

# SENATE BILL 169

J1

(7lr1458)

## ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by ~~Senators Middleton and Kasemeyer~~, Kasemeyer, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Reilly, and Rosapepe

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Maryland Medical Assistance Program~~ Health – Cost of Emergency Room Visits  
3 to Treat Dental Conditions and Coverage of Dental Services Under Medicaid –  
4 Study

5 FOR the purpose of ~~requiring~~ authorizing the ~~Department of Health and Mental Hygiene~~  
6 Maryland Dental Action Coalition to conduct a study to determine the annual cost  
7 of emergency room visits to treat dental conditions of ~~adult enrollees in the Maryland~~  
8 ~~Medical Assistance Program~~ certain adults and whether it is advisable to expand  
9 benefits for dental services for certain adults under the Maryland Medical Assistance  
10 Program; requiring authorizing the ~~Department~~ Coalition to conduct the study in a  
11 certain manner, report the findings of the study to the Department of Health and  
12 Mental Hygiene and the General Assembly on or before a certain date, and distribute  
13 the report to certain stakeholders or a certain coalition of stakeholders; authorizing  
14 the Program, under certain circumstances, to provide dental services for certain

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 adults beginning on a certain date and subject to certain limitations; making certain  
 2 provisions of this Act subject to a certain contingency; and generally relating to the  
 3 ~~Maryland Medical Assistance Program and~~ a study of the cost of emergency room  
 4 visits to treat dental conditions and the advisability of expanding benefits for dental  
 5 services under the Maryland Medical Assistance Program.

6 BY repealing and reenacting, without amendments,

7 Article – Health – General

8 Section 15–103(a)(1)

9 Annotated Code of Maryland

10 (2015 Replacement Volume and 2016 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Health – General

13 Section 15–103(a)(2)(xi) and (xii)

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2016 Supplement)

16 BY adding to

17 Article – Health – General

18 Section 15–103(a)(2)(xiii)

19 Annotated Code of Maryland

20 (2015 Replacement Volume and 2016 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

22 That:

23 (a) ~~The Department of Health and Mental Hygiene shall~~ Maryland Dental Action  
 24 Coalition may conduct a study to determine:

25 (1) the annual cost of emergency room visits to treat dental conditions of  
 26 ~~adult enrollees in the Maryland Medical Assistance Program;~~

27 ~~(1)~~ (i) adult enrollees in the Maryland Medical Assistance Program;

28 ~~(2)~~ (ii) adults who have private health insurance coverage; and

29 ~~(3)~~ (iii) adults who are uninsured; and

30 (2) whether it is advisable to expand the benefits provided under the  
 31 Maryland Medical Assistance Program to include dental services for adults whose annual  
 32 household income is at or below 133 percent of the poverty level.

33 (b) In conducting the study ~~required~~ authorized under subsection (a) of this  
 34 section, the ~~Department shall~~ Coalition may:

1 (1) use emergency room utilization data from the Health Services Cost  
 2 Review Commission to determine for ~~adult Medical Assistance enrollees~~ the categories of  
 3 individuals specified in subsection (a) of this section:

4 (i) the annual cost of emergency room visits for dental health care  
 5 treatment for all dental conditions by zip code and county; and

6 (ii) the annual cost of emergency room visits for dental health care  
 7 treatment for chronic dental conditions by zip code and county;

8 (2) evaluate whether there may be underreporting of dental-related  
 9 diagnoses in the emergency room utilization data from the Health Services Cost Review  
 10 Commission; and

11 (3) identify methods to improve the reporting and analysis of the data  
 12 relating to utilization of emergency rooms for treatment of dental conditions.

13 (c) (1) On or before December 1, 2017, the ~~Department shall~~ Coalition may  
 14 report to the General Assembly, in accordance with § 2-1246 of the State Government  
 15 Article, Department of Health and Mental Hygiene and the General Assembly the findings  
 16 of the study conducted under subsection (a) of this section.

17 (2) The ~~Department shall~~ Coalition may distribute the report to any local  
 18 stakeholders, or coalition of stakeholders, with an interest in using the emergency room  
 19 data for their region of the State to improve access to dental services ~~for adult enrollees in~~  
 20 ~~the Maryland Medical Assistance Program.~~

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
 22 as follows:

23 *Article – Health – General*

24 *15-103.*

25 (a) (1) *The Secretary shall administer the Maryland Medical Assistance*  
 26 *Program.*

27 (2) *The Program:*

28 (xi) *May include bedside nursing care for eligible Program recipients;*

29 *[and]*

30 (xii) *Shall provide services in accordance with funding restrictions*  
 31 *included in the annual State budget bill; AND*

1 (XIII) BEGINNING ON JANUARY 1, 2019, MAY PROVIDE, SUBJECT  
 2 TO THE LIMITATIONS OF THE STATE BUDGET, AND AS PERMITTED BY FEDERAL LAW,  
 3 DENTAL SERVICES FOR ADULTS WHOSE ANNUAL HOUSEHOLD INCOME IS AT OR  
 4 BELOW 133 PERCENT OF THE POVERTY LEVEL.

5 SECTION 3. AND BE IT FURTHER ENACTED, That:

6 (a) Section 2 of this Act is contingent on the Maryland Dental Action Coalition  
 7 determining, as part of the findings of the study authorized under Section 1(a) of this Act,  
 8 that it is advisable to expand the benefits provided under the Maryland Medical Assistance  
 9 Program to include dental services for adults whose annual household income is at or below  
 10 133 percent of the poverty level.

11 (b) If the report authorized under Section 1(c)(1) of this Act does not include the  
 12 finding described in subsection (a) of this section, Section 2 of this Act shall be null and void  
 13 without the necessity of further action by the General Assembly.

14 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this  
 15 Act, this Act shall take effect June 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.