

H. B. 2559

(By Delegates Ellem, D. Poling, Azinger,
Anderson, Border, Hatfield, Staggers, Lawrence
and C. Miller)

[Introduced January 19, 2011; referred to the
Committee on Health and Human Resources then Finance.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new article, designated §16-41A-1, §16-41A-2,
§16-41A-3, §16-41A-4, §16-41A-5, §16-41A-6, §16-41A-7, §16-
41A-8 and §16-41A-9, all relating to establishing the Oral
Health Pilot Program in the Mid-Ohio Valley Region; making
legislative findings; creating the pilot program for two
years; funding the program in the amount of \$100,000 per year;
setting forth the services to be provided; setting forth the
fees to be paid to participating dentists; setting forth a
sliding scale for the fees to be paid by clients; requiring
reports be filed to the Governor and the Legislature; and
defining terms.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new article, designated §16-41A-1, §16-41A-2,
§16-41A-3, §16-41A-4, §16-41A-5, §16-41A-6, §16-41A-7, §16-41A-8

1 and §16-41A-9, all to read as follows:

2 **ARTICLE 41A. ORAL HEALTH PILOT PROGRAM IN THE MID-OHIO VALLEY**

3 **REGION.**

4 **§16-41A-1. Legislative findings.**

5 (a) The Legislature of the State of West Virginia determines
6 and finds the State of West Virginia has a tremendous unmet need
7 for low-income adult dental care services. West Virginia ranks at
8 the top of the United States for adults that have lost all of their
9 natural teeth, periodontal disease is a bacterial infection that
10 affects three out of four people and tooth decay is a bacterial
11 infection that can be transmitted from person to person. There is
12 a connection between poor oral health and general health and poor
13 oral health can become a chronic infection, affecting the heart,
14 lungs, and can lead to diabetes and premature births. Most dental
15 disease can be prevented and poor oral health becomes an economic
16 issue when adults cannot work due to pain, infection and tooth
17 loss.

18 (b) The Legislature finds that large scale dental health
19 programs have been successful at treating West Virginians who would
20 otherwise not have dental health care. Successful oral health
21 programs, such as the Missions of Mercy, while helpful to many, are
22 neither financially nor logistically sustainable. To that end, the
23 Legislature concludes that it is in the best interest of the public
24 to establish and fund a full-scale oral health program to address

1 the state's ongoing oral health problem.

2 **§16-41A-2. Definitions.**

3 For purposes of this article the following terms have the
4 following meanings:

5 (a) "Program" means the pilot oral health program administered
6 by the commission with the goal of improving the oral health of
7 citizens of West Virginia and evaluating the effectiveness of the
8 program.

9 (b) "MOVHD" refers to the Mid-Ohio Valley Health Department in
10 Wood County, West Virginia.

11 (c) "Client" means a person whose income does not exceed two
12 hundred fifty percent of the Federal Poverty Level (FPL) and who
13 receives services of the program.

14 (d) "Participant" means an unpaid volunteer dentist offering
15 dental services as a part of the program.

16 (e) "Services" means assessments by a dental hygienist, dental
17 X rays, tooth restoration or other routine dental services
18 performed by a dentist.

19 **§16-41A-3. Oral health pilot program.**

20 In accordance with section one, article one, chapter sixteen
21 of this code, the Legislature establishes an pilot oral health
22 program in the MOVHD region to improve the oral health of the
23 citizens of West Virginia and to evaluate the effectiveness of that
24 program.

1 **§16-41A-4. Funding.**

2 The Legislature funds the program in the amount of \$100,000
3 each year for a two-year period beginning July 1, 2011.

4 **§16-41A-5. Administration.**

5 Money appropriated to the program shall be administered by
6 MOVHD. MOVHD is responsible for coordinating efforts with
7 participants, and reporting to the Governor and Legislature the
8 status and progress of the program. MOVHD is responsible for
9 administering the finances of the program.

10 **§16-41A-6. Reimbursement to participants.**

11 Participants will be reimbursed by MOVHD \$40 per client to
12 recover the cost of staff and supplies. Participants shall be
13 covered by the liability insurance policy of MOVHD.

14 **§16-41A-7. Client fees.**

15 MOVHD shall assess clients a fee for services performed
16 according to their income using the following sliding-scale:

17 (1) Clients who earn one hundred percent of the FPL and below
18 shall pay no fee;

19 (2) Clients who earn one hundred one percent to one hundred
20 fifty percent of the FPL shall pay twenty-five percent of the
21 fiftieth percentile fee for the geographic region;

22 (3) Clients who earn one hundred fifty-one percent to two
23 hundred percent of the FPL shall pay fifty percent of the fiftieth

1 percentile fee for the geographic region.

2 (4) Clients who earn two hundred one percent to two hundred
3 fifty percent of the FPL shall pay seventy-five percent of the
4 fiftieth percentile fee for the geographic region.

5 **§16-41A-8. Two-year duration of program.**

6 The program shall be funded for two years, unless sooner
7 terminated by the Legislature, beginning on July 1, 2011.

8 **§16-41A-9. Reports and recommendations.**

9 The MOVHD shall report to the Governor and the Legislature on
10 the progress of the program, whether it should be continued or
11 discontinued, any recommended modifications in the program's scope
12 and mission and whether any action is necessary by the Legislature
13 to improve the success of the program. At the end of the pilot
14 program, MOVHD shall make a final report to the Governor and the
15 Legislature as to whether the goals of the program were met and
16 recommend whether or not the program should be expanded statewide,
17 with specific recommendations for program support and
18 administration, development and other relevant policy issues.

NOTE: The purpose of this bill is to establish the Oral Health Pilot Program in the Mid-Ohio Valley Region. The bill makes legislative findings and creates the pilot program for two years. The bill funds the program in the amount of \$100,000 per year. The bill sets forth the services to be provided, the fees to be paid to participating dentists and the fees for clients. The bill requires reports be filed to the Governor and the Legislature. The bill also defines terms.

§16-41A-1 through §16-41A-9 are new; therefore, it has been

completely underscored.