

# ALASKA STATE LEGISLATURE

Senate Finance Committee

Health & Social Services Committee

Legislative Council

Committee on Committees



While in Session  
State Capitol, Rm. 103  
Juneau, AK 99801  
(907) 465-3704  
Fax: (907) 465-2529

While in Anchorage  
716 W. 4<sup>th</sup> Ave, Ste. 440  
Anchorage, AK 99501  
(907) 269-0169  
Fax: (907) 269-0172

SENATOR JOHNNY ELLIS  
SENATE MAJORITY LEADER

## MEMORANDUM

To: Senator Bettye Davis  
Chair, Senate Health and Social Services Committee

From: Senator Johnny Ellis *JE*

Date: January 19, 2010

Subject: Scheduling Request for SB 199 – Medicaid Coverage for Dentures

*Thank You!*

I am requesting that you schedule Senate Bill 199, "An Act relating to a two-year funding cycle for medical assistance coverage for dentures" for a hearing in the Senate Health and Social Services Committee at your earliest convenience.

SB199 would allow patients who are approved for denture services under the Medicaid Adult Dental program to access two years of funding in a single fiscal year. This would allow patients to receive a full set of dentures in one sitting, thereby improving their dental health and making the program simpler and less costly for participating dentists without substantially increasing Medicaid costs for the state.

The bill was co-sponsored during the pre-filing process by nine Senators, including yourself and two other members of your committee: Senator Paskvan and Senator Thomas. Other co-sponsors include Senators Egan, French, Kookesh, Menard, Olson, and Wielechowski.

Included in this packet are:

- The most recent version of the bill, 26-LS1061\R
- A sponsor statement
- Letters of support
- Backup information

Further backup, if necessary, will be forthcoming.

Thank you for your consideration, and my staff and I are available for any questions.

**SENATE BILL NO. 199**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY SENATORS ELLIS, Davis, Egan, French, Menard, Olson, Paskvan, Thomas, Wielechowski

Introduced: 1/8/10

Referred: Prefiled

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act providing for a two-year funding cycle for medical assistance coverage for**  
2 **dentures."**

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

4 **\* Section 1.** AS 47.07.067(a) is amended to read:

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

10 (1) except as provided in (e) of this section, a maximum amount of  
11 benefits for preventative and restorative adult dental services of \$1,150 for each  
12 eligible recipient in a fiscal year; and

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

1     \* **Sec. 2.** AS 47.07.067 is amended by adding a new subsection to read:

2             (e) If the department authorizes or approves payment for complete or partial  
3     dentures for an eligible recipient, the department may authorize the payment in one  
4     fiscal year of the maximum payment amount for not more than two fiscal years. A  
5     recipient is not eligible for additional benefits under this section for a two-year period.

# ALASKA STATE LEGISLATURE

Rules Committee  
•  
Finance Committee  
•  
Health & Social Services Committee  
•  
Legislative Council  
•  
Committee on Committees



*While in Session*  
State Capitol, Rm. 103  
Juneau, AK 99801  
(907) 465-3704  
Fax: (907) 465-2529  
•

*While in Anchorage*  
716 W. 4<sup>th</sup> Ave  
Anchorage, AK 99501  
(907) 269-0169  
Fax: (907) 269-0172

SENATE MAJORITY LEADER  
JOHNNY ELLIS

## SPONSOR STATEMENT – SENATE BILL 199

### **SB 199 – An Act relating to a two year funding cycle for medical assistance coverage for dentures.**

SB 199 makes a simple change to the Adult Medicaid Dental program that would allow patients who are approved for dentures to receive both the uppers and lowers in a single fiscal year. The bill would let patients access two years of funding in a single year, thereby allowing them and their dentists to schedule treatment around the oral health of the patient, rather than the bureaucratic ease of the state fiscal year.

Current law places a limit on expenditures per eligible client at \$1,150 per year. This number was designed to pay for ½ of a set of dentures, either uppers or lowers, in a single fiscal year. When the program was created, the idea was that a client who needed dentures could receive one set on June 30<sup>th</sup>, and the second on July 1<sup>st</sup>. Unfortunately, this has proven to be impractical. Dentists who are forced to pull teeth can't always do so on the state's fiscal calendar, and Alaskans shouldn't suffer needlessly because their medical emergency occurred in the fall rather than the summer.

Adult Medicaid Dental has been recognized across the political spectrum as a successful government health care program. Over the past three years, the state has saved substantial amounts of money – and poorer Alaskans have been saved immense pain and hardship – by allowing Medicaid to pay for exams, cleanings, fillings, root canals, and dentures before painful and expensive surgery became necessary. SB 199 will fix a small flaw in the cost-containment portion of the program and help protect this important state investment.



**Alaska Dental Society, Inc.**

9170 Jewel Lake Road, Suite 203  
Anchorage, Alaska 99502-5390  
(907) 563-3003 • FAX: 563-3009  
info@akdental.org

The Honorable Johnny Ellis  
State Capitol, Rm 103  
Juneau, AK 99801 + 1182

5 November 2009

Dear Senator Ellis:

Thank you for sponsoring the legislation to allow Medicaid recipients to utilize two years of benefits to receive a full set of dentures. This will provide a valuable service for Medicaid recipients and will improve the delivery of care for providers. In a true win-win solution this should lessen the overall costs for the Medicaid division when the additional travel costs for delivering the same service twice and the associated medical and dental costs for trying to retain non salvageable teeth during that interim year are factored in.

Respectfully yours

A handwritten signature in cursive script that reads "Gary A. Moeller".

Gary A. Moeller, DDS  
President

L O G A N  
D E N T A L

November 10, 2009

Senator Ellis  
716 W. 4th Ave. Suite 500  
Anchorage AK, 99501-2133

Dear Senator Ellis:

Thank you for sponsoring a bill to allow Medicaid recipients to use two consecutive years of supplemental benefits in the same year to receive upper and lower dentures at the same time. This will greatly help recipients as a single denture when you have no teeth to oppose it is of limited value. I believe it will ultimately lower costs for the Medicaid division, also, when travel benefits are factored in for this multi step procedure that must be repeated twice under the current system.

A case I did earlier this year may illustrate the problem providers' face. Due to HIPAA concerns I am not using names for this story.

I have a dental office in Juneau. Unfortunately, for a variety of reasons, dental offices in other Southeast communities do not usually accept new Medicaid patients. This patient had to travel over from Sitka and needed dentures, both upper and lower. He currently did not have either upper and lowers having lost both sets. The supplemental system for adult Medicaid benefits would cover a single denture, either the upper or lower. The patient, 78 years old and on fixed income, was unable to afford the second set even at reduced Medicaid fees. I wrote a letter Medicaid division, enclosed, outlining the problem and pointing out that travel costs associated with constructing the second set at a later date (when the new year's benefits kicked in) would ultimately cost more than the Medicaid fee for a denture. I received a reply from the division basically saying their hands were tied given the current statutes in place.

In the case of this patient I did a full set of dentures for the patient and absorbed the cost of construction of the second set. As I write this letter I saw two patients today in the same situation, one who lives here in Juneau that we are constructing an upper denture alone although he has no lower teeth. Currently are plan is construct the lowers after July

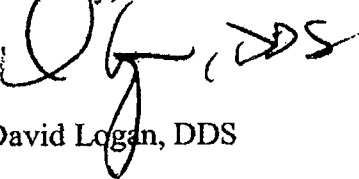
2237 N. Jordan Avenue, Juneau, AK 99801

Phone: (907) 780-6066 Fax: (907) 780-4274 info@juneausmiles.com

[www.juneausmiles.com](http://www.juneausmiles.com)

1, 2010. The second patient traveled here from Angoon and lost both his upper and lower dentures 2 weeks ago. His treatment will be further complicated as his old set was apparently ill fitting and led to a large tissue mass on the lower that will have to be removed prior to denture construction.

Sincerely,

A handwritten signature in black ink, appearing to read "D Logan, DDS". The signature is stylized with a large "D" and a long horizontal stroke.

David Logan, DDS

L O G A N  
D E N T A L

December 17, 2008

ACS  
Preauthorizations  
POB 240808  
Anchorage, AK 99524-0808

Re: [REDACTED]  
Medicaid #: [REDACTED]

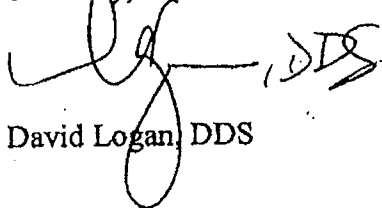
Dear Sirs:

Mr. [REDACTED] is currently edentulous (without teeth) upper and lower. We have previously preauthorized Mr. [REDACTED] for a lower denture (preauth [REDACTED]) - working with a Sitka Clinic we had not previously seen Mr. [REDACTED].

Mr. [REDACTED] has been without teeth for 6 years. One denture, the maximum allowed under the MEDS system, will provide little improvement for him. Mr. [REDACTED] will be traveling to our office from Sitka for completion of the denture. The travel costs will ultimately cost more then the fee for the denture given the number of appointments required to properly construct a denture.

I am requesting preauthorization for upper and lower dentures (included) for Mr. [REDACTED]. This is a case where everyone will benefit: the state will have less overall costs then a second round of travel costs to construct the other denture after July 1, Mr. [REDACTED] will have opposing dentures to eat with, and my overall costs will be less then repeating the same appointments come July 1.

Sincerely,



David Logan, DDS





The Alaska Mental Health  
Trust Authority



**Governor's Council on Disabilities  
and Special Education**

**Advisory Board on Alcoholism  
and Drug Abuse**



**Alaska Mental Health Board**

## **Adjust Cap on Adult Dental Services Reimbursed by Medicaid**

The Governor's Council on Disabilities and Special Education, Alaska Mental Health Board, Advisory Board on Alcoholism and Drug Abuse, and Alaska Commission on Aging, in collaboration with the Alaska Mental Health Trust Authority and the Alaska Brain Injury Network, jointly support the developing a solution that will allow for the adjustment of the current cap on adult dental services reimbursed by Medicaid.

- Currently, the annual cap for dental services – such as cleanings, exams, crowns, root canals and dentures – is \$1,150 per individual. With the rising cost of dental care, this cap is proving not adequate yet the cap is set in statute and has not been increased in over three years.
- The American Dental Association recommends adult preventive and restorative dental services be included in all state Medicaid programs, and as former U.S. Surgeon General C. Everett Koop stated, "You're not healthy without good oral health."
- Trust beneficiaries continue to list dental services as a priority unmet health needs.
- The challenge this session is to find a current bill or to introduce a new bill that will create a method for adjusting the adult dental Medicaid cap on a regular basis or will at least increase the cap to cover the increase the cost of living increases over a 4 or five year period.

**Therefore, we support a legislative solution that will allow for the adjustment of the current cap on adult dental services reimbursed by Medicaid.**



AARP Alaska  
3601 C Street  
Suite 1420  
Anchorage, AK 99503

T 1-866-227-7447  
F 907-341-2270  
TTY 1-877-434-7598  
[www.aarp.org/ak](http://www.aarp.org/ak)

November 19, 2009

Honorable Johnny Ellis  
Majority Leader  
Alaska Senate  
716 W. 4<sup>th</sup> Avenue  
Anchorage, AK 99501

Dear Majority Leader Ellis:

On behalf of the 97,000 members of AARP in Alaska, we would like to pledge our support for your bill to establish a two year funding cycle for the adult dental benefit in Medicaid.

We understand you are particularly interested in changing the benefit for dentures so that an adult Medicaid beneficiary would be able to use the funds available for two years to pay for dentures. This makes sense for both the client and the provider.

Older persons in need of dentures often have accompanying nutrition problems. These nutrition problems can cause other health issues and create an overall deterioration in health status. For those who need them, dentures are essential to quality health care. Two-year funding for dentures should be considered sensible prevention with the long term possibility of saving Medicaid funds that would not need to be spent on more serious health care problems resulting from poor oral health status.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,

Marie Darlin, Coordinator  
AARP Capital City Task Force  
415 Willoughby Avenue, Apt. 506  
Juneau, AK 99801  
586-3637 (voice)  
463-3580 (fax)



November 6, 2009

Senator Johnny Ellis  
Senate Majority Leader  
Alaska State Legislature  
716 W. 4th Ave  
Anchorage, AK 99501  
Fax: (907) 269-017

Dear Senator Ellis;

I am writing on behalf of the Alaska Public Health Association (ALPHA) to extend our support for and thank you for introducing a Bill that will allow Alaska's adult Medicaid recipients to receive a set of dentures within one fiscal year. This Act will meet the needs of patients and dental providers by providing two-years worth of dental benefits for dentures in a single year.

The ALPHA represents over 150 health professionals in Alaska; the primary mission of ALPHA is the enhancement of the public's health. In fulfilling our mission, we support systems that support patient-oriented health service delivery. ALPHA believes that the "Act providing for a two-year funding cycle for medical assistance coverage for dentures" establishes a system enabling patients to receive patient-oriented care.

Thank you for consulting ALPHA in developing this Bill. Please feel free to contact me if you have further questions.

Sincerely,

Karol Fink, MS, RD  
ALPHA Health Policy Chair  
[Karolfink@yahoo.com](mailto:Karolfink@yahoo.com)  
907.227.8178

# STATE OF ALASKA

## DEPT. OF HEALTH & SOCIAL SERVICES

### *Alaska Commission on Aging*

SEAN PARNELL, GOVERNOR

P.O. BOX 110693  
JUNEAU, ALASKA 99811-0693  
PHONE: (907) 465-3250  
FAX: (907) 465-1398

December 8, 2009

Senator Johnny Ellis  
716 West 4<sup>th</sup> Ave. Suite 500  
Anchorage, AK 99501-2133

Dear Senator Ellis:

The Alaska Commission on Aging (ACoA) is pleased to present to you our FY2011 legislative priorities for the upcoming session. These top issues were identified with input from older Alaskans, family caregivers, providers, and senior advocates statewide. The ACoA is a state agency under the Department of Health and Social Services, established in 1982. Our charge is to plan, educate and advocate on behalf of all older Alaskans (persons aged 60 years and older) through inter-agency collaboration so that Alaska seniors/elders may lead useful and meaningful lives with dignity and independence and have access to quality services when seniors need them to remain safely in their homes and chosen communities for as long as possible.

**1. Establish a regular and periodic schedule of rate reviews for home- and community-based services** that serve persons who are Medicaid-eligible and meet nursing home level of care. This measure will promote ongoing awareness of the true costs of providing services. SB 32, sponsored by Senator Johnny Ellis, passed the Senate and the House Health and Social Services Committee last session and waits to be scheduled for a hearing in House Finance. ACoA encourages passage of this legislation.

**2. Eliminate, or alternatively, adjust the cap on adult dental services reimbursed by Medicaid** to provide program benefits that keep pace with higher health care costs due to inflation, and **allow Medicaid patients access to two-years program benefits in a single year** to permit scheduling of treatment around the oral health care needs of the patient. The current law places a statutory \$1,150 limit on dental health care expenditures per eligible client. When the Medicaid Adult Dental program was created in 2005, this amount was sufficient to pay for one half of a set of dentures, either an upper or lower, with the idea that a patient who needed dentures could have both sets if the treatment was scheduled around the turn of the fiscal year. Although health care costs continue to rise, the cap has not been increased in three years. Allowing Medicaid patients access to two years of program benefits in a single year furnishes Alaskans and their dentists the flexibility needed to provide treatment addressing oral health emergencies that can occur at any time.

**3. Provide increased operating and capital funding to establish an Alaskan Public Transportation Fund for operations of local coordinated transportation systems** which the State can use to leverage additional federal funds to improve accessible, affordable transportation for older Alaskans, persons with disabilities, low-income individuals, youth and others without access to transportation so that Alaskans with special needs may have greater access to employment and community participation opportunities. According to the Governor's Coordinated Transportation Task Force Report (2009), Alaska is one of only three states in the nation that does not provide any specific state funding for public transportation.

**4. Provide operating funding to enhance the Aging and Disability Resource Centers**, administered under the Division of Senior and Disabilities Services, to streamline access to more efficient information and referral services by providing eligibility screening, options counseling, and assessments so that Alaskans can make informed decisions and have access to long-term care services through a "one-stop shop," reducing confusion and program fragmentation.

5. Return to the original wording of AS 47.07.020 (b) (6), the Medicaid statute establishing income eligibility for persons requiring nursing home level of care, referencing 300% of the maximum Supplemental Security Income (SSI) benefit rate rather than the current frozen dollar amount (\$1,656 a month) to reflect changes in cost of living so that seniors and other Medicaid-eligible persons will not be disqualified for services, including home- and community-based waiver services, due to small increases to their Social Security and other benefits. The amount of \$1,656 is the monthly amount of 300% of SSI in 2003. The 2009 income equivalent is \$2,022 monthly.

We also want to take this opportunity to share with you highlights from the Alaska Elder/Senior Community Forums that we hosted in Kotzebue (August) and Anchorage (December) to increase understanding about the issues that are of most importance to older Alaskans and to identify unmet needs. These forums, to be held in other locations statewide in the coming year, are being conducted to gather public input that will be used to develop the next Alaska State Plan for Senior Services, FY2012-2016. This document, prepared every four years, provides the State with a guide for delivering senior services and meets the requirement of the U.S. Administration on Aging for the state to access funding from the Older Americans Act which provides federal funding for a range of senior programs. Although these forums will be ongoing, Anchorage and Kotzebue participants identified the following issues as the most important:


- Provide improved access to quality and affordable health care, long-term supports that include home- and community-based services in communities where older Alaskans live, and promote disease prevention and wellness programs;
- Promote financial security, increase affordable senior housing, and improve elder safety;
- Provide safe, dependable, and affordable coordinated community transportation services so that seniors/elders can get to medical appointments and remain actively engaged in their communities;
- Enhance information and assistance services to help individuals access long-term support services and make informed decisions regarding their care.

Upon retirement, more seniors are choosing Alaska as their lifelong home to be close to family, friends and the unique Alaskan lifestyle. For the first time, Alaska is now the state with the fastest growing senior population, according to the U.S. Administration on Aging (2008), replacing Nevada, which held that position for many years. Alaska is home to approximately 80,000 persons aged 60 years and older who comprise about 12% of the state's population (Alaska Department of Labor). Alaska's senior population is expected to increase by four to six percent each year through 2020, as baby boomers become of age, by which time the total number of seniors will grow by almost 64 percent. The oldest Alaska seniors, 85 and older, are expected to triple during the next 25 years, vastly increasing the number of Alaskans living with Alzheimer's disease and related disorders.

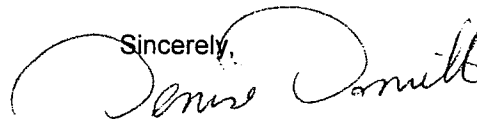
Please feel free to contact Denise Daniello, ACoA's executive director (465-4879 or [denise.daniello@alaska.gov](mailto:denise.daniello@alaska.gov)) for additional information about these issues or with any questions concerning Alaska's senior population.

The Alaska Commission on Aging will be meeting in Juneau February 10<sup>th</sup>-12<sup>th</sup>, 2010 and hopes to schedule a meeting with you to discuss our priorities in person. We look forward to working with you this legislative session. We appreciate your consideration of these advocacy priorities and thank you for your support of services for older Alaskans.

Sincerely,

  
Sharon Howerton-Clark  
Chair, Alaska Commission on Aging

Sincerely,

  
Denise Daniello  
ACoA Executive Director