

1                                   **MEDICAID DENTAL WAIVER AMENDMENTS**

2   2017 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Allen M. Christensen**

5                                   House Sponsor: \_\_\_\_\_

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7 **LONG TITLE**

8 **General Description:**

9                   This bill amends the Medicaid waiver for the delivery of adult dental services.

10 **Highlighted Provisions:**

11                   This bill:

12                   ▶ amends the date on which the Medicaid program will start delivering adult dental  
13 services under a federal waiver from May 1, 2017, to July 1, 2017; and

14                   ▶ amends the reimbursement method for dental services not provided by the University  
15 of Utah School of Dentistry.

16 **Money Appropriated in this Bill:**

17                   None

18 **Other Special Clauses:**

19                   This bill provides a special effective date.

20 **Utah Code Sections Affected:**

21 AMENDS:

22                   **26-18-413**, as enacted by Laws of Utah 2016, Chapter 284

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24 *Be it enacted by the Legislature of the state of Utah:*

25                   Section 1. Section **26-18-413** is amended to read:

26                   **26-18-413. Medicaid waiver for delivery of adult dental services.**

27                   (1) No later than June 30, 2016, the department shall ask the United States Secretary of



28 Health and Human Services to grant waivers from federal statutory and regulatory law  
29 necessary for the Medicaid program to provide dental services in the manner described in  
30 Subsection (2).

31 (2) (a) To the extent funded, services shall be provided to only blind or disabled  
32 individuals, as defined in 42 U.S.C. Sec. 1382c(a)(1), who are 18 years of age or older and  
33 eligible for the program.

34 (b) To the extent possible, services within Salt Lake County shall be provided through  
35 the University of Utah School of Dentistry.

36 (c) Each fiscal year, the University of Utah School of Dentistry shall transfer money to  
37 the program in an amount equal to the program's non-federal share of the cost of providing  
38 services under this section through the school during the fiscal year.

39 (d) During each general session of the Legislature, the department shall report to the  
40 Social Services Appropriations Subcommittee whether the University of Utah School of  
41 Dentistry will have sufficient funds to make the transfer required by Subsection (2)(c) for the  
42 current fiscal year.

43 (e) Where possible, services not provided by the University of Utah School of Dentistry  
44 shall be provided [~~through managed care or other risk sharing arrangements~~]:

45 (i) through fee for service reimbursement until July 1, 2018; and

46 (ii) after July 1, 2018, through the method of reimbursement used by the division for  
47 Medicaid dental benefits.

48 (f) Subject to appropriations by the Legislature, and as determined by the department,  
49 the scope, amount, duration, and frequency of services may be limited.

50 (3) The reporting requirements of Section [26-18-3](#) apply to the waivers requested under  
51 Subsection (1).

52 (4) If the waivers requested under Subsection (1) are granted, the Medicaid program  
53 shall begin providing dental services in the manner described in Subsection (2) no later than  
54 ~~May~~ July 1, 2017.

55 (5) If the federal share of the cost of providing dental services under this section will be  
56 less than 65% during any portion of the next fiscal year, the Medicaid program shall cease  
57 providing dental services under this section indefinitely no later than the end of the current fiscal  
58 year.

59 Section 2. **Effective date.**

60 If approved by two-thirds of all the members elected to each house, this bill takes effect  
61 upon approval by the governor, or the day following the constitutional time limit of Utah  
62 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
63 the date of veto override.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**