Average Student Loan Debt among Graduating Dental Students, 1996 to 2018<sup>13</sup>**



Source: Created using data derived from American Dental Education Association, Survey of Dental School Seniors, 2018 Graduating Class. Note: Debt is the sum of undergraduate and dental school debt of only the 83% of respondents who have debt.

<sup>7</sup> Id.  
<sup>8</sup> Id.  
<sup>9</sup> Id.  
<sup>10</sup> Id.  
<sup>11</sup> AMERICAN DENTAL EDUCATION ASSOCIATION, *ADEA Survey of Dental School Seniors, 2018 Graduating Class Tables Report*, p. 21, available at: [https://www.adea.org/ADEA\\_Survey\\_of\\_Dental\\_School\\_Seniors\\_2018\\_Tables\\_Report.pdf](https://www.adea.org/ADEA_Survey_of_Dental_School_Seniors_2018_Tables_Report.pdf) (last visited Feb. 13, 2019).  
<sup>12</sup> Id. at 25. After adjusting for inflation, the dental school loan debt increased by 84% from 2000 to 2018.  
<sup>13</sup> Id.

The National Health Service Corps (NHSC) offers tax-free loan repayment assistance of up to \$50,000 to support qualified health care providers, including dentists, who work for two years at a NHSC-approved site.<sup>14</sup> Additionally, dental students who commit to serving at least three years at an approved NHSC site in a HPSA of greatest need may earn up to \$120,000 in their final year of school through the Students to Service Loan Repayment Program.<sup>15</sup>

NHSC's State Loan Repayment Program provides cost-sharing grants to states and territories that operate their own loan repayment programs for primary medical, mental and behavioral, and dental healthcare clinicians working in HPSAs.<sup>16</sup> Florida is one of nine states<sup>17</sup> that does not have an operational state-funded dental student loan repayment program.<sup>18</sup>

### Access to Dental Care and Dental Workforce in Florida

There are 5,833 dental HSPAs in the U.S., 240 of which are in Florida and affect 5.5 million people.<sup>19</sup> Additionally, there are 4,232 MAUs and MAPs in the U.S., 128 of which are in Florida.<sup>20</sup> Today, there are approximately 56 licensed dentists per 100,000 people in Florida; however, this ratio varies greatly across the state.<sup>21</sup> Most dentists are disproportionately concentrated in the more populous areas of the state. Three counties, Dixie, Glades, and Lafayette, do not have any licensed dentists, while other counties have over 150 dentists per 100,000 residents.<sup>22</sup>

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<sup>14</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *NHSC Loan Repayment Program*, <https://nhsc.hrsa.gov/loan-repayment/nhsc-loan-repayment-program.html> (last visited Feb. 13, 2019).

<sup>15</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *NHSC Students to Service Loan Repayment Program* <https://nhsc.hrsa.gov/loan-repayment/nhsc-students-to-service-loan-repayment-program.html> (last visited Feb. 13, 2019).

<sup>16</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *State Loan Repayment Program*, <https://nhsc.hrsa.gov/loan-repayment/state-loan-repayment-program/index.html> (last visited Feb. 13, 2019).

<sup>17</sup> Alabama, Connecticut, Florida, Georgia, Hawaii, Indiana, Iowa, Mississippi, Puerto Rico, and Utah do not have operational state-funded dental loan repayment programs. Several of these states had programs, but they are no longer operational due to a lack of funding. Alabama no longer participates in the HRSA state loan repayment program, but has other limited programs to repay dental student loans. Connecticut's program is no longer accepting applications; Georgia's program ended in 2015; Hawaii's state loan repayment program does not include dentists or dental hygienists; Indiana's program has been suspended since 2011 due to a lack of funding; Iowa's program has ended, however, it still has a loan repayment program for individuals pursuing a graduate degree in dental public health; and Mississippi is no longer taking applicants due to a lack of funding. Additionally, New York's program did not accept applicants for several years, but it resumed in 2017 when it received new funding. *Infra* note 18.

<sup>18</sup> AMERICAN DENTAL EDUCATION ASSOCIATION, *State and Federal Loan Forgiveness Programs*, (November 2018), available at, <https://www.adea.org/WorkArea/DownloadAsset.aspx?id=40489> (last visited Feb. 13, 2019).

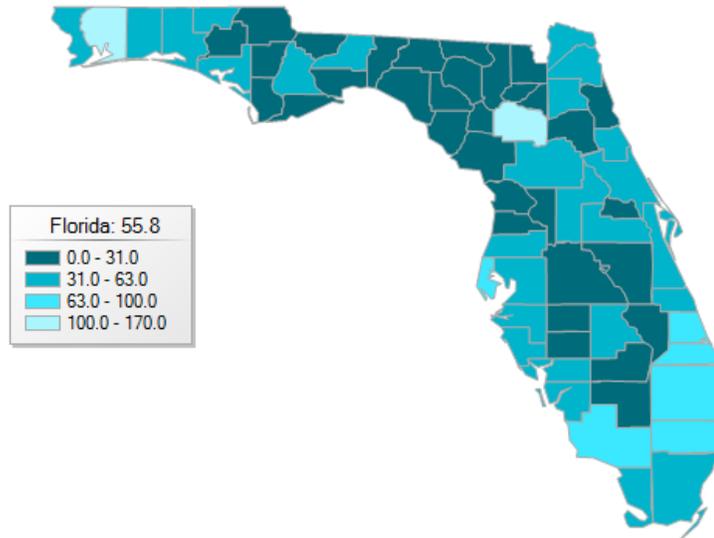
<sup>19</sup> HEALTH RESOURCES AND SERVICES ADMINISTRATION, *Designated health Professional Shortage Areas Statistics, First Quarter of Fiscal Year 2019 Designated HPSA Quarterly Summary*, [https://ersrs.hrsa.gov/ReportServer?/HGDW\\_Reports/BCD\\_HPSA/BCD\\_HPSA\\_SCR50\\_Qtr\\_Smry\\_HTML&rc:Toolbar=false](https://ersrs.hrsa.gov/ReportServer?/HGDW_Reports/BCD_HPSA/BCD_HPSA_SCR50_Qtr_Smry_HTML&rc:Toolbar=false) (last visited Feb. 13, 2019). With a shortage of 1,266 dental practitioners, only 13% of the need is currently being met in these areas.

<sup>20</sup> Health Resources and Services Administration, *MAU Find Results*, <https://datawarehouse.hrsa.gov/tools/analyzers/MuaSearchResults.aspx> (last visited Feb. 13, 2019).

<sup>21</sup> FLORIDA DEPARTMENT OF HEALTH, *FL Health CHARTS, Total Licensed Florida Dentists*, <http://www.flhealthcharts.com/charts/OtherIndicators/NonVitalIndNoGrpDataViewer.aspx?cid=0326> (last visited Feb. 13, 2019).

<sup>22</sup> *Id.*

## Licensed Dentists per 100,000 Floridians FY 17-18<sup>23</sup>



There is a noticeable shortage of dentists in certain parts of the state, especially the central Panhandle counties and interior counties of south Florida.<sup>24</sup> Lower patient densities, rural income disparities, and lower dental care reimbursement levels make it difficult to recruit and retain dentists in rural communities of the state.<sup>25</sup> Lack of access to dental care can lead to poor oral health and poor overall health.<sup>26</sup> Research has shown a link between poor oral health and diabetes, heart and lung disease, stroke, respiratory illnesses, and adverse birth outcomes including the delivery of pre-term and low birth weight infants.<sup>27</sup>

### Donated Dental Services Program

Dental Lifeline Network is a national charitable organization that provides oral health services to people with disabilities or who are elderly or medical fragile, are ineligible for public funding, and cannot otherwise afford necessary treatment.<sup>28</sup> One of Dental Lifeline Network's programs is the Donated Dental Services Program (DDS), which operates through a network of volunteer dentists and dental labs to provide dental services to this indigent population.<sup>29</sup> DDS operates in each state but often has a lengthy waitlist due to limited funding and volunteers.<sup>30</sup>

Dental Lifeline Network estimates that since its inception in 1985, DDS has treated more than 120,000 people across the nation and provided over \$378 million in donated dental treatment.<sup>31</sup> In Florida, Dental Lifeline Network has 455 dentists and 215 dental labs volunteering dental services to the program.<sup>32</sup> In FY 17-18, Dental Lifeline Network donated over \$700,000 in dental services to 234

<sup>23</sup> Id.  
<sup>24</sup> Id.  
<sup>25</sup> Chris Collins, MSW, *Challenges of Recruitment and Retention in Rural Areas*, North Carolina Medical Journal, Vol. 77 no. 2, (March-April 2016), <http://www.ncmedicaljournal.com/content/77/2/99.full> (last visited Feb. 14, 2019).  
<sup>26</sup> Florida Department of Health, *Florida's Burden of Oral Disease Surveillance Report*, (Aug, 2016), p. 5, available at <http://www.floridahealth.gov/programs-and-services/community-health/dental-health/reports/documents/floridas-burden-oral-disease-surveillance-report.pdf> (last visited Feb. 14, 2019).  
<sup>27</sup> Id.  
<sup>28</sup> DENTAL LIFELINE NETWORK, *Our Programs*, <https://dentallifeline.org/about-us/our-programs/> (last visited Feb. 14, 2019).  
<sup>29</sup> Id.  
<sup>30</sup> DENTAL LIFELINE NETWORK, *State Programs*, <https://dentallifeline.org/our-state-programs/> (last visited Feb. 14, 2019). AL, AZ, AK, CA, CT, DE, FL, GA, HI, ID, IL, IN, KS, KY, LA, ME, MA, MN, MS, MO, MT, NB, NV, NH, NJ, NY, NC, OH, OR, PA, SC, TN, TX, UT, WA, D.C., WV, and WY all have waitlists and are either not accepting any applications or only accepting them for limited counties or populations.  
<sup>31</sup> *Supra* note 28.  
<sup>32</sup> DENTAL LIFELINE NETWORK, *2017-2018 Annual Report*, <https://dentallifeline.org/wp-content/uploads/2018/12/2017-2018-Annual-Report-Web.pdf> (last visited Feb. 14, 2019).

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Floridians through this program.<sup>33</sup> Historically, since 1997, DDS has provided over \$8.1 million in donated dental services to over 1,800 Floridians.<sup>34</sup> However, Florida's DDS is currently not accepting new applications due to a lack of funding and a long waitlist,<sup>35</sup> and those people on the waitlist can be waiting several months to over a year before they receive services.<sup>36</sup> Florida's DDS does not receive recurring state-funding.<sup>37</sup>

## Effect of Proposed Changes

### Dental Student Loan Repayment Program

HB 465 creates the Dental Student Loan Repayment Program (Loan Program) within the Florida Department of Health (DOH), subject to an appropriation to fund it.

A Florida-licensed dentist is eligible to participate in the Loan Program if he or she maintains active employment in a public health program that serves Medicaid recipients and other low-income patients and is located in a dental HSPA or a MUA. The bill defines a "public health program" as a county health department, the Children's Medical Services program, a federally funded community health center, a federally funded migrant health center, or other publicly funded or nonprofit health care program designated by DOH.

A dentist is no longer eligible to receive funds under the Loan Program if the dentist:

- Is no longer employed by a public health program that is located in a dental HSPA or a MUA and serves Medicaid recipients and other low-income patients.
- Ceases to participate in the Florida Medicaid program.
- Has disciplinary action taken against his or her license by the Board of Dentistry for a violation of the dental practice act.<sup>38</sup>

The bill authorizes DOH to award each eligible dentist up to \$50,000 in student loan repayments per year for up to five years, for a maximum of \$250,000 per eligible dentist. DOH may approve up to 10 new dentists each fiscal year to participate in the Loan Program, in addition to those dentists already participating in the Loan Program. Therefore, if DOH awards the maximum number of awards available each year and no participating dentist loses eligibility during the five-year eligibility period, the number of dentists the Loan Program funds will increase by 10 each year until the fifth year, at which point the maximum number of awards that can be granted at any given time would be 50, due to the five-year eligibility limit. If the maximum award amount of \$50,000 is awarded to each of the 50 participating dentists, this would translate to \$2.5 million in awards per fiscal year.

The Loan Program may only cover loans to pay the costs of tuition, books, dental equipment and supplies, uniforms, and living expenses and must be made directly to the holder of the loan. The bill specifies that all repayments are contingent upon continued proof of eligibility and that the state will be not responsible for the collection of any interest charges or other remaining balance loan balances.

The bill requires DOH to adopt rules to administer the Loan Program.

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<sup>33</sup> Id.

<sup>34</sup> *Supra* note 35.

<sup>35</sup> DENTAL LIFELINE NETWORK, *Florida*, <https://dentallifeline.org/florida/> (last visited Feb. 14, 2019). However, if you are a military veteran who still meets the eligibility requirements or if you have documentation from a physician stating that you cannot receive essential medical treatment due to your dental condition, you can still apply for the program.

<sup>36</sup> See the Florida DDS application, available at: <https://dentallifeline.org/wp-content/uploads/2017/08/Florida.pdf> (last visited Feb. 14, 2019).

<sup>37</sup> Florida Department of Health, Agency Analysis of 2019 HB 465, p. 2 (Jan. 22, 2019)(on file with the House Health Quality Subcommittee staff). The Legislature appropriated \$100,000 in non-recurring funds for the program in FY 17-18. 2016 General Appropriations Act for Fiscal Year 17-18, line 447.

<sup>38</sup> s. 466.028, F.S., grounds for disciplinary action by the Board.

## Donated Dental Services Program

HB 465 requires DOH to establish a Donated Dental Services Program (DDS Program) to provide comprehensive dental care through a network of volunteer dentists and other dental providers to the needy, disabled, elderly, and medically compromised individuals who cannot afford necessary treatment but are ineligible for public assistance. Eligible individuals may not be charged for such dental care received under the DDS Program.

The bill requires DOH to contract with the Dental Lifeline Network, or its designee, to administer the program. Such contract must specify the Dental Lifeline Network's responsibilities, including, but not limited to:

- Maintaining a network of volunteer dentists and other dental providers, including, but not limited to, dental specialists and dental laboratories to provide comprehensive dental services;
- Maintaining a system to refer eligible individuals to the appropriate volunteer dentist or dental provider;
- Developing a public awareness and marketing campaign to promote the program;
- Providing the necessary administrative and technical support to administer the program;
- Performing any other program-related duties required by DOH; and
- Submitting an annual report to DOH, which must include, at a minimum:
  - Financial data relating to administering the program;
  - Demographic data relating to eligible individuals who are referred to and receive treatment through the program;
  - Demographic data relating to the volunteer dentists and dental providers participating in the program; and
  - Any other data or information DOH requires.

Dental Lifeline Network currently administers Florida's DDS Program and receives funding from the Legislature, if any, via appropriation project requests. The bill would codify this program in law, establish it within DOH, and designate Dental Lifeline Network, or its designee, as the contractor to administer it.

The bill requires DOH to adopt rules to administer the DDS Program. It is unclear whether rules are necessary to implement this program.

The bill takes effect upon becoming law.

### B. SECTION DIRECTORY:

- Section 1:** Provides legislative intent.  
**Section 2:** Creates s. 381.4019, F.S., relating to dental student loan repayment program.  
**Section 3:** Creates s. 381.40195, F.S., relating to donated dental services program.  
**Section 4:** Provides the bill takes effect upon becoming law.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:  
None.

2. Expenditures:

The bill will have a significant, negative fiscal impact on DOH.

<b>DOH Fiscal Impact Analysis<sup>39</sup></b>		
	<b>FY 2019-2020</b>	<b>FY 2020-2021</b>
<b>Dental Student Loan Repayment Program</b>		
OPS Medical/Health Care Program Analyst	\$41,554	\$41,554
Miscellaneous Expenses	\$24,009	\$19,580
DMS People First Assessment Fee	\$107	\$107
<b>Loan Repayment Awards</b>		
10 Dentists at \$50,000 each	\$500,000	
20 Dentists at \$50,000 each		\$1,000,000
<b>Donated Dental Services Program</b>		
Coordinators, consultants, and miscellaneous expenses	\$200,000	\$200,000
<b>Program Promotion Expenses</b>		
Developing and printing educational materials for statewide recruitment	\$7,000	\$7,000
<b>Total</b>	<b>\$772,670</b>	<b>\$1,268,241</b>

Under the bill, DOH may grant 10 eligible dentists up to \$50,000 each per year for a maximum of five years. In addition to any existing awards being paid by the Loan Program, each fiscal year, DOH may grant an additional 10 awards of up to \$50,000 each to eligible dentists, also for up to five years. To the extent that the Legislature appropriates funds to the Loan Program to grant the maximum number of awards each fiscal year, and to the extent that DOH does so, the amount of awards being paid by the Loan Program will increase by \$500,000 each fiscal year as 10 new eligible dentists are granted awards under the Loan Program. Due to the five-year eligibility term limitations of the Loan Program, the maximum number of participating dentists cannot exceed 50 in any given fiscal year. If paid out at the maximum rate of \$50,000 each, the awards for 50 dentists would be \$2.5 million per fiscal year.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Dentists participating in the Loan Program will each be eligible to receive up to \$50,000 per year for up to five years in student loan repayments.

D. FISCAL COMMENTS:

A separate appropriation project bill has been filed to appropriate a nonrecurring sum of \$180,000 from the General Revenue Fund to the DDS Program.<sup>40</sup>

<sup>39</sup> *Supra* note 37, at 3-4.

<sup>40</sup> 2019 HB 4006; 2019 Appropriation Project Request 660.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

##### **1. Applicability of Municipality/County Mandates Provision:**

Not applicable. This bill does not appear to affect county or municipal governments.

##### **2. Other:**

None.

#### **B. RULE-MAKING AUTHORITY:**

The bill provides sufficient rulemaking authority for DOH to implement both programs.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**