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SB-1148 Medi-Cal: restorative dental services. (2017-2018)

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Date Published: 09/06/2018 04:00 AM

ENROLLED SEPTEMBER 05, 2018
PASSED IN SENATE AUGUST 30, 2018
PASSED IN ASSEMBLY AUGUST 29, 2018
AMENDED IN ASSEMBLY AUGUST 20, 2018
AMENDED IN ASSEMBLY JULY 03, 2018
AMENDED IN ASSEMBLY JUNE 21, 2018
AMENDED IN ASSEMBLY JUNE 13, 2018
AMENDED IN SENATE APRIL 10, 2018

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL

NO. 1148

Introduced by Senator Pan

February 14, 2018

An act to add Section 14132.225 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

SB 1148, Pan. Medi-Cal: restorative dental services.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law includes emergency and essential diagnostic and restorative dental services, and dental prophylaxis cleanings and dental examinations within the scope of benefits that may be provided to eligible recipients under the Medi-Cal program. Existing law authorizes specified Medi-Cal providers to recommend, after consultation with the beneficiary, and to receive reimbursement for, certain dental restorative materials other than the covered benefit of amalgam.

This bill would authorize a provider of services for the treatment of dental caries to provide, and receive reimbursement for, the application of silver diamine fluoride when used as a caries arresting agent, as specified, if the provider first consults with the beneficiary and obtains written informed consent, and if the treatment is included as part of a comprehensive treatment plan, to the extent that federal financial participation is available and any necessary federal approvals have been obtained. The bill would

not prohibit a registered dental hygienist in alternative practice who meets the requirements of the bill from providing the services described in the bill. The bill would limit availability of the described services to specified Medi-Cal beneficiary populations. The bill would authorize the department to implement its provisions by means of all-county letters, provider bulletins, or similar instructions, without taking further regulatory action.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 14132.225 is added to the Welfare and Institutions Code, immediately following Section 14132.22, to read:

14132.225. (a) A provider of services for the treatment of dental caries may provide, and receive reimbursement for, the application of silver diamine fluoride, on a per-tooth basis, when used to arrest an active, nonsymptomatic carious lesion, and without mechanical removal of sound tooth structure, if all of the following conditions are met:

- (1) There is a consultation with the beneficiary, or his or her designee.
- (2) The beneficiary, or his or her designee, signs a written informed consent form that is approved by the department.
- (3) The treatment is part of a comprehensive treatment plan.

(b) This section does not preclude the use of silver diamine fluoride for preventive services, when appropriate.

(c) Nothing shall prohibit a registered dental hygienist in alternative practice from billing for this benefit when all the requirements of paragraphs (1) to (3), inclusive, of subdivision (a) are met.

(d) This benefit shall be limited to the following Medi-Cal populations:

- (1) Children six years of age and under.
- (2) Persons with disabilities or other underlying conditions such that nonrestorative caries treatment may be optimal.
- (3) Adults who live in a licensed skilled nursing facility or licensed intermediate care facility.

(e) This section shall only be implemented to the extent that both of the following occur:

- (1) The department obtains any federal approvals necessary to implement this section.
- (2) The department obtains federal matching funds to the extent permitted by federal law.

(f) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department may implement the provisions of this section by means of all-county letters, provider bulletins, or similar instructions, without taking further regulatory action.

(g) This section shall become operative on January 1, 2019.