

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Enrolled

Committee Substitute

for

Committee Substitute

for

Senate Bill 648

SENATORS TAKUBO, MANN, MARONEY, PREZIOSO,
STOLLINGS, WELD, BALDWIN, CLINE, HARDESTY,
LINDSAY, PALUMBO, PLYMALE, UNGER, ROBERTS, AND
RUCKER, *original sponsors*

[Passed March 7, 2020; in effect 90 days from passage]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §9-5-12a, relating to providing dental coverage for adult Medicaid recipients;
3 providing limitations; defining terms; designating the Department of Health and Human
4 Resources as the responsible department to implement these provisions; providing for the
5 Department of Health and Human Resources to seek authority from the Centers for
6 Medicare and Medicaid Services to implement the program; and making the provisions on
7 the section effective only upon the approval by the Centers for Medicare and Medicaid
8 Services for specified provider taxes.

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. No
15 provision in this section shall restrict the department in exercising new options provided by, or to

16 be in compliance with, new federal legislation that further expands eligibility for dental care for
17 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
29 Services of the provider tax as set forth in §11-27-10a of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2020.

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Governor