

By Senator Flores

37-00487-15

2015350__

1 A bill to be entitled
2 An act relating to the statewide prepaid dental
3 program for Medicaid-eligible children; creating s.
4 409.91205, F.S.; providing legislative findings and
5 intent; establishing the statewide prepaid dental
6 program for Medicaid-eligible children; requiring the
7 Agency for Health Care Administration to contract with
8 prepaid dental health plans meeting specified
9 criteria; requiring the agency to apply for and
10 implement state plan amendments or waivers of
11 applicable federal laws and regulations necessary to
12 implement the program; requiring the agency to issue a
13 competitive procurement to licensed prepaid dental
14 health plans to implement the program; requiring the
15 agency to include all counties in the procurement;
16 providing that enrollment in the program shall begin
17 by a specified date, but not until necessary state
18 plan amendments or waivers of applicable federal laws
19 and regulations are implemented; providing that a
20 Medicaid-eligible child shall receive dental services
21 through the Medicaid managed medical assistance
22 program during a specified period; requiring the
23 agency to provide any required notice to Medicaid
24 recipients regarding the transition to the program;
25 providing that the agency may assess the costs
26 incurred in providing the notice to prepaid dental
27 health plans participating in the program; requiring
28 participating plans to submit encounter data and to
29 comply with a specified medical loss ratio; requiring

37-00487-15

2015350__

30 the agency to submit an annual report to the Governor
31 and Legislature; specifying the contents of the
32 report; amending s. 409.973, F.S.; deleting the
33 requirement that managed care plans participating in
34 the Medicaid managed medical assistance program
35 provide children's dental services; providing an
36 effective date.

37
38 Be It Enacted by the Legislature of the State of Florida:

39
40 Section 1. Section 409.91205, Florida Statutes, is created
41 to read:

42 409.91205 Statewide prepaid dental program for Medicaid-
43 eligible children.-

44 (1) The Legislature finds that an overriding concern in the
45 design and delivery of Medicaid dental services is ensuring the
46 dental health of children. Due to the unique challenges that
47 exist in the delivery of Medicaid dental services and
48 considering the historical shortcomings of access to such
49 services in this state, special attention must be given to the
50 issues of children's access to dental services and provider
51 network sustainability. Therefore, it is the intent of the
52 Legislature that the agency establish a high-quality, prepaid
53 dental program for Medicaid-eligible children on a statewide
54 basis, separate from the Medicaid managed medical assistance
55 program described in part IV. The agency shall ensure a seamless
56 transition of responsibility from the Medicaid managed medical
57 assistance program to the new program so that continuous access
58 to dental services is provided.

37-00487-15

2015350__

59 (2) Notwithstanding part IV, the agency shall establish the
60 statewide prepaid dental program for Medicaid-eligible children
61 by contracting on a prepaid or fixed-sum basis with at least two
62 appropriately licensed prepaid dental health plans to provide
63 dental services. Such plans must demonstrate extensive
64 experience in administering dental benefits for children
65 enrolled in Medicaid and in developing and maintaining statewide
66 dental and specialty dental provider networks for Medicaid
67 programs.

68 (a) The agency shall apply for and implement state plan
69 amendments or waivers of applicable federal laws and regulations
70 necessary to implement the program.

71 (b) The agency shall issue a competitive procurement to
72 licensed prepaid dental health plans to implement the program.
73 The agency shall include all counties in the competitive
74 procurement.

75 (c) Enrollment in the program may not begin until the
76 necessary state plan amendments or waivers of applicable federal
77 laws and regulations are implemented; however, the Legislature
78 intends that enrollment begin no later than September 1, 2016.

79 (d) Between the date this act takes effect and the
80 implementation of the program, each Medicaid-eligible child
81 shall receive dental services as provided in part IV until he or
82 she is eligible to enroll in the program.

83 (e) Before enrollment begins for the program, the agency
84 shall provide any required notice to Medicaid recipients
85 regarding the transition. The agency may assess the costs
86 incurred in providing such notice to the participating plans.

87 (f) The agency's contract with each participating plan

37-00487-15

2015350__

88 shall require the plan to submit encounter data as described in
89 s. 409.967(2)(d) and to comply with a medical loss ratio of 85
90 percent. The medical loss ratio calculation must use uniform
91 financial data collected from all plans, must be computed for
92 each plan on a statewide basis, and must require that
93 expenditures be classified in a manner consistent with 45 C.F.R.
94 part 158.

95 (3) The agency shall submit a report by January 15 of each
96 year to the Governor, the President of the Senate, and the
97 Speaker of the House of Representatives on the operation of the
98 statewide prepaid dental program. The report must compare the
99 combined annual benefits utilization and encounter data reported
100 by all participating plans with the agency's projected and
101 budgeted annual program costs; must evaluate the extent to which
102 each participating plan is complying with the contract terms and
103 conditions; must address the effect that each participating
104 plan's operation is having on access to dental services for
105 Medicaid-eligible children in the plan's service area; and must
106 address the statistical trends associated with indicators of
107 good oral health for the children served, as compared to the
108 general population of the state.

109 Section 2. Paragraph (e) of subsection (1) of section
110 409.973, Florida Statutes, is amended to read:

111 409.973 Benefits.—

112 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a
113 minimum, the following services:

114 (e) Adult dental services as described in s. 409.906(1).

115 Section 3. This act shall take effect upon becoming a law.