

# **WEST VIRGINIA LEGISLATURE**

**2024 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 4933**

BY DELEGATE SUMMERS

[Passed March 1, 2024; in effect July 1, 2024.]



1 AN ACT to amend and reenact §9-5-12a of the Code of West Virginia, 1931, as amended, relating  
2 to Medicaid dental coverage; providing coverage is limited to \$2,000 per two-year budget  
3 period; providing recipients must pay for services over the \$2,000; requiring reporting; and  
4 removing expired internal effective date.

*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 Human Services shall extend Medicaid coverage to adults aged 21  
12 and over covered by the Medicaid program for diagnostic and preventative dental services and  
13 restorative dental services, excluding cosmetic services. This coverage is limited to \$2,000 per  
14 two-year budget period. Recipients must pay for services over the \$2,000 limit. No provision in  
15 this section shall restrict the department in exercising new options provided by, or to be in  
16 compliance with, new federal legislation that further expands eligibility for dental care for adult  
17 recipients.

18 (c) The department is responsible for the implementation of, and program design for, a  
19 dental care system to reduce the continuing harm and continuing impact on the health care

20 system in West Virginia. The dental health system design shall include oversight, quality  
21 assurance measures, case management, and patient outreach activities. The department shall  
22 assume responsibility for claims processing in accordance with established fee schedules and  
23 financial aspects of the program necessary to receive available federal dollars and to meet federal  
24 rules and regulations. The department shall seek authority from the Centers for Medicare and  
25 Medicaid Services to implement the provisions of this section.

26 (d) On or before December 1, 2027, the Bureau for Medical Services shall file a report  
27 with the Legislative Oversight Commission on Health and Human Resources Accountability and  
28 the Joint Committee on Government and Finance analyzing Medicaid expenditures related solely  
29 to the dental program for the plan year immediately prior to the passage of this legislation and  
30 each plan year until the date of submission of the required report. The report shall include at a  
31 minimum an analysis of the enrollees served, the state share of the Medicaid expenditures, and  
32 the federal share of expenditures.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

Originated in the House of Delegates.

In effect July 1, 2024.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2024.

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*Governor*