

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: SB 366

INTRODUCER: Senator Burgess

SUBJECT: Dental Services for Veterans

DATE: March 28, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Proctor</u>	<u>MS</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>AHS</u>	_____
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 366 establishes the Veterans Dental Care Grant Program (Program) within the Department of Veterans' Affairs (Department). The purpose of the Program is to provide in-state veterans with dental care.

Eligible veterans are those who have served in the Army, Navy, Air Force, Coast Guard, Marine Corps, Space Force, Florida National Guard, and the United States Reserve Forces. To further qualify, a veteran must have been released from service honorably or later received an upgraded discharge of under honorable conditions. The bill requires the Department to contract with a statewide direct-service organization (DSO) to administer the Program. The DSO must have proven experience in establishing and implementing veteran programs, including those that provide dental services.

Funding for the Program is subject to legislative appropriation. See Section V. Fiscal Impact Statement.

The bill provides an effective date of July 1, 2023.

II. Present Situation:

Federal Health Care Benefits for Veterans

Federal health care benefits are generally available to a veteran who served for 24 continuous months in the active military, naval, or air service, or as a current or former member of the

Reserves or the National Guard if called to and completed active duty.¹ To qualify, a person must not have been discharged dishonorably. However, an upgraded discharge is recognized.²

Benefits include:

- Inpatient and outpatient care at U.S. Department of Veteran Affairs (VA) medical facilities;
- Prescription drugs from VA providers;
- Long-term care depending on needs, income, and space availability;
- Care from community health care providers when the VA cannot provide care;
- Mental health care; and
- Women’s specialty health care.³

Unlike other health care benefits that are generally provided across the board, VA dental benefits are offered in limited circumstances if a veteran:

- Has a service-connected dental disability or condition (10% or greater rating) for which the veteran receives monthly compensation payments;
- Has a service-connected dental noncompensable dental condition or a disability (0% rating) resulting from combat or service trauma;
- Has service-connected disabilities rated 100% (total rating) disabling, or are unemployable and paid at the 100% rate due to service-connected conditions;
- Are a former prisoner of war;
- Has requested dental care within 180 days after discharge or release (under conditions other than dishonorable) from a period of active duty of 90 days or more (one time dental care);
- Has a dental condition clinically determined by the VA to be associated with and aggravating a service-connected medical condition;
- Is actively engaged in a Title 38, USC Chapter 31 Vocational Rehabilitation and Employment Program (limited dental care);
- Is receiving VA care or is scheduled for inpatient care and requires dental care for a condition complicating a medical condition currently under treatment; or
- Is enrolled in a qualifying VA sponsored homeless residential rehabilitation program for at least 60 days (one time dental care).⁴

Direct Service Providers of Dental Care

Direct services of no-cost dental care are provided to veterans in need at two annual Florida events, which occur at two locations in the state.

At one of these events, Stars, Stripes, & Smiles, a collaborative effort between a Florida congressman’s office and a local county dental association, provides no-cost dental services to

¹ U.S. Dep’t of Veterans Affairs, *Eligibility for VA Health Care*, available at <https://www.va.gov/health-care/eligibility/> (last visited Feb. 14, 2023).

² *Id.*

³ U.S. Gov’t Online, *Health Benefits and Issues for Veterans*, available at <https://www.usa.gov/veteran-health#item-35807> (last visited Feb. 14, 2023).

⁴ U.S. Dep’t. of Veterans Affairs, *Health Benefits*, available at https://www.va.gov/healthbenefits/resources/publications/IB10-442_dental_benefits_for_veterans.pdf (last visited Mar. 23, 2023).

veterans.⁵ Services provided through the annual event in West Pasco County are intended to afford veterans relief from dental pain and infection.⁶ Services are funded through private donation and professional dentistry and other volunteers.

A second effort in the state to provide no-cost dental services to veterans is the Florida Mission of Mercy Dental Clinic.⁷ Part of an annual 2-day dental clinic, dentistry volunteers provide dental services to persons who are underserved and uninsured. The first day of the event is for veterans only.⁸ Services provided through the annual event afford recipients, including veterans, dental exams, cleanings, fillings, extractions, root canals, and limited dentures and partials.⁹

III. Effect of Proposed Changes:

SB 366 establishes the Veterans Dental Care Grant Program within the Department. The purpose of the Program is to provide in-state veterans with dental care.

Eligible veterans are those who have served in the Army, Navy, Air Force, Coast Guard, Marine Corps, Space Force, Florida National Guard, and the United States Reserve Forces. To further qualify, a veteran must have been released from service honorably or later received an upgraded discharge of under honorable conditions. The bill requires the Department to contract with a statewide DSO to administer the Program. The DSO must have proven experience in establishing and implementing veteran programs, including those that provide dental services.

The bill requires the Department adopt rules.

Funding for the Program is subject to legislative appropriation.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁵ Stars, Stripes, & Smiles, *Home*, available at <https://www.usaveteransmiles.org/> (last visited Feb. 17, 2023). The local association involved is the West Pasco Dental Association and the last event was held Nov. 4, 2022.

⁶ Stars, Stripes, & Smiles, *About Us*, available at <https://www.usaveteransmiles.org/> (last visited Feb. 17, 2023).

⁷ By way of example, the 2022 event was held in Tallahassee, FL. Florida Veterans Foundation, *2022 Florida Mission of Mercy*, available at <https://www.floridadental.org/foundation/programs/mission-of-mercy> (last visited Mar. 24, 2023)

⁸ *Id.*

⁹ *Id.*

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Free dental care may financially benefit an eligible veteran who currently does not qualify through the VA, and does not currently take advantage of the two annual no-cost dental care events provided to veterans in need.

In addition, private sector nonprofit dental care providers contracted by the DSO to provide services may benefit from the Program.

C. Government Sector Impact:

Funding in the bill is subject to legislative appropriation. However, the bill may have an indeterminate, likely insignificant, negative fiscal impact to the Department, which can be absorbed within existing resources, from administrative tasks that may be required to implement the bill. Tasks involve software development, licensing, IT support, and data storage. Additionally, the bill may have a federal impact resulting from access needs of federal databases.¹⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

Whether an eligible veteran who receives federal dental benefits is precluded from participation in the Program is not specified in the bill.

VIII. Statutes Affected:

This bill creates section 295.157 of the Florida Statutes.

¹⁰ Florida Dep't of Veterans' Affairs, *2023 Agency Legislative Bill Analysis on SB 366* (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
