

BILL ANALYSIS

Senate Research Center
77R493 KLA-D

S.B. 34
By: Zaffirini
Health and Human Services
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DIGEST AND PURPOSE

Currently, there are two ways nursing home residents on Medicaid can receive dental services. First, an individual can purchase services and receive Medicaid reimbursement at a later date. Alternately, a resident with no income is ineligible for Incurred Medical Expense reimbursement and can only receive dental care in emergency situations, when treatment is imperative. S.B. 34 includes routine preventative dental services to nursing home residents as basic services under the Texas Medicaid program. This bill provides a resident of a nursing facility who is a Medicaid recipient with an annual dental examination by a licensed dentist, a prophylaxis by a licensed dentist or licensed dental hygienist, if practical considering the health of the resident, and diagnostic dental x-rays, if possible.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Department of Human Services in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 32.024, Human Resources Code, by adding Subsection (x), to require the Health and Human Services Commission or an agency operating part of the medical assistance program (department) to provide dental services annually to a resident of a nursing home facility who is a recipient of medical assistance under this chapter. The dental services must include a dental examination by a licensed dentist, a prophylaxis by a licensed dentist or licensed dental hygienist if practical, and diagnostic dental x-rays if possible.

SECTION 2. Requires the Texas Department of Human Services, in cooperation with the Health and Human Services Commission (commission), to develop by rule a fee schedule for dental services provided under Section 32.024(x), Human Resources Code.

SECTION 3. Requires the commission to conduct a study regarding the need for and cost of expanding the dental services provided under Section 32.024(x), Human Resources Code. Requires the commissioner of health and human services to report to the governor, the lieutenant governor, the speaker of the house of representatives, and the presiding officers of the standing committees of the senate and the house of representatives that have primary jurisdiction over the commission the results of the study, including certain features, no later than December 1, 2002.

SECTION 4. Authorizes a state agency to delay implementing a provision of this Act if before implementing any provision the agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision. Authorizes the delay until the waiver or authorization is granted.

SECTION 5. Effective date: September 1, 2001.