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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1438, L.D. 2123, “An Act to Improve Dental Care Access for Children by Modifying the MaineCare Reimbursement Methodology for the Provision of Anesthesia for Certain Dental Services”

Amend the bill by striking out the title and substituting the following:

**'Resolve, to Improve Dental Care Access by Modifying the MaineCare Reimbursement Methodology for the Provision of Certain Dental Services'**

Amend the bill by striking out everything after the title and inserting the following:

**'Sec. 1. Department of Health and Human Services to remove requirement for prior authorization for deep sedation or general anesthesia for dental services. Resolved:** That, effective July 1, 2026, the Department of Health and Human Services shall provide that prior authorization may not be required for the provision of deep sedation or general anesthesia for dental services to MaineCare members.

**Sec. 2. Department of Health and Human Services to modify fee schedule; reimbursement rates for anesthesia provided for dental services. Resolved:** That, effective July 1, 2026, the Department of Health and Human Services shall update the department's fee schedule for MaineCare reimbursement for dental services as follows:

1. The reimbursement rate for deep sedation and general anesthesia for dental services must be established at 67% of the commercial median benchmark and this rate must, at a minimum, be maintained until June 30, 2028 or until rates established pursuant to a dental rate determination conducted according to the Maine Revised Statutes, Title 22, section 3173-J are effective, whichever is sooner; and

2. Deep sedation and general anesthesia services must be billed using current dental terminology codes D9222, D9223, D9224 and D9225.

**Sec. 3. Department of Health and Human Services to modify fee schedule; reimbursement rates for certain dental services. Resolved:** That the Department of Health and Human Services shall provide for the following in its fee schedule for MaineCare reimbursement for dental services:

**COMMITTEE AMENDMENT**

1 1. The temporary reimbursement rates for tooth extractions billed using current dental  
 2 terminology code D7140 must, at a minimum, be maintained until June 30, 2028 or until  
 3 rates established pursuant to a dental rate determination conducted according to the Maine  
 4 Revised Statutes, Title 22, section 3173-J are effective, whichever is sooner; and

5 2. The temporary reimbursement rate for dental caries arresting medicament  
 6 application billed using current dental terminology code D1354 must, at a minimum, be  
 7 maintained until June 30, 2028 or until rates established pursuant to a dental rate  
 8 determination conducted according to the Maine Revised Statutes, Title 22, section 3173-J  
 9 are effective, whichever is sooner.

10 **Sec. 4. Appropriations and allocations. Resolved:** That the following  
 11 appropriations and allocations are made.

12 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

13 **Medical Care - Payments to Providers 0147**

14 Initiative: Provides funding for the Department of Health and Human Services to prohibit  
 15 requirements for prior authorization for deep sedation or general anesthesia for dental  
 16 services provided to MaineCare members and establish a reimbursement rate for these  
 17 services at 67% of the commercial median benchmark.

18 <b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
19 All Other	\$0	\$17,580
20		
21 GENERAL FUND TOTAL	\$0	\$17,580

23 <b>FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
24 All Other	\$0	\$31,647
25		
26 FEDERAL EXPENDITURES FUND TOTAL	\$0	\$31,647

28 <b>FEDERAL BLOCK GRANT FUND</b>	<b>2025-26</b>	<b>2026-27</b>
29 All Other	\$0	\$5,787
30		
31 FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$5,787

32 **Sec. 5. Retroactivity. Resolved:** That this resolve applies retroactively to July 1,  
 33 2026.'

34 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 35 number to read consecutively.

36 **SUMMARY**

37 This amendment replaces the bill with a resolve and removes the emergency preamble  
 38 and emergency clause. It requires the Department of Health and Human Services to do the  
 39 following, effective July 1, 2026:

40 1. Provide that prior authorization may not be required for the provision of deep  
 41 sedation or general anesthesia for dental services; and

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2. Establish the reimbursement rate for deep sedation and general anesthesia for dental services at 67% of the commercial median benchmark, to be maintained until June 30, 2028 or until rates established pursuant to a dental rate determination conducted according to the Maine Revised Statutes, Title 22, section 3173-J are effective, whichever is sooner.

It also requires the department to maintain temporary reimbursement rates for tooth extractions and dental caries arresting medicament applications until June 30, 2028 or until rates established pursuant to a dental rate determination conducted according to Title 22, section 3173-J are effective, whichever is sooner.

**FISCAL NOTE REQUIRED**  
**(See attached)**