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Federal Government Offers States a Blueprint for Operating Exchanges Under ACA

The Center for Consumer Information and Insurance Oversight (CCIIO) within the United States Department of Health & Human Services (HHS) released the final [blueprint](#) for Approval of Affordable State-based and State Partnership Insurance Exchanges in accordance with *The Patient Protection and Affordable Care Act* (ACA). States can use the final blueprint as a resource guide to operate their own health insurance exchange markets or to partner with the federal government. The blueprint outlines functions that will be performed by exchanges run by the states; exchanges operated as partnerships between the federal government and states; and “federally facilitated” exchanges that HHS will set up in states that do not operate either of the other two types of exchanges.

Congress Questions U.S. Department of Health & Human Services on ACA

United States House Energy and Commerce Committee **Chairman Fred Upton** (R-MI) and Health Subcommittee **Chairman Joe Pitts** (R-PA) sent a [letter](#) to the Centers for Medicare and Medicaid Services (CMS), within the United States Department of Health & Human Services, requesting that CMS answer outstanding questions from members of Congress, the Republican Governors Association, and the National Association of Medicaid Directors (NAMD) regarding state exchange and Medicaid expansion rules under *The Patient Protection and Affordable Care Act*.

U.S. Food and Drug Administration Creates Website on the Dental Cone-Beam CT

The U.S. Food and Drug Administration (FDA) created a [website](#) designed to provide healthcare providers and the public with the latest information on the health and safety of dental cone-beam computed tomography (CBCT) systems.

On May 10, 2012, the FDA issued [Draft Guidance: Pediatric Information for X-ray Imaging Device Premarket Notifications](#) to encourage manufacturers to consider the radiation safety of pediatric populations in the design of new X-ray imaging devices, including dental CBCT systems. On July 16, 2012, the FDA held a [public workshop](#) to discuss the draft guidance. Participants provided recommendations specific to dental CBCT scanners.

City Councils Meet on Community Water Fluoridation

- The **Milwaukee, Wisconsin** Common Council passed a [resolution](#) to direct the Milwaukee Water Works to lower the concentration of fluoride in the city's drinking water from 1.1 to .7 milligrams of fluoride per liter of water. In addition, aldermen endorsed a proposal in which the Milwaukee Water Works and the City's Health Department would provide infant advisory notices to citizens about the potential risk fluoridated water poses to babies under six months of age.
- The **Phoenix, Arizona** City Council Transportation and Infrastructure Subcommittee met September 11 to discuss the issue of community water fluoridation, as some city leaders were questioning the cost of fluoride. Phoenix currently spends approximately \$582,000 per year adding fluoride to the drinking water. The subcommittee [voted](#) to approve the continuation of the existing Water Department Policy.
- The **Portland, Oregon** City Council met [September 12](#) on a [proposed ordinance](#) to add fluoride to its drinking water. The city council approved the proposed measure by a vote of 5-0. Although two-thirds of the country's population drinks fluoridated water, in Oregon the rate is just above one-fifth, ranking the state 48th nationally according to [statistics](#) from the Centers for Disease Control and Prevention (CDC).
- The **Santa Fe, New Mexico** City Council adopted a [measure](#) in July to stop adding fluoride to drinking water (see agenda item #6 on pdf page 49 of the attached meeting minutes). The issue of fluoride in the drinking water appeared on the meeting agenda because the Centers for Disease Control and Prevention (CDC) and the United States Environmental Protection Agency (EPA) announced last year that the [recommendation](#) for "optimal fluoridation" would likely decrease from a current range of .7 to 1.2 parts per million (ppm) to a set level of .7 ppm. The City Council was expected to amend city rules to adhere to the anticipated federal recommendations, however, several city councilors ordered a complete halt to the practice of adding fluoride. The Santa Fe, New Mexico City Council Public Utilities Committee met September 5 to discuss a [proposal](#) to continue water fluoridation for three years and then cease supplementing the water with additional fluoride. The proposal also encourages a partnership between the dental community, local schools, and state and local government to increase

services and improve the oral health of children and adults. The issue of community water fluoridation will continue to be discussed in the coming months.

- The **Wichita, Kansas** City Council has [voted](#) unanimously to allow voters to decide whether fluoride should be added to the drinking water. The City Council voted to place the issue of community water fluoridation on the election ballot for November 6.

Massachusetts Joins a U.S. Health and Human Services Project for Coordinated Care

The Commonwealth of Massachusetts is the first state to join a demonstration project with the Centers for Medicare & Medicaid Services (CMS), within the United States Department of Health & Human Services. The [CMS demonstration project](#) is focused on providing better-coordinated patient-centered care to people enrolled in both Medicare and Medicaid. Under the Demonstration, Massachusetts and CMS will contract with Integrated Care Organizations (ICOs) that will coordinate the delivery of and be accountable for all covered Medicare, Medicaid, and expanded services for participating Medicare-Medicaid enrollees in the Commonwealth.

Iowa Explores Expanded Scope of Practice for Dental Hygienists and Dental Assistants

The Iowa Dental Board held a [meeting](#) July 13 to discuss the expansion of functions for dental assistants and hygienists in five areas proposed by the Iowa Dental Association (IDA). The IDA proposed the following expanded functions for dental hygienists and assistants:

- Removal of adhesives;
- Placement and shaping of amalgam and composite restorative material;
- Forming and placement of stainless steel crowns;
- Taking final impressions and records for fabrication of dentures; and
- Cementation of final restorations.

The Iowa Dental Board is expected to consider the proposal during its October 25-26 board meeting.

State Policy Updates

- **Alaska Passes Loan Repayment Bill**

The Alaska Legislature passed and Governor Sean Parnell (R) signed into law, [HB 78](#). The law creates a loan repayment program and an employment incentive program for certain health care professionals, including dentists and dental hygienists employed in the state. These health care professionals must meet eligibility criteria, and they must be engaged in qualified employment.

- **Colorado Changes Community College Transfer Agreement Requirements**

The Colorado Legislature passed [HB 1214](#) and Governor John Hickenlooper (D) signed the bill into law. The law allows a community college to offer a two-year degree program with academic designation in dental hygiene without a valid student transfer agreement. Academic designation permits students to choose an academic major while pursuing their associate's degree in order to ease transfer between two-year and four-year colleges. Under prior law, an associate's degree with academic designation could only be offered for degree programs that had a valid student transfer agreement.

- **Maine Allows Dental Hygienists to Process Radiographs in Underserved Areas**

The Maine Legislature passed and Governor Paul LePage (R) signed into law, [LD 1891](#). The law establishes a pilot project to allow licensed dental hygienists to expose and process radiographs in areas designated as underserved areas in the state.

- **Michigan Passes Electronic Prescription Bill**

The Michigan Legislature passed [SB 213](#), and Governor Rick Snyder (R) signed the bill. The law allows a Michigan pharmacist to fill a prescription for a controlled substance if the prescription was written by a dentist prescriber licensed in another state and authorized to prescribe controlled substances in that state.

- **New Hampshire Establishes a Certified Public Health Dental Hygienist**

The New Hampshire Legislature passed [SB 284](#), and Governor John Lynch (D) signed the bill into law. The law establishes the position of a certified public health dental hygienist in New Hampshire. The public health dental hygienist may:

- Prepare a treatment plan within the public health dental hygienist scope of practice;
- Place temporary restorations without excavation; and
- Place sealants, if qualified and when authorized by a licensed dentist.

- **Other Legislative Updates**

- California: [SB 694](#) was held in the Assembly Appropriations Committee, rendering the bill dead for the legislative session. The bill would have established the Statewide Office of Oral Health within the State Department of Public Health (DPH) and authorized the office to design and implement a scientifically rigorous study to assess the safety, quality, cost-effectiveness, and patient satisfaction of expanded dental procedures performed by dental care providers for the purpose of informing future decisions about how to meet the oral health needs of the state's children.
- Massachusetts: [HB 4265](#) was ordered to a third reading in the House. The bill provides that no contract for the provision of healthcare services or benefits with a registered dentist may require that such dentist provide dental services to a covered person at a particular fee, unless said dental services are services for which the company shall provide payment under the applicable group or individual policy of accident, sickness or health insurance, and such fees shall be set in good faith and not be a nominal fee. The current version of the bill aims to ensure that dental practices are reimbursed fairly for dental services rendered.

Dental Schools in the News

- **California to Open Center to Provide Dental Care**

The Loma Linda School of Dentistry (LLUSD) in Loma Linda, California is opening the Hugh Love Center for Research and Education in Technology ([CRET](#)). The Hugh Love Center is comprised of six operatories and a three-chair open clinic. The 3,000-square-foot center, with equipment provided by six different manufacturers, will enable qualified students, under faculty supervision, the opportunity to treat patients using the latest in dental technology.

Reports of Interest

The Weldon Cooper Center for Public Service at the University of Virginia issued a [report](#) analyzing oral health trends and disparities in Virginia. The report also provided some insight into possible state policy changes to address the findings, such as improving access to dental care by expanding dental hygienists' services and easing requirements for supervision by dentists.

The United States Government Accountability Office (GAO) issued a [report](#) finding that states reported billions more in supplemental payments in recent years. Medicaid supplemental payments (which are distinct from typical fee-for-service or managed-care costs) are divided into two categories: 1) disproportionate share hospital (DSH) payments, which are intended to offset uncompensated care costs for hospitals that serve more low-income and Medicaid patients, and 2) non-DSH payments, which go to other health-care providers based on criteria set by state officials, but are not required by federal law. States reported \$32 billion in Medicaid supplemental payments during fiscal year 2010.

The Urban Institute published a [study](#) which finds that automatic enrollment in health coverage programs yielded significant administrative savings for the state of Louisiana, as well as improved access to care for eligible residents. The report reviewed Louisiana's use of Express Lane Eligibility (ELE)—a mechanism enabling the state to identify and enroll eligible children in Medicaid and the Children's Health Insurance Program (CHIP) using pre-existing data from sources like state income tax records and the Supplemental Nutrition Assistance Program (SNAP), formally known as the food stamp program.

The Robert Wood Johnson Foundation and the Urban Institute published a [study](#) on who would be covered as states expand Medicaid under ACA. The study suggests that the approximately 15.1 million uninsured adults who could gain coverage under the Medicaid expansion are a diverse group in terms of their age and race/ethnicity. Though over half of this group is under age 35, thirty-five percent are between the ages of 35 and 54 and over ten percent are adults between the ages of 55 and 64. Nationwide, just over half are white, but their racial and ethnic composition varies substantially across states.

State Legislatures in Session

The following states are scheduled to meet during the month of September:

- Massachusetts (intermittent),
- Michigan,
- New Jersey (intermittent),
- Ohio (intermittent), and
- Pennsylvania.

ADEA/Sunstar Americas, Inc./Jack Bresch Student Legislative Internship

The **ADEA/Sunstar Americas, Inc./Jack Bresch Student Legislative Internship** is a six-week, stipend-supported internship in the Advocacy and Governmental Relations portfolio of the ADEA Policy Center (ADEA AGR) in Washington, D.C. This student legislative internship provides a unique learning experience in Washington, D.C. for **dental and allied dental students**. It is designed to encourage students to learn about and eventually, as dental professionals, to become involved in the federal legislative process and the formulation of public policy as it relates to academic dentistry. It is open to any dental or allied dental student who is interested in learning about and contributing to the formulation of federal public policy with regard to dental education, dental research, and the oral health of the nation. Funded through the generous support of Sunstar Americas, Inc., the student intern will be a member of the ADEA AGR staff and will participate in congressional meetings on Capitol Hill, coalition

meetings, and policy discussions among the ADEA Legislative Advisory Committee (ADEA LAC) and ADEA AGR staff.

An applicant must be a full-time dental or allied dental student whose institution is willing to work with the student to identify an appropriate time, consisting of six weeks, during the school year to pursue the internship. **For additional information, please email Yvonne Knight, J.D., ADEA Senior Vice President for Advocacy and Governmental Relations, at KnightY@ADEA.org.** *Applications are accepted on a year-round basis.*

ADEA/Sunstar Americas, Inc./Harry W. Bruce, Jr. Legislative Fellowship

Dental school faculty members or administrators who want to interface with members of Congress on issues of importance to oral health are encouraged to apply for the **ADEA/Sunstar Americas, Inc./Harry W. Bruce, Jr. Legislative Fellowship**. The fellow selected spends three months in Washington, D.C., working on issues and policies that could make a difference in the lives of every American.

This public policy fellowship coincides with congressional consideration of the federal budget and other legislative and regulatory activities important to dental education and research. The fellow functions as an ADEA Policy Center staff member who works within the AGR portfolio on ADEA's specific legislative priorities. The fellow's responsibilities may include drafting policy, legislative language, position papers, and testimony; educating members of Congress and other decision makers on matters of importance to dental education; and participating in gatherings of various national coalitions. The fellow receives a taxable stipend of \$15,000 to cover travel and expenses for approximately three months (cumulative) in Washington, DC. (ADEA is flexible in the arrangement of time away from the fellow's institution). The fellow's institution continues to provide salary support for the duration of the experience. Since its inception in 1985, the **ADEA/Sunstar Americas, Inc./Harry W. Bruce, Jr. Legislative Fellowship** has been generously underwritten by Sunstar Americas, Inc. Interested candidates should **apply as soon as possible**.

The ADEA Policy Center publishes the *ADEA State Update* monthly. Its purpose is to keep ADEA members abreast of state issues and events of interest to the academic dental and research communities.

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