

1 A bill to be entitled

2 An act relating to dental care; creating s. 381.4019,  
3 F.S.; establishing a joint local and state dental care  
4 access account initiative, subject to the availability  
5 of funding; authorizing the creation of dental care  
6 access accounts; specifying the purpose of the  
7 initiative; defining terms; providing criteria for the  
8 selection of dentists for participation in the  
9 initiative; providing for the establishment of  
10 accounts; requiring the Department of Health to  
11 implement an electronic benefit transfer system;  
12 providing for the use of funds deposited in the  
13 accounts; authorizing the department to distribute  
14 state funds to accounts subject to legislative  
15 appropriations; authorizing the department to accept  
16 contributions from local sources for deposit in  
17 designated accounts; limiting the number of years that  
18 an account may remain open; providing for the  
19 immediate closure of accounts under certain  
20 circumstances; authorizing the department to transfer  
21 state funds remaining in a closed account at a  
22 specified time and to return unspent funds from local  
23 sources; requiring a dentist to repay funds in certain  
24 circumstances; authorizing the department to pursue  
25 enforcement actions and to use other legal means to  
26 recover funds; authorizing the department to establish

Page 1 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

27 application procedures by rule; requiring the  
28 department to give priority to applications from  
29 dentists practicing in certain areas; requiring the  
30 Department of Economic Opportunity to rank shortage  
31 areas and medically underserved areas; requiring the  
32 department to develop the loan program in cooperation  
33 with specified postsecondary institutions and the  
34 Florida Dental Association; providing an effective  
35 date.

36  
37 Be It Enacted by the Legislature of the State of Florida:

38  
39 Section 1. Section 381.4019, Florida Statutes, is created  
40 to read:

41 381.4019 Dental care access accounts.—Subject to the  
42 availability of funds, the Legislature establishes a joint local  
43 and state dental care access account initiative and authorizes  
44 the creation of dental care access accounts to promote economic  
45 development by supporting qualified dentists who practice in  
46 dental health professional shortage areas or medically  
47 underserved areas. The Legislature recognizes that maintaining  
48 good oral health is integral to overall health status and that  
49 the good health of residents of this state is an important  
50 contributing factor in economic development. Better health,  
51 including better oral health, enables workers to be more  
52 productive, reduces the burden of health care costs, and enables

53 children to improve in cognitive development.

54 (1) As used in this section, the term:

55 (a) "Dental health professional shortage area" means a  
56 geographic area so designated by the Health Resources and  
57 Services Administration of the United States Department of  
58 Health and Human Services.

59 (b) "Department" means the Department of Health.

60 (c) "Medically underserved area" means a geographic area  
61 so designated by the Health Resources and Services  
62 Administration of the United States Department of Health and  
63 Human Services.

64 (d) "Public health program" means a county health  
65 department, the Children's Medical Services program, a federally  
66 funded community health center, a federally funded migrant  
67 health center, or other publicly funded or nonprofit health care  
68 program as designated by the department.

69 (2) The department shall develop and implement a dental  
70 care access account initiative to benefit dentists licensed to  
71 practice in this state who demonstrate, as required by the  
72 department by rule:

73 (a) Active employment by a public health program located  
74 in a dental health professional shortage area or a medically  
75 underserved area; or

76 (b) A commitment to opening a private practice in a dental  
77 health professional shortage area or a medically underserved  
78 area evidenced by residing in the designated area, maintaining

79 an active Medicaid provider agreement, enrolling in one or more  
80 Medicaid managed care plans, expending sufficient capital to  
81 make substantial progress in opening a dental practice that is  
82 capable of serving at least 1,200 patients, and obtaining  
83 financial support from the local community in which the dentist  
84 is practicing or intending to open a practice.

85 (3) The department shall establish dental care access  
86 accounts as individual benefit accounts for each dentist who  
87 satisfies the requirements of subsection (2) and is selected by  
88 the department for participation. The department shall implement  
89 an electronic benefit transfer system that enables each dentist  
90 to spend funds from his or her account for the purposes  
91 described in subsection (4).

92 (4) Funds contributed from state and local sources to a  
93 dental care access account may be used for one or more of the  
94 following purposes:

95 (a) Repayment of dental school student loans.

96 (b) Investment in property, facilities, or equipment  
97 necessary to establish and operate a dental office consisting of  
98 no fewer than two operatories.

99 (c) Payment of transitional expenses related to the  
100 relocation or opening of a dental practice that are specifically  
101 approved by the department.

102 (5) Subject to legislative appropriation, the department  
103 shall distribute state funds as an award to each dental care  
104 access account. Such awards must be in an amount not more than

105 \$100,000 and not less than \$10,000, except that no state award  
106 may exceed 3 times the amount contributed to an account in the  
107 same year from local sources.

108 (6) The department is authorized to accept contributions  
109 of funds from local sources for deposit in the account of a  
110 dentist designated by the donor.

111 (7) The department shall close an account no later than 5  
112 years after the first deposit of state or local funds into that  
113 account or immediately upon the occurrence of any of the  
114 following:

115 (a) Termination of the dentist's employment with a public  
116 health program.

117 (b) Termination of the dentist's practice in a designated  
118 dental health professional shortage area or medically  
119 underserved area.

120 (c) Termination of the dentist's participation in the  
121 Florida Medicaid program.

122 (d) Participation by the dentist in any fraudulent  
123 activity.

124 (8) Any state funds remaining in a closed account may be  
125 awarded and transferred to another account concurrent with the  
126 distribution of funds under the next legislative appropriation  
127 for the initiative. The department shall return to the donor  
128 unspent funds from local sources that remain in a closed  
129 account.

130 (9) If the department determines that a dentist has

131 withdrawn account funds after the occurrence of an event  
132 specified in paragraphs (7) (a)-(d), the dentist shall repay the  
133 funds to his or her account. The department may recover the  
134 withdrawn funds through enforcement actions and other methods  
135 authorized by law.

136 (10) The department shall establish by rule application  
137 procedures for dentists who wish to apply for a dental care  
138 access account. The department may limit the number of  
139 applicants selected and shall give priority to those applicants  
140 practicing in the areas receiving higher rankings pursuant to  
141 subsection (11). The department may establish additional  
142 criteria for selection which recognize the applicant's active  
143 engagement with and commitment to the community providing a  
144 local match.

145 (11) The Department of Economic Opportunity shall rank the  
146 dental health professional shortage areas and medically  
147 underserved areas of the state based on the extent to which  
148 limited access to dental care is impeding the area's economic  
149 development, with a higher ranking indicating a greater  
150 impediment to development.

151 (12) The department shall develop the loan program in  
152 cooperation with the University of Florida College of Dentistry,  
153 the Nova Southeastern University College of Dental Medicine, the  
154 Lake Erie College of Osteopathic Medicine School of Dental  
155 Medicine, and the Florida Dental Association.

156 Section 2. This act shall take effect July 1, 2015.