

# SENATE BILL 284

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8lr1651

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By: ~~Senators Middleton and Guzzone~~, Guzzone, Astle, Benson, Feldman, Hershey, Jennings, Mathias, Reilly, and Rosapepe

Introduced and read first time: January 22, 2018

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

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

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Dental Coverage for Adults – Pilot**  
3 **Program**

4 FOR the purpose of ~~requiring the Maryland Medical Assistance Program, beginning on a~~  
5 ~~certain date and subject to certain limitations, to provide certain dental coverage for~~  
6 ~~certain adults; repealing a certain contingency; requiring the Maryland Department~~  
7 ~~of Health, in consultation with certain stakeholders, to study certain matters and~~  
8 ~~make certain recommendations relating to adult dental coverage; requiring the~~  
9 ~~Department to report certain findings and recommendations to the Governor and the~~  
10 ~~General Assembly on or before a certain date~~ requiring the Maryland Department of  
11 Health to apply, on or before a certain date, to the Centers for Medicare and Medicaid  
12 Services for an amendment to a certain waiver to implement a pilot program to  
13 provide certain dental coverage to certain recipients under the Maryland Medical  
14 Assistance Program; requiring the Department to administer the pilot program  
15 under certain circumstances; authorizing the Department to establish certain  
16 limitations on the pilot program; requiring the Department to meet with certain  
17 stakeholders for a certain purpose and to report to the Governor and the General  
18 Assembly on the status of a certain application on or before a certain date; and  
19 generally relating to dental coverage under the Maryland Medical Assistance  
20 Program.

21 ~~BY repealing and reenacting, without amendments,~~  
22 ~~Article – Health – General~~  
23 ~~Section 15–103(a)(2)(ii) and (x)~~

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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.



1 ~~Annotated Code of Maryland~~  
 2 ~~(2015 Replacement Volume and 2017 Supplement)~~

3 ~~BY repealing and reenacting, with amendments,~~  
 4 ~~Article – Health – General~~  
 5 ~~Section 15–103(a)(2)(xiii)~~  
 6 ~~Annotated Code of Maryland~~  
 7 ~~(2015 Replacement Volume and 2017 Supplement)~~  
 8 ~~(As enacted by Chapter 721 of the Acts of the General Assembly of 2017)~~

9 ~~BY repealing~~  
 10 ~~Chapter 721 of the Acts of the General Assembly of 2017~~  
 11 ~~Section 3~~

12 ~~BY repealing and reenacting, with amendments,~~  
 13 ~~Chapter 721 of the Acts of the General Assembly of 2017~~  
 14 ~~Section 4~~

15 BY adding to  
 16 Article – Health – General  
 17 Section 15–140  
 18 Annotated Code of Maryland  
 19 (2015 Replacement Volume and 2017 Supplement)

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

22 **Article – Health – General**

23 ~~15–103.~~

24 ~~(a) (2) The Program:~~

25 ~~(ii) Shall provide, subject to the limitations of the State budget,~~  
 26 ~~comprehensive medical and other health care services for all eligible pregnant women~~  
 27 ~~whose family income is at or below 250 percent of the poverty level, as permitted by the~~  
 28 ~~federal law;~~

29 ~~(x) Subject to the limitations of the State budget, and as permitted~~  
 30 ~~by federal law;~~

31 ~~1. Shall provide comprehensive medical care and other~~  
 32 ~~health care services for former foster care adolescents who, on their 18th birthday, were in~~  
 33 ~~foster care under the responsibility of the State and are not otherwise eligible for Program~~  
 34 ~~benefits;~~

~~2. May provide comprehensive medical care and other health care services for former foster care adolescents who, on their 18th birthday, were in foster care under the responsibility of any other state or the District of Columbia; and~~

~~3. May provide comprehensive dental care for former foster care adolescents who, on their 18th birthday, were in foster care under the responsibility of the State;~~

~~(xiii) Beginning on January 1, [2019, may] 2020, SHALL provide, subject to the limitations of the State budget, and as permitted by federal law, LIMITED dental [services] COVERAGE for adults [whose]:~~

~~1. WHOSE annual household income is at or below 133 percent of the poverty level; AND~~

~~2. WHO DO NOT RECEIVE COMPREHENSIVE DENTAL COVERAGE UNDER SUBPARAGRAPHS (H) OR (X) OF THIS PARAGRAPH.~~

#### ~~Chapter 721 of the Acts of 2017~~

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

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

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

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

~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

~~(a) The Maryland Department of Health, in consultation with the Maryland Dental Action Coalition, the Maryland State Dental Association, the Maryland Dental Hygiene Association, and other interested stakeholders, shall study and recommend ways to structure adult dental coverage in order to balance fiscal constraints with meeting the dental care needs of adult Maryland Medical Assistance Program enrollees.~~

~~(b) As part of the study, the Department shall consider and recommend ways to:~~

~~(1) structure dental coverage to improve health outcomes;~~

~~(2) implement utilization management tools, such as spending caps and cost-sharing requirements, to manage overall Program costs and to encourage participants to use preventive services within a dental home;~~

~~(3) if dental coverage is implemented through managed care organizations, incentivize managed care organizations to continue to invest in robust dental coverage packages beyond the minimums established by the Department;~~

~~(4) build capacity among safety net providers and private practices; and~~

~~(5) increase provider participation in the Program by streamlining administrative processes, including processes for provider enrollment in the Program.~~

~~(e) On or before January 1, 2019, the Department shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.~~

**15-140.**

**(A) ON OR BEFORE SEPTEMBER 1, 2018, THE DEPARTMENT SHALL APPLY TO THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR AN AMENDMENT TO THE STATE'S § 1115 HEALTHCHOICE DEMONSTRATION WAIVER TO IMPLEMENT A PILOT PROGRAM TO PROVIDE LIMITED DENTAL COVERAGE TO ADULT PROGRAM RECIPIENTS.**

**(B) IF THE AMENDMENT IS APPROVED UNDER SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT SHALL ADMINISTER THE PILOT PROGRAM.**

**(C) THE DEPARTMENT MAY LIMIT:**

**(1) PARTICIPATION IN THE PILOT PROGRAM TO PROGRAM RECIPIENTS WHO ARE:**

**(i) DUALY ELIGIBLE FOR HEALTH CARE COVERAGE UNDER BOTH THE PROGRAM AND MEDICARE AND FOR WHOM THE DEPARTMENT MAY OBTAIN FEDERAL MATCHING FUNDS; AND**

**(ii) OF A CERTAIN AGE;**

**(2) THE TOTAL NUMBER OF PARTICIPANTS IN THE PILOT PROGRAM;**  
**AND**

**(3) OPERATION OF THE PILOT PROGRAM TO CERTAIN GEOGRAPHIC REGIONS OF THE STATE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That:

2           (a)    The Maryland Department of Health shall meet with interested stakeholders  
3 to obtain input on the design of the application for an amendment to the State’s § 1115  
4 HealthChoice Demonstration waiver to implement a pilot program to provide limited  
5 dental coverage to adult Maryland Medical Assistance Program recipients.

6           (b)    On or before December 1, 2018, the Department shall report to the Governor  
7 and the General Assembly, in accordance with § 2–1246 of the State Government Article,  
8 on the status of the application for an amendment to the State’s § 1115 HealthChoice  
9 Demonstration waiver to implement a pilot program to provide limited dental coverage to  
10 adult Maryland Medical Assistance Program recipients.

11           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
12 1, 2018.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.