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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2236

02/13/2012 Authored by Westrom and Anderson, P.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to human services; modifying critical access dental provider payments;
1.3 amending Minnesota Statutes 2011 Supplement, section 256B.76, subdivision 4.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2011 Supplement, section 256B.76, subdivision 4, is
1.6 amended to read:

1.7 Subd. 4. **Critical access dental providers.** (a) Effective for dental services
1.8 rendered on or after January 1, 2002, the commissioner shall increase reimbursements
1.9 to dentists and dental clinics deemed by the commissioner to be critical access dental
1.10 providers. For dental services rendered on or after July 1, 2007, the commissioner shall
1.11 increase reimbursement by 30 percent above the reimbursement rate that would otherwise
1.12 be paid to the critical access dental provider. The commissioner shall pay the managed
1.13 care plans and county-based purchasing plans in amounts sufficient to reflect increased
1.14 reimbursements to critical access dental providers as approved by the commissioner.

1.15 (b) The commissioner shall designate the following dentists and dental clinics as
1.16 critical access dental providers:

1.17 (1) nonprofit community clinics that:

1.18 (i) have nonprofit status in accordance with chapter 317A;

1.19 (ii) have tax exempt status in accordance with the Internal Revenue Code, section
1.20 501(c)(3);

1.21 (iii) are established to provide oral health services to patients who are low income,
1.22 uninsured, have special needs, and are underserved;

1.23 (iv) have professional staff familiar with the cultural background of the clinic's
1.24 patients;

- 2.1 (v) charge for services on a sliding fee scale designed to provide assistance to
2.2 low-income patients based on current poverty income guidelines and family size;
- 2.3 (vi) do not restrict access or services because of a patient's financial limitations
2.4 or public assistance status; and
- 2.5 (vii) have free care available as needed;
- 2.6 (2) federally qualified health centers, rural health clinics, and public health clinics;
- 2.7 (3) county owned and operated hospital-based dental clinics;
- 2.8 (4) a dental clinic or dental group owned and operated by a nonprofit corporation in
2.9 accordance with chapter 317A with more than 10,000 patient encounters per year with
2.10 patients who are uninsured or covered by medical assistance, general assistance medical
2.11 care, or MinnesotaCare; and
- 2.12 (5) a dental clinic owned and operated by the University of Minnesota or the
2.13 Minnesota State Colleges and Universities system.
- 2.14 (c) The commissioner may designate a dentist or dental clinic as a critical access
2.15 dental provider if the dentist or dental clinic is willing to provide care to patients covered
2.16 by medical assistance, general assistance medical care, or MinnesotaCare at a level which
2.17 significantly increases access to dental care in the service area.
- 2.18 (d) ~~Notwithstanding paragraph (a), critical access payments must not be made for~~
2.19 ~~dental services provided from April 1, 2010, through June 30, 2010. A designated critical~~
2.20 access clinic shall receive the reimbursement rate specified in paragraph (a) for dental
2.21 services provided off-site at a private dental office if the following requirements are met:
- 2.22 (1) the designated critical access dental clinic is not able to provide the service
2.23 and refers the patient to the off-site dentist;
- 2.24 (2) the service, if provided at the critical access dental clinic, would be reimbursed
2.25 at the critical access reimbursement rate;
- 2.26 (3) the dentist allied dental professionals providing the service off-site are licensed
2.27 and in good standing under chapter 150A;
- 2.28 (4) the critical access dental clinic submits the claim for services provided off-site
2.29 and receives the payment for the services; and
- 2.30 (5) the critical access dental clinic maintains dental records for each claim submitted
2.31 under this paragraph, including the name of the dentist, the off-site location, and the
2.32 license number of the dentist providing the service.
- 2.33 **EFFECTIVE DATE.** This section is effective July 1, 2012.