SENATE BILL 951

J1   0lr2970

By: **Senators Conway, Frosh, Harrington, Kelley, McFadden, Muse, Pugh, and Stone**
Introduced and read first time: February 18, 2010
Assigned to: Rules

A BILL ENTITLED

1   AN ACT concerning

2   **Maryland Medical Assistance Program – Orthodontic Care – Reimbursement**

3   FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt
4   a certain reimbursement procedure for orthodontic care provided to certain
5   Maryland Medical Assistance Program recipients; defining a certain term; and
6   generally relating to reimbursement for orthodontic care under the Maryland
7   Medical Assistance Program.

8   BY adding to
9   Article – Health – General
10   Section 15–114.2
11   Annotated Code of Maryland
12   (2009 Replacement Volume)

13   SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14   MARYLAND, That the Laws of Maryland read as follows:

15   **Article – Health – General**

16   **15–114.2.**

17   **(A)   IN THIS SECTION, "ORTHODONTIC CARE" MEANS DENTAL SERVICES**
18   **RELATED TO THE DIAGNOSIS AND TREATMENT OF IRREGULARITIES OF THE**
19   **TEETH, MALOCCLUSIONS, AND ASSOCIATED ORAL–FACIAL ABNORMALITIES.**

20   **(B)   THE DEPARTMENT SHALL ADOPT A PROCEDURE FOR THE**
21   **REIMBURSEMENT OF ORTHODONTISTS THAT ALLOWS FOR THE FULL AMOUNT**
22   **OF REIMBURSEMENT AUTHORIZED UNDER THE PROGRAM FOR ORTHODONTIC**
23   **CARE THAT INVOLVES INSTALLATION AND MAINTENANCE OF ORTHODONTIC**
24   **BRACES FOR A PROGRAM RECIPIENT IF:**

1   **(1)   THE ORTHODONTIC CARE IS COVERED UNDER THE PROGRAM;**

2   **(2)   THE PROGRAM RECIPIENT DOES NOT RECEIVE THE FULL**
3   **NUMBER OF VISITS AUTHORIZED UNDER THE PROGRAM BECAUSE THE**
4   **ORTHODONTIST TREATING THE PROGRAM RECIPIENT DETERMINES THAT IT IS**
5   **NOT MEDICALLY NECESSARY FOR THE PROGRAM RECIPIENT TO RECEIVE THE**
6   **FULL NUMBER OF VISITS; AND**

7   **(3)   FOR A PROGRAM RECIPIENT WHO IS A DEPENDENT, THE**
8   **PARENT OR GUARDIAN OF THE PROGRAM RECIPIENT IS SATISFIED WITH THE**
9   **ORTHODONTIC CARE PROVIDED TO THE PROGRAM RECIPIENT.**

10   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11   July 1, 2010.