



# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1301

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H.P. 898

House of Representatives, April 4, 2017

### **An Act To Improve Access to Preventive, Cost-saving Dental Services**

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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 MARTIN of Eagle Lake.  
Cosponsored by Senator KATZ of Kennebec and  
Representatives: CHACE of Durham, FARNSWORTH of Portland, FREY of Bangor,  
HYMANSON of York, MALABY of Hancock, STEARNS of Guilford, WADSWORTH of  
Hiram, Senator: CHIPMAN of Cumberland.

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 necessary to relieve pain, eliminate infection or prevent imminent  
5 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 services, including full and partial dentures, medically necessary to  
9 correct or ameliorate an underlying medical condition, if the department determines  
10 that provision of those services will be cost-effective in comparison to the provision  
11 of other covered medical services for the treatment of that condition; and

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

13 G. Beginning October 1, 2017, dental services including an annual comprehensive  
14 oral examination, including necessary x-rays or other imaging and preventive  
15 services, including prophylaxis, topical fluoride, sealants, oral hygiene instruction,  
16 behavior management and smoking cessation counseling and other services as  
17 determined by the department. The department shall provide restorative treatment  
18 necessary to prevent or treat oral health conditions, to reduce or eliminate the need  
19 for future acute oral health care, and to avoid more costly medical or dental care.

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

21 **3. Notice to MaineCare members.** Beginning October 1, 2017, the department  
22 shall provide notice of dental benefits available under this section to an individual when  
23 the individual enrolls as an adult member of MaineCare.

24 **4. Notice to providers.** Annually, the department shall provide to providers of  
25 services under this section educational opportunities relating to the scope of benefits  
26 covered under this section and administrative requirements for obtaining these benefits.  
27 The educational opportunities required under this subsection may be delivered by  
28 electronic newsletters, educational training meetings, policy briefings and fact sheets.  
29 This subsection takes effect October 1, 2017.

30 **Sec. 5. Notice to MaineCare members.** By November 1, 2017, the Department  
31 of Health and Human Services shall provide to MaineCare members notice of adult  
32 dental benefits available under the Maine Revised Statutes, Title 22, section 3174-F,  
33 subsection 1.

34 **Sec. 6. Written notice to providers.** By November 1, 2017, the Department of  
35 Health and Human Services shall provide to providers of dental care enrolled as  
36 MaineCare providers written notice of adult dental benefits available under the Maine  
37 Revised Statutes, Title 22, section 3174-F, subsection 1.

1           **Sec. 7. Rulemaking; stakeholder group.** By October 1, 2017, the Department  
2 of Health and Human Services shall adopt rules in accordance with this section to  
3 implement the provisions of the Maine Revised Statutes, Title 22, section 3174-F,  
4 subsection 1, paragraph G.

5           **1. Stakeholder group.** Prior to adopting rules to implement the provisions of Title  
6 22, section 3174-F, subsection 1, paragraph G, the Department of Health and Human  
7 Services shall convene a stakeholder group to identify those dental services that are  
8 necessary to prevent more costly medical or dental care. The stakeholder group must  
9 consist of members representing dentists, federally qualified health centers, consumers,  
10 dental hygienists, hospitals and a clinical health system with experience in adult oral  
11 health initiatives.

12           **2. Rulemaking.** When adopting rules to implement the provisions of Title 22,  
13 section 3174-F, subsection 1, paragraph G, the department shall consider dental services  
14 identified by a stakeholder group pursuant to subsection 1.

15           Rules adopted pursuant to this section are routine technical rules as defined in Title 5,  
16 chapter 375, subchapter 2-A.

17   **SUMMARY**

18           This bill requires that, beginning October 1, 2017, MaineCare coverage for adult  
19 dental services include an annual comprehensive oral examination and preventive  
20 services, including prophylaxis, topical fluoride, sealants, oral hygiene instruction,  
21 behavior management and smoking cessation counseling.