General Assembly

Raised Bill No. 1299

January Session, 2025

LCO No. **4402**

Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING MEDICAID-COVERED DENTAL CARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 17b-282c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) All nonemergency dental services provided under the Department of Social Services' dental programs, as described in section 17b-282b, shall be subject to prior authorization. Nonemergency services that are exempt from the prior authorization process shall include diagnostic, prevention, basic restoration procedures and nonsurgical extractions that are consistent with standard and reasonable dental practices. Payment for nonemergency dental services shall not exceed one thousand dollars per calendar year for an individual adult, provided prevention services such as oral exams and dental cleanings and services determined to be medically necessary, as defined in section 17b-259b, including dentures, shall not be subject to such payment cap. Dental benefit limitations shall apply to each client regardless of the number of providers serving the client. The commissioner may recoup payments for services that are determined not to be for an emergency

condition or otherwise in excess of what is medically necessary. The commissioner shall periodically, but not less than quarterly, review payments for emergency dental services and basic restoration procedures for appropriateness of payment. For the purposes of this section, "emergency condition" means a dental condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate dental attention to result in placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, cause serious impairment to body functions or cause serious dysfunction of any body organ or part.

(b) The Commissioner of Social Services may implement policies and procedures necessary to administer the provisions of this section while in the process of adopting such policies and procedures as regulation, provided the commissioner **[**prints**]** posts notice of intent to adopt regulations **[**in**]** on the **[**Connecticut Law Journal**]** eRegulations System not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.

Sec. 2. Section 17b-282d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) The Commissioner of Social Services shall modify the extent of nonemergency adult dental services provided under the Medicaid program. Such modifications shall include, but are not limited to, providing one periodic dental exam, **[**one dental cleaning**]** two dental cleanings, periodontal therapy and one set of bitewing x-rays each year for a healthy adult. For purposes of this section, "healthy adult" means a person twenty-one years of age or older for whom there is no evidence indicating that dental disease is an aggravating factor for the person's overall health condition.

(b) The commissioner may implement policies and procedures necessary to administer the provisions of this section while in the process of adopting such policies and procedures in regulation form, provided the commissioner **[**prints**]** posts notice of intent to adopt regulations **[**in**]** on the **[**Connecticut Law Journal**]** eRegulations System not later than twenty days after the date of implementation. **[**Such policies and procedures shall remain valid for three years following the date of publication in the Connecticut Law Journal unless otherwise provided for by the General Assembly. Notwithstanding the time frames established in subsection (c) of section 17b-10, the commissioner shall submit such policies and procedures in proposed regulation form to the legislative regulation review committee not later than three years following the date of publication of its intent to adopt regulations as provided for in this subsection. In the event that the commissioner is unable to submit proposed regulations prior to the expiration of the three-year time period as provided for in this subsection, the commissioner shall submit written notice, not later than thirty-five days prior to the date of expiration of such time period, to the legislative regulation review committee and the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies indicating that the department will not be able to submit the proposed regulations on or before such date and shall include in such notice (1) the reasons why the department will not submit the proposed regulations by such date, and (2) the date by which the department will submit the proposed regulations. The legislative regulation review committee may require the department to appear before the committee at a time prescribed by the committee to further explain such reasons and to respond to any questions by the committee about the policy. The legislative regulation review committee may request the joint standing committee of the General Assembly having cognizance of matters relating to human services to review the department's policy, the department's reasons for not submitting the proposed regulations by the date specified in this section and the date by which the department will submit the proposed

regulations. Said joint standing committee may review the policy, such reasons and such date, may schedule a hearing thereon and may make a recommendation to the legislative regulation review committee.**]**

Sec. 3. (NEW) (*Effective July 1, 2025*) (a) As used in this section, (1) "mobile dental clinic" has the same meaning as provided in section 17b-282f of the general statutes, and (2) "school-based health center" and "expanded school health site" have the same meanings as provided in section 19a-6r of the general statutes.

(b) The Commissioner of Social Services shall not require that separate dental services and procedures be provided to a patient in a single visit as a condition of Medicaid payment for Medicaid-eligible dental services or treatment provided at a mobile dental clinic, school-based health center or expanded school health site. The commissioner shall provide Medicaid payment for each Medicaid-eligible service and procedure separately billed and not require that reimbursement be provided through a bundled payment methodology that provides one aggregate payment for separate dental services and procedures. The commissioner shall, in accordance with the provisions of chapter 54 of the general statutes, adopt regulations to implement the provisions of this section. The commissioner may implement policies and procedures necessary to administer the provisions of this section while in the process of adopting such policies and procedures as regulation, provided the commissioner posts notice of intent to adopt regulations on the eRegulations System not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025*	17b-282c
Sec. 2	*July 1, 2025*	17b-282d
Sec. 3	*July 1, 2025*	New section

Statement of Purpose:

To expand preventive adult oral health services covered under Medicaid and require that Medicaid payment be made for eligible dental services and procedures at mobile dental clinics and school-based health centers and sites without requiring such services or procedures be provided in a single visit.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]