General Assembly

Raised Bill No. 1299

January Session, 2025

LCO No. **4402**

Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING MEDICAID-COVERED DENTAL CARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-282c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2025*):

3 (a) All nonemergency dental services provided under the
4 Department of Social Services' dental programs, as described in section
5 17b-282b, shall be subject to prior authorization. Nonemergency
6 services that are exempt from the prior authorization process shall
7 include diagnostic, prevention, basic restoration procedures and
8 nonsurgical extractions that are consistent with standard and reasonable
9 dental practices. Payment for nonemergency dental services shall not
10 exceed one thousand dollars per calendar year for an individual adult,
11 provided prevention services such as oral exams and dental cleanings
12 and services determined to be medically necessary, as defined in section
13 17b-259b, including dentures, shall not be subject to such payment cap.
14 Dental benefit limitations shall apply to each client regardless of the
15 number of providers serving the client. The commissioner may recoup
16 payments for services that are determined not to be for an emergency
17 condition or otherwise in excess of what is medically necessary. The

18 commissioner shall periodically, but not less than quarterly, review
19 payments for emergency dental services and basic restoration
20 procedures for appropriateness of payment. For the purposes of this
21 section, "emergency condition" means a dental condition manifesting
22 itself by acute symptoms of sufficient severity, including severe pain,
23 such that a prudent layperson, who possesses an average knowledge of
24 health and medicine, could reasonably expect the absence of immediate
25 dental attention to result in placing the health of the individual, or with
26 respect to a pregnant woman, the health of the woman or her unborn
27 child, in serious jeopardy, cause serious impairment to body functions
28 or cause serious dysfunction of any body organ or part.

29   (b) The Commissioner of Social Services may implement policies and
30 procedures necessary to administer the provisions of this section while
31 in the process of adopting such policies and procedures as regulation,
32 provided the commissioner **[**prints**]** posts notice of intent to adopt
33 regulations **[**in**]** on the **[**Connecticut Law Journal**]** eRegulations System
34 not later than twenty days after the date of implementation. Policies and
35 procedures implemented pursuant to this section shall be valid until the
36 time final regulations are adopted.

37   Sec. 2. Section 17b-282d of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective July 1, 2025*):

39   (a) The Commissioner of Social Services shall modify the extent of
40 nonemergency adult dental services provided under the Medicaid
41 program. Such modifications shall include, but are not limited to,
42 providing one periodic dental exam, **[**one dental cleaning**]** two dental
43 cleanings, periodontal therapy and one set of bitewing x-rays each year
44 for a healthy adult. For purposes of this section, "healthy adult" means
45 a person twenty-one years of age or older for whom there is no evidence
46 indicating that dental disease is an aggravating factor for the person's
47 overall health condition.

48   (b) The commissioner may implement policies and procedures
49 necessary to administer the provisions of this section while in the

50   process of adopting such policies and procedures in regulation form,
51   provided the commissioner **[**prints**]** posts notice of intent to adopt
52   regulations **[**in**]** on the **[**Connecticut Law Journal**]** eRegulations System
53   not later than twenty days after the date of implementation. **[**Such
54   policies and procedures shall remain valid for three years following the
55   date of publication in the Connecticut Law Journal unless otherwise
56   provided for by the General Assembly. Notwithstanding the time
57   frames established in subsection (c) of section 17b-10, the commissioner
58   shall submit such policies and procedures in proposed regulation form
59   to the legislative regulation review committee not later than three years
60   following the date of publication of its intent to adopt regulations as
61   provided for in this subsection. In the event that the commissioner is
62   unable to submit proposed regulations prior to the expiration of the
63   three-year time period as provided for in this subsection, the
64   commissioner shall submit written notice, not later than thirty-five days
65   prior to the date of expiration of such time period, to the legislative
66   regulation review committee and the joint standing committees of the
67   General Assembly having cognizance of matters relating to human
68   services and appropriations and the budgets of state agencies indicating
69   that the department will not be able to submit the proposed regulations
70   on or before such date and shall include in such notice (1) the reasons
71   why the department will not submit the proposed regulations by such
72   date, and (2) the date by which the department will submit the proposed
73   regulations. The legislative regulation review committee may require
74   the department to appear before the committee at a time prescribed by
75   the committee to further explain such reasons and to respond to any
76   questions by the committee about the policy. The legislative regulation
77   review committee may request the joint standing committee of the
78   General Assembly having cognizance of matters relating to human
79   services to review the department's policy, the department's reasons for
80   not submitting the proposed regulations by the date specified in this
81   section and the date by which the department will submit the proposed
82   regulations. Said joint standing committee may review the policy, such
83   reasons and such date, may schedule a hearing thereon and may make
84   a recommendation to the legislative regulation review committee.**]**

85   Sec. 3. (NEW) (*Effective July 1, 2025*) (a) As used in this section, (1)
86   "mobile dental clinic" has the same meaning as provided in section 17b-
87   282f of the general statutes, and (2) "school-based health center" and
88   "expanded school health site" have the same meanings as provided in
89   section 19a-6r of the general statutes.

90   (b) The Commissioner of Social Services shall not require that
91   separate dental services and procedures be provided to a patient in a
92   single visit as a condition of Medicaid payment for Medicaid-eligible
93   dental services or treatment provided at a mobile dental clinic, school-
94   based health center or expanded school health site. The commissioner
95   shall provide Medicaid payment for each Medicaid-eligible service and
96   procedure separately billed and not require that reimbursement be
97   provided through a bundled payment methodology that provides one
98   aggregate payment for separate dental services and procedures. The
99   commissioner shall, in accordance with the provisions of chapter 54 of
100 the general statutes, adopt regulations to implement the provisions of
101 this section. The commissioner may implement policies and procedures
102 necessary to administer the provisions of this section while in the
103 process of adopting such policies and procedures as regulation,
104 provided the commissioner posts notice of intent to adopt regulations
105 on the eRegulations System not later than twenty days after the date of
106 implementation. Policies and procedures implemented pursuant to this
107 section shall be valid until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025*	17b-282c
Sec. 2	*July 1, 2025*	17b-282d
Sec. 3	*July 1, 2025*	New section

HS   Joint Favorable