

SENATE CS FOR CS FOR HOUSE BILL NO. 105(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 5/5/06

Referred: Rules

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to coverage for adult dental services under Medicaid; and providing**
2 **for an effective date."**

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

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

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

10 (b) It is the intent of the legislature that the Department of Health and Social Services
11 implement the increase in adult dental care services authorized by this Act through the
12 adoption of regulations consistent with the department's obligation to contain the costs of the
13 increased services in order to provide the services within appropriation limits. It is further the
14 intent of the legislature that the Department of Health and Social Services implement

1 mechanisms to contain costs, which may include establishing a maximum amount of benefits
 2 for each eligible recipient in a fiscal year for the services and specifying the scope of the
 3 services.

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

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

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

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

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

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

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

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

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

31 * **Sec. 4.** AS 47.07.900(1) is repealed.

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

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

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

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

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

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