

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 4933

By Delegate Summers

[Introduced January 19, 2024; Referred to the
Committee on Banking and Insurance then Health
and Human Resources]

1 A BILL to amend and reenact §9-5-12a of the Code of West Virginia, 1931, as amended, relating to
 2 Medicaid dental coverage; providing that purchases of dentures do not count against the
 3 \$1,000 yearly limit on coverage.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-12a. Medicaid program; dental care.

1 (a) The following terms are defined:

2 (1) "Cosmetic services" means dental work that improves the appearance of the teeth,
 3 gums, or bite, including, but not limited to, inlays or onlays, composite bonding, dental veneers,
 4 teeth whitening, or braces.

5 (2) "Diagnostic and preventative services" means dental work that maintains good oral
 6 health and includes oral evaluations, routine cleanings, x-rays, fluoride treatment, fillings, and
 7 extractions.

8 (3) "Restorative services" means dental work that involves tooth replacement, including,
 9 but not limited to, dentures, dental implants, bridges, crowns, or corrective procedures such as
 10 root canals.

11 (b) ~~The department of Health and Human Resources~~ shall extend Medicaid coverage to
 12 adults age 21 and over covered by the Medicaid program for diagnostic and preventative dental
 13 services and restorative dental services, excluding cosmetic services. This coverage is limited to
 14 \$1,000 each budget year. Recipients must pay for services over the \$1,000 yearly limit. Dentures
 15 are covered, but do count not against the \$1,000 yearly limit. No provision in this section shall
 16 restrict the department in exercising new options provided by, or to be in compliance with, new
 17 federal legislation that further expands eligibility for dental care for adult recipients.

18 (c) The Department of Health and Human Resources is responsible for the implementation
 19 of, and program design for, a dental care system to reduce the continuing harm and continuing
 20 impact on the health care system in West Virginia. The dental health system design shall include

21 oversight, quality assurance measures, case management, and patient outreach activities. The
22 Department of Health and Human Resources shall assume responsibility for claims processing in
23 accordance with established fee schedules and financial aspects of the program necessary to
24 receive available federal dollars and to meet federal rules and regulations. The Department of
25 Health and Human Resources shall seek authority from the Centers for Medicare and Medicaid
26 Services to implement the provisions of this section.

27 (d) The provisions of this section enacted during the 2020 regular legislative session shall
28 only become effective upon approval from the federal Centers for Medicare and Medicaid Services
29 of the provider tax as set forth in §11-27-10a of this code.

NOTE: The purpose of this bill is to exclude dentures from the \$1,000 dental coverage cap.

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.