



## **SPECIAL COMMITTEE ON DENTAL MEDICAID**

April 13, 2020

### **OFFICIAL MINUTES**

Hanlon, Patricia (S), Chair  
Cooperman, Kenneth (NY)  
Backer, Steven (2)  
Sandu, Diana (4)  
Wilson, Michael (6)

Kapral, Elizabeth (8)  
Rozdolski, Raquel (9)  
Kanner, David (N)  
Mota Martinez, Mercedes (Q)  
Jacobso, Amarilis (B)

The Special Committee on Dental Medicaid met on April 13, 2020 via telephone conference. All members participated with the exception of Drs. Sandu, Wilson and Kanner. Dr. Mark Feldman, Executive Director; Ms. Betsy Bray, Director of Health Affairs and Ms. Jacquie Donnelly, Manager of Health Affairs, participated on the call as well. Mr. Roy Lasky, NYSDA Lobbyist and Dr. Michele Griguts, Dental Director, Division of Medicaid and Dental Directors, NYS DOH attended as guests of the Committee.

Dr. Hanlon called the meeting to order at 10:06 a.m. Ms. Donnelly conducted a roll call of the members. Following a motion by Dr. Hanlon, the Committee adopted the minutes from its previous meeting held on September 25, 2019, by unanimous consent. Dr. Hanlon welcomed the Committee members and guests and asked everyone to introduce themselves.

#### **Chairperson's Report**

Dr. Hanlon began by discussing the recent fee reductions to the NYS Medicaid program. She explained that Medicaid payments were being uniformly reduced by \$2.5 billion. Fees were reduced across-the-board by 1.875%, for all non-institutional settings, including dental, effective April 1. These are in addition to a 1% reduction from the NYS Budget FY 2019-20, which became effective on January 1. These reductions do not affect the Child Health Plus program.

Dr. Feldman provided an overview as well stating that coverage has now been included for Silver Diamine Fluoride (SDF). DOH is currently in the process of developing guidelines, coding and reimbursement for coverage.

Telehealth services and reimbursement models have been expanded. Coding for these services were discussed. Dr. Griguts pointed out that CDT codes D9995 and D9996 are used as indicators that the encounter is teledental and there is no fee associated with those codes. Reimbursement will be made for the actual procedure performed, i.e., D0140. Dr. Griguts confirmed that there is no frequency limitations during the Covid-19 crisis.

Dr. Hanlon asked about the use of code Q3014. Dr. Griguts explained that it is used at the originating site (where the dentist is located) and reimburses a facility fee. She suggested that members check the DOH Medicaid Updates relating to COVID-19 for guidance, especially for information pertaining to billing from an Article 28 facility. Dr. Griguts also stated that the Medicaid managed care companies are required to pay for teledentistry services.

Mr. Lasky discussed the Medicaid reductions from a legislative perspective. He explained that further adjustments could be made if the legislature returns in the fall. He stressed that New York State is in a financial crisis and that the reductions are an effort to control costs. Reductions are being done “across the board” - dentistry is not being singled out.

### **NYS DOH Medicaid Update**

Dr. Griguts provided an update on what issues DOH staff are currently working on. Priorities at this time are budget items, telehealth, and SDF. They are continuing to work on value-based payments. DOH is also working to match patients with dentists. Dr. Griguts participates in quarterly meetings with the managed care plans. There has been no progress in providing coverage for nitrous oxide.

Dr. Feldman pointed out that, due to the coronavirus, PPE requirements for dental offices will change dramatically. He asked if there was a possibility that PPE would be provided to dental offices by the State. Dr. Griguts will discuss this issue with her director.

Dr. Backer suggested several recommendations for changes to Medicaid policy during the current pandemic:

1. Prior approvals that have already been issued and due to expire anytime in 2020 should be automatically extended to December 31, 2020. This will allow providers time to finish and insert cases already in progress. Currently, there is no process to request an extension.
2. Relax rules for claim submissions and notifications.
3. Keep EOBs on the eMedNY website for a longer period, possibly 90 days.

Ms. Bray asked if there would be a waiting period for restoration placement subsequent to SDF placement. Dr. Griguts stated that policy has been drafted, but is not yet finalized. She asked that the Committee send her their recommendations. Dr. Hanlon suggested coverage for SDF to include initial placement, and subsequent placement in 3 weeks and 6 months from initial placement, with no waiting period for permanent restoration. Ms. Bray and Dr. Hanlon will review and send recommendations to Dr. Griguts.

## **Member Issues**

The Committee discussed problems they were experiencing with various Medicaid managed care plans. Downcoding continues to be a problem. HealthPlex and DentaQuest have been rejecting paper claims.

## **New Business**

The Council on Governmental Affairs has asked for the Committee's opinion on S.7812, which would allow school based health centers (SBHCs) to choose to continue to operate under Medicaid fee-for-service or participate in Medicaid managed care. After much discussion, the Committee felt they needed additional information in order to provide a recommendation as to whether NYSDA should support, oppose or monitor this bill. Ms. Bray and Ms. Donnelly will provide additional information to the Committee.

The Committee discussed submitting comments to DOH in opposition to the reductions to the Medicaid dental fees. It was agreed that Ms. Bray and Dr. Hanlon would develop comments in the coming weeks.

There being no additional business before the Committee, Dr. Hanlon adjourned the meeting at 11:25 a.m.

Respectfully Submitted,

Patricia M. Hanlon, DMD  
Chair