



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 474

H.P. 313

House of Representatives, February 24, 2015

An Act To Improve Access to Dental Care in Maine

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GATTINE of Westbrook.
Cosponsored by Senator BURNS of Washington and
Representatives: CHIPMAN of Portland, FARNSWORTH of Portland, HEAD of Bethel,
SANBORN of Gorham, STUCKEY of Portland, WALLACE of Dexter, Senators:
GRATWICK of Penobscot, WHITTEMORE of Somerset.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §3174-F, sub-§1, ¶D**, as amended by PL 1997, c. 159, §1, is
3 further amended to read:

4 D. ~~Treatment~~ Diagnostic services and related treatment necessary to relieve pain,
5 eliminate infection or prevent imminent tooth loss; ~~and~~

6 **Sec. 2. 22 MRSA §3174-F, sub-§1, ¶F**, as enacted by PL 1997, c. 159, §2, is
7 amended to read:

8 F. ~~Other dental~~ Dental services, including full and partial dentures, medically
9 necessary to correct or ameliorate an underlying medical condition, if the department
10 determines that provision of those services will be cost-effective in comparison to the
11 provision of other covered medical services for the treatment of that condition;

12 **Sec. 3. 22 MRSA §3174-F, sub-§1, ¶¶G and H** are enacted to read:

13 G. Dental services including diagnostic and preventive services to pregnant women
14 and postpartum women for one year after delivery to ameliorate conditions or reduce
15 complications that exist because of or are exacerbated by the pregnancy or that, if left
16 untreated, could adversely affect fetal or child development; and

17 H. Dental services necessary to avoid more costly medical or dental care when
18 authorized by the department in accordance with rules adopted by the department.

19 **Sec. 4. 22 MRSA §3174-F, sub-§§3 and 4** are enacted to read:

20 **3. Notice to MaineCare members.** The department shall provide notice of dental
21 benefits available under this section to an individual when the individual enrolls as an
22 adult member of MaineCare.

23 **4. Notice to providers.** Annually, the department shall provide to providers of
24 services under this section educational opportunities relating to the scope of benefits
25 covered and administrative requirements. Such educational opportunities may be
26 delivered by electronic newsletters, educational training meetings, policy briefings and
27 fact sheets.

28 **Sec. 5. Notice to MaineCare members.** By November 1, 2015, the Department
29 of Health and Human Services shall provide to MaineCare members notice of adult
30 dental benefits available under the Maine Revised Statutes, Title 22, section 3174-F,
31 subsection 1.

32 **Sec. 6. Written notice to providers.** By November 1, 2015, the Department of
33 Health and Human Services shall provide to providers of dental care enrolled as
34 MaineCare providers written notice of adult dental benefits available under the Maine
35 Revised Statutes, Title 22, section 3174-F, subsection 1.

36 **Sec. 7. Rulemaking; stakeholder group.**

1 **1. Rulemaking.** By October 1, 2015, the Department of Health and Human Services
2 shall adopt rules to implement the provisions of the Maine Revised Statutes, Title 22,
3 section 3174-F, subsection 1, paragraphs D, G and H. When adopting rules to implement
4 paragraph H, the department shall consider dental services identified by a stakeholder
5 group pursuant to subsection 2. Rules adopted pursuant to this section are routine
6 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7 **2. Stakeholder group.** Prior to adopting rules pursuant to subsection 1 to
8 implement the provisions of the Maine Revised Statutes, Title 22, section 3174-F,
9 subsection 1, paragraph H, the Department of Health and Human Services shall convene
10 a stakeholder group to identify dental services necessary to avoid more costly medical or
11 dental care. The stakeholder group must consist of members representing dentists,
12 federally qualified health centers, consumers, dental hygienists, hospitals and a clinical
13 health system with experience in adult oral health initiatives.

14 **Sec. 8. Effective date.** Those sections of this Act that amend the Maine Revised
15 Statutes, Title 22, section 3174-F take effect October 5, 2015.

16 **SUMMARY**

17 This bill provides MaineCare coverage for dental services including diagnostic and
18 preventive services to pregnant and postpartum women and dental services necessary to
19 avoid more costly medical or dental care as identified by a stakeholder group. It requires
20 the Department of Health and Human Services to provide information concerning adult
21 dental benefits to adult MaineCare members and providers. It requires the department to
22 adopt rules relating to the dental coverage by October 1, 2015.