

1 A bill to be entitled
 2 An act relating to dental care; amending s. 409.906,
 3 F.S.; authorizing Medicaid reimbursement for dental
 4 services provided by mobile dental units owned by,
 5 operated by, or having contractual agreements with
 6 specified entities; defining the term "mobile dental
 7 unit"; amending s. 466.007, F.S.; deleting an obsolete
 8 date; revising licensure examination requirements for
 9 dental hygienists to authorize applicants to
 10 demonstrate certain clinical skills on a live patient
 11 rather than only on a manikin; authorizing the Board
 12 of Dentistry to require persons applying to take the
 13 dental hygiene examination to maintain medical
 14 malpractice insurance in certain amounts; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:
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19 Section 1. Paragraph (c) of subsection (1) and subsection
 20 (6) of section 409.906, Florida Statutes, are amended to read:
 21 409.906 Optional Medicaid services.—Subject to specific
 22 appropriations, the agency may make payments for services which
 23 are optional to the state under Title XIX of the Social Security
 24 Act and are furnished by Medicaid providers to recipients who
 25 are determined to be eligible on the dates on which the services

26 | were provided. Any optional service that is provided shall be
 27 | provided only when medically necessary and in accordance with
 28 | state and federal law. Optional services rendered by providers
 29 | in mobile units to Medicaid recipients may be restricted or
 30 | prohibited by the agency. Nothing in this section shall be
 31 | construed to prevent or limit the agency from adjusting fees,
 32 | reimbursement rates, lengths of stay, number of visits, or
 33 | number of services, or making any other adjustments necessary to
 34 | comply with the availability of moneys and any limitations or
 35 | directions provided for in the General Appropriations Act or
 36 | chapter 216. If necessary to safeguard the state's systems of
 37 | providing services to elderly and disabled persons and subject
 38 | to the notice and review provisions of s. 216.177, the Governor
 39 | may direct the Agency for Health Care Administration to amend
 40 | the Medicaid state plan to delete the optional Medicaid service
 41 | known as "Intermediate Care Facilities for the Developmentally
 42 | Disabled." Optional services may include:

43 | (1) ADULT DENTAL SERVICES.—

44 | (c) However, Medicaid will not provide reimbursement for
 45 | dental services provided by ~~in~~ a mobile dental unit, except for
 46 | a mobile dental unit:

47 | 1. Owned by, operated by, or having a contractual
 48 | agreement with the Department of Health and complying with
 49 | Medicaid's county health department clinic services program
 50 | specifications as a county health department clinic services

51 provider.

52 2. Owned by, operated by, or having a contractual
 53 arrangement with a federally qualified health center and
 54 complying with Medicaid's federally qualified health center
 55 specifications as a federally qualified health center provider.

56 3. Rendering dental services to Medicaid recipients, 21
 57 years of age and older, at nursing facilities.

58 4. Owned by, operated by, or having a contractual
 59 agreement with a state-approved dental educational institution
 60 or an accredited dental hygiene program.

61 5. Owned by, operated by, or having a contractual
 62 relationship with the Department of Children and Families.

63 6. Owned by, operated by, or having a contractual
 64 relationship with the Department of Juvenile Justice.

65 7. Owned by, operated by, or having a contractual
 66 relationship with a nonprofit community health center.

67 8. Owned by, operated by, or having a contractual
 68 relationship with a federally approved Head Start center.

69 9. Owned by, operated by, or having a contractual
 70 relationship with a school-based prevention program as defined
 71 in s. 466.003(15).

72
 73 For purposes of this paragraph, the term "mobile dental unit"
 74 means a nonfacility structure in which dental equipment used in
 75 the practice of dentistry is transported to and used on a

76 | temporary basis at an out-of-office location.

77 | (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for
 78 | diagnostic, preventive, or corrective procedures, including
 79 | orthodontia in severe cases, provided to a recipient under age
 80 | 21, by or under the supervision of a licensed dentist. The
 81 | agency may also reimburse a health access setting as defined in
 82 | s. 466.003 for the remediable tasks that a licensed dental
 83 | hygienist is authorized to perform under s. 466.024(2). Services
 84 | provided under this program include treatment of the teeth and
 85 | associated structures of the oral cavity, as well as treatment
 86 | of disease, injury, or impairment that may affect the oral or
 87 | general health of the individual. However, Medicaid will not
 88 | provide reimbursement for dental services provided by ~~in~~ a
 89 | mobile dental unit, except for a mobile dental unit:

90 | (a) Owned by, operated by, or having a contractual
 91 | agreement with the Department of Health and complying with
 92 | Medicaid's county health department clinic services program
 93 | specifications as a county health department clinic services
 94 | provider.

95 | (b) Owned by, operated by, or having a contractual
 96 | arrangement with a federally qualified health center and
 97 | complying with Medicaid's federally qualified health center
 98 | specifications as a federally qualified health center provider.

99 | (c) Rendering dental services to Medicaid recipients, 21
 100 | years of age and older, at nursing facilities.

101 (d) Owned by, operated by, or having a contractual
 102 agreement with a state-approved dental educational institution
 103 or an accredited dental hygiene program.

104 (e) Owned by, operated by, or having a contractual
 105 relationship with the Department of Children and Families.

106 (f) Owned by, operated by, or having a contractual
 107 relationship with the Department of Juvenile Justice.

108 (g) Owned by, operated by, or having a contractual
 109 relationship with a nonprofit community health center.

110 (h) Owned by, operated by, or having a contractual
 111 relationship with a federally approved Head Start center.

112 (i) Owned by, operated by, or having a contractual
 113 relationship with a school-based prevention program as defined
 114 in s. 466.003(15).

115
 116 For purposes of this subsection, the term "mobile dental unit"
 117 means a nonfacility structure in which dental equipment used in
 118 the practice of dentistry is transported to and used on a
 119 temporary basis at an out-of-office location.

120 Section 2. Subsection (4) of section 466.007, Florida
 121 Statutes, is amended to read:

122 466.007 Examination of dental hygienists.—

123 (4) ~~Effective July 1, 2012,~~ To be licensed as a dental
 124 hygienist in this state, an applicant must successfully complete
 125 the following:

126 (a) A written examination on the laws and rules of this
 127 state regulating the practice of dental hygiene.

128 (b) A practical or clinical examination approved by the
 129 board. The examination shall be the Dental Hygiene Examination
 130 produced by the American Board of Dental Examiners, Inc., (ADEX)
 131 or its successor entity, if any, if the board finds that the
 132 successor entity's clinical examination meets or exceeds the
 133 provisions of this section. The board shall approve the ADEX
 134 Dental Hygiene Examination if the board has attained and
 135 continues to maintain representation on the ADEX House of
 136 Representatives, the ADEX Dental Hygiene Examination Development
 137 Committee, and such other ADEX Dental Hygiene committees as the
 138 board deems appropriate through rulemaking to ensure that the
 139 standards established in this section are maintained
 140 organizationally. The ADEX Dental Hygiene Examination or the
 141 examination produced by its successor entity is a comprehensive
 142 examination in which an applicant must demonstrate skills within
 143 the dental hygiene scope of practice on a live patient or a
 144 manikin that has typodont teeth with simulated dentition and
 145 calculus as approved by the Commission on Dental Competency
 146 Assessments and any other components that the board deems
 147 necessary for the applicant to successfully demonstrate
 148 competency for the purpose of licensure. The board may require
 149 any person applying to take the examination to practice dental
 150 hygiene in this state to maintain medical malpractice insurance

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151 | in amounts sufficient to cover any incident of harm to a patient
152 | during the clinical examination.

153 | Section 3. This act shall take effect July 1, 2023.