

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 970 (Delegates Pena-Melnyk and Cullison)
Health and Government Operations

Maryland Medical Assistance Program - Hospitals - Dental Services

This bill requires the Maryland Department of Health (MDH) to require an acute care hospital that participates in Medicaid to develop a plan that demonstrates a commitment by the hospital to provide adequate operating room time for pediatric dental services, dental services for adults with disabilities, and dental services for the community served by the hospital. By January 1, 2024, and annually thereafter, each acute general hospital participating in Medicaid must submit the required plan to the Secretary of Health for approval.

Fiscal Summary

State Effect: MDH can require hospitals to develop the plans, and likely receive and approve such plans, using existing budgeted resources. To the extent that billing for operating room services increases under the implementation of these plans, Medicaid expenditures increase by an indeterminate amount beginning as early as FY 2024. Federal fund revenues increase accordingly.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Under federal requirements, comprehensive dental coverage is mandatory for children enrolled in Medicaid. However, dental benefits for Medicaid-eligible adults are optional. Prior to January 1, 2023, Medicaid dental coverage (provided through the Maryland Healthy Smiles Dental Program) was available to children younger than age 21,

former foster care recipients younger than age 26, pregnant women age 21 and older, and adults enrolled in the Rare and Expensive Case Management program. Effective January 1, 2023, Medicaid provides dental coverage for all adults with incomes up to 133% of the federal poverty level.

Under Maryland regulations (COMAR 10.09.05.04), Medicaid must reimburse for general anesthesia during dental procedures when medically necessary. In addition to other locations, Medicaid must reimburse for covered dental services provided in a general acute care hospital or a Medicare-certified ambulatory surgical center.

Additional Comments: MDH advises that it is currently working with stakeholders to implement rate increases to ensure that acute care hospitals and ambulatory surgery centers can provide dental services to children enrolled in Medicaid.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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