AN ACT

Relating to coverage for adult dental services under Medicaid; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1
AN ACT

Relating to coverage for adult dental services under Medicaid; and providing for an effective date.

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* Section 1. The uncodified law of the State of Alaska is amended by adding a new section to read:

PURPOSE; INTENT. (a) The purpose of this Act is to increase adult dental care services for an eligible recipient of Medicaid under AS 47.07 to ensure that services critical to a recipient are implemented first, while controlling the overall growth of the costs of the increase in services.

(b) It is the intent of the legislature that the Department of Health and Social Services implement the increase in adult dental care services authorized by this Act through the adoption of regulations consistent with the department's obligation to contain the costs of the increased services in order to provide the services within appropriation limits. It is further the intent of the legislature that the Department of Health and Social Services implement
mechanisms to contain costs, which may include establishing a maximum amount of benefits for each eligible recipient in a fiscal year for the services and specifying the scope of the services.

* Sec. 2. AS 47.07 is amended by adding a new section to read:

Sec. 47.07.067. Payment for adult dental services. (a) Subject to appropriation, the department shall pay for minimum treatment and for preventative and restorative adult dental services provided under AS 47.07.030(b) and under regulations adopted by the commissioner in conformity with applicable federal requirements and this chapter. Regulations adopted under this section must include the following:

(1) a maximum amount of benefits for preventative and restorative adult dental services of $1,150 for each eligible recipient in a fiscal year; and

(2) specification of the scope of coverage for preventative and restorative adult dental services.

(b) On or before June 30 of each year, the department shall review appropriations available for the purposes of this section for the following fiscal year, and estimate the scope of services to be used and the number of eligible recipients anticipated to be served during the following fiscal year. Notwithstanding the maximum amount of benefits specified in (a)(1) of this section, the department shall reduce, by regulation, the specified maximum amount of benefits for the following fiscal year if the department's estimates under this subsection would exceed appropriations available for that fiscal year.

(c) Notwithstanding any contrary provision of AS 44.62, the department may adopt emergency regulations to implement (b) of this section.

(d) As used in this section, "minimum treatment" means the application or prescription of a medication or material deemed necessary by a licensed dentist for the immediate relief of pain or to reduce the spread of infection.

* Sec. 3. AS 47.07.900 is amended by adding a new paragraph to read:

(20) "adult dental services" means minimum treatment for the immediate relief of pain and acute infection provided by a licensed dentist.

* Sec. 4. AS 47.07.900(1) is repealed.
Sec. 5. AS 47.07.067, as added in sec. 2 of this Act, is repealed June 30, 2009.

Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Health and Social Services may proceed to adopt regulations necessary to implement the changes made by this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory changes.

Sec. 7. Section 3 of this Act takes effect July 1, 2009.

Sec. 8. Section 6 of this Act takes effect immediately under AS 01.10.070(c).

Sec. 9. Except as provided in secs. 7 and 8 of this Act, this Act takes effect July 1, 2006.