

2021 Regular Session

HOUSE BILL NO. 172

BY REPRESENTATIVES BUTLER, ADAMS, CARRIER, CORMIER, CREWS, ECHOLS, EDMONSTON, EMERSON, GADBERRY, HUGHES, MIKE JOHNSON, KERNER, LANDRY, MCMAHEN, DUSTIN MILLER, MOORE, NEWELL, PRESSLY, SELDERS, STAGNI, TURNER, AND VILLIO AND SENATOR FOIL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MEDICAID: Provides for Medicaid coverage of dental care for certain adults with developmental and intellectual disabilities

1 AN ACT

2 To enact Part II-B of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 40:1250.31 and 1250.32, relative to the medical assistance
4 program of this state known as Medicaid; to provide relative to administration of the
5 Medicaid program by the Louisiana Department of Health; to require Medicaid
6 coverage of dental services for certain persons with developmental or intellectual
7 disabilities; to provide for eligibility for such coverage; to require the provision of
8 such coverage by a certain date; to require administrative rulemaking; and to provide
9 for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Part II-B of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
12 1950, comprised of R.S. 40:1250.31 and 1250.32, is hereby enacted to read as follows:

13 PART II-B. DENTAL COVERAGE FOR PERSONS WITH
14 DEVELOPMENTAL OR INTELLECTUAL DISABILITIES

15 §1250.31. Dental care for certain adults with developmental or intellectual
16 disabilities; Medicaid coverage required

17 A.(1) The Louisiana Department of Health shall ensure that comprehensive
18 Medicaid coverage for dental care is provided to each person of age twenty-one or

1 older who is enrolled in any Medicaid waiver program for persons with
2 developmental or intellectual disabilities.

3 (2) For purposes of this Section, "comprehensive Medicaid coverage for
4 dental care" means Medicaid coverage which reimburses for dental and oral health
5 services including all of the following:

6 (a) Diagnostic services.

7 (b) Preventive services.

8 (c) Restorative services.

9 (d) Endodontics.

10 (e) Periodontics.

11 (f) Prosthodontics.

12 (g) Oral and maxillofacial surgery.

13 (h) Orthodontics.

14 (i) Emergency care.

15 B. The Louisiana Department of Health shall not furnish any coverage
16 required by Subsection A of this Section until all of the following have occurred:

17 (1) The Centers for Medicare and Medicaid Services has approved the
18 provision of such coverage.

19 (2) The legislature has appropriated the funding necessary for the provision
20 of such coverage.

21 §1250.32. Administrative rulemaking

22 The Louisiana Department of Health shall promulgate all such rules in
23 accordance with the Administrative Procedure Act as are necessary to implement the
24 provisions of this Part.

25 Section 2. The Louisiana Department of Health shall take all such actions as are
26 necessary to make the coverage required by the provisions of Section 1 of this Act available
27 to all persons eligible for such coverage on or before July 1, 2022.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 172 Engrossed

2021 Regular Session

Butler

Abstract: Requires the state Medicaid program to provide dental coverage for certain adults with developmental and intellectual disabilities.

Proposed law requires the La. Department of Health (LDH) to ensure that comprehensive Medicaid coverage for dental care is provided to each person of age 21 or older who is enrolled in any Medicaid waiver program for persons with developmental or intellectual disabilities. Provides that for purposes of proposed law, "comprehensive Medicaid coverage for dental care" means Medicaid coverage which reimburses for dental and oral health services including all of the following:

- (1) Diagnostic services.
- (2) Preventive services.
- (3) Restorative services.
- (4) Endodontics.
- (5) Periodontics.
- (6) Prosthodontics.
- (7) Oral and maxillofacial surgery.
- (8) Orthodontics.
- (9) Emergency care.

Proposed law provides that LDH shall not furnish any coverage required by proposed law until all of the following have occurred:

- (1) The Centers for Medicare and Medicaid Services has approved the provision of such coverage.
- (2) The legislature has appropriated the funding necessary for the provision of such coverage.

Proposed law requires LDH to take all such actions as are necessary to make the coverage required by proposed law available to all persons eligible for such coverage on or before July 1, 2022.

(Adds R.S. 40:1250.31 and 1250.32)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Delete proposed law requiring coverage for dental care for Medicaid enrollees age 21 and up who reside in an intermediate care facility for people with developmental disabilities.
2. Stipulate that the Medicaid coverage for dental care provided for in proposed law shall be comprehensive Medicaid coverage for dental care.
3. Provide that for purposes of proposed law, "comprehensive Medicaid coverage for dental care" means Medicaid coverage which reimburses for dental and oral health services including all of the following:
 - (a) Diagnostic services.
 - (b) Preventive services.
 - (c) Restorative services.
 - (d) Endodontics.
 - (e) Periodontics.
 - (f) Prosthodontics.
 - (g) Oral and maxillofacial surgery.
 - (h) Orthodontics.
 - (i) Emergency care.
4. Prohibit the La. Department of Health from furnishing any coverage required by proposed law until all of the following have occurred:
 - (a) The Centers for Medicare and Medicaid Services has approved the provision of such coverage.
 - (b) The legislature has appropriated the funding necessary for the provision of such coverage.