

Legislative Testimony
Human Services Committee
HB 5500 AAC Provider Audits Under The Medicaid Program
Thursday, March 13, 2014
Mark Desrosiers, DMD

Senator Slossberg, Representative Abercrombie, Senator Markley, Representative Wood and members of the Human Services Committee, my name is Dr. Mark Desrosiers and I am currently the President of the CT State Dental Association (CSDA). I am also an Endodontist in Glastonbury and West Hartford as well as a participating provider in the CT Dental Health Partnership, the CT dental Medicaid program. I am here today to speak on and to support House Bill 5500 An Act Concerning Provider Audits Under The Medicaid Program which seeks to ensure that audits of providers who receive payments under the state Medicaid program are performed fairly and accurately.

The CSDA is proud of the fact that Connecticut has a dental Medicaid delivery system which not only works, but is now considered a national model. Currently there are more than 1,800 dentists who participate in the Connecticut Dental Health Partnership (CTDHP), formerly known as HUSKY. These dentists have ensured that any child in Connecticut can receive a routine dental appointment within 11 days, and an emergency appointment within 24 hours, virtually unheard of in other states. Not only is there access to the highest quality dental care available, but Connecticut children are utilizing that care as well at rates that are the second highest in the nation. Unfortunately, some providers have been responsible for perpetrating fraud and abuse within this program, and we understand the need for the Connecticut Department of Social Services Quality Assurance Unit to audit practitioners who have been identified as outliers. However, we have serious concerns about the manner in which these audits are currently being performed. While we agree that audits are important in order to identify fraud and abuse, the current system is placing undo hardships on all providers who provide Medicaid services. If left unresolved, this may result in the unintended consequence of dismantling Connecticut's very successful program, which will have a great impact on the citizens in most need of dental care.

As President of the CSDA I have heard from numerous dentists who have been audited by the Department. I and others from our organization have met with Commissioner Bremby to discuss the audits and our concerns which to date have been unresolved. One of the main concerns that we have is the use of extrapolation which this bill attempts to address. The current methodology for extrapolation we feel is unreasonable given the low threshold trigger (\$150,000) that was instituted in 1995 when Medicaid fees were much lower. The threshold should be indexed properly. Overpayments due to clerical errors, appropriate but uncovered clinical treatments, justified coding disputes and unique clinical situations should not be extrapolated. Also, extrapolation has been applied in the same way to both groups of practitioners and individual practitioners which is not appropriate.

Another issue that this bill attempts to improve and which we strongly support is increased transparency. The bill would require the providing of training for new providers on how to enter claims in order to avoid clerical errors. While this would certainly be helpful, developing and utilizing valid guidelines in support of current dental practice in coordination with dentists and making those known to all providers would be most helpful.

The auditors are not dentists yet have been determining the standard of care in dentistry, which is not appropriate. We encourage amending this bill to stipulate that dentists are involved from the beginning

in determining if the care rendered meets the proper standards. Dentists should not be making auditing decisions and auditors should not be making dental decisions!

Moving forward we feel that a moratorium should be placed on random audits not thought to be associated with fraud, and a stay be granted for audits currently in progress, at least until the dental community can collaborate with the Department on how to make these audits effective, transparent, and as fair as possible. I applaud and support the intent of the HB 5500 and what it attempts to do and look forward to working with you to make it even better.

Respectfully Submitted,

Mark Desrosiers
President
(860) 232-0033
TopGum@charter.net