

Introduced by

Senators K. Roers, Dever, Lee

Representative O'Brien

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota
2 Century Code, relating to medical assistance dental benefits; to provide a statement of
3 legislative intent; to provide for a report; and to provide a contingent effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 50-24.1 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Medical assistance - Dental benefits - Contract.**

8 ~~1.~~ The department shall contract with ~~a one or more~~ licensed dental health plan to provide
9 medical assistance dental benefits statewide through a carve-out managed dental
10 care services program. The program must be on a prepaid or fixed full-risk basis and
11 the rates must be actuarially sound. ~~If the department is unable to award a contract~~
12 ~~under this section or determines the department must terminate a contract that has~~
13 ~~been awarded under this section, the department shall continue to offer medical dental~~
14 ~~services as fee-for-service.~~

15 ~~2.~~ ~~Under this section, a qualified licensed dental health plan must have at least five years~~
16 ~~experience administering a similar dental plan. The contract must include a provision~~
17 ~~for an annual report that includes utilization and encounter data by current dental~~
18 ~~technology code and the medical loss ratio may not be less than eighty-five percent.~~
19 ~~The term of the initial contract may not exceed three years, with the option for two~~
20 ~~one-year renewals. The term of the contract may not exceed five years without being~~
21 ~~rebid.~~

22 **SECTION 2. LEGISLATIVE INTENT - ACCESS AND OUTCOMES.** It is the intent of the
23 sixty-seventh legislative assembly that access to dental services and dental health outcomes
24 under a managed care contract resulting from section 1 of this Act must be greater than access

1 to dental services and that dental health outcomes must be improved for Medicaid members
2 under the current fee-for-service arrangement. It is also the intent that expenditures decrease
3 under a managed care contract as compared to the current fee-for-service arrangement. The
4 managed care contractor shall provide evidence to the department of human services that the
5 contractor has decreased expenditures, improved dental outcomes, and maintained or
6 improved access relative to the current fee-for-service arrangement.

7 **SECTION 3. REPORT TO LEGISLATIVE MANAGEMENT - DENTAL MANAGED CARE.**

8 The department of human services shall provide reports to the legislative management during
9 the 2021-22 interim regarding the progress to implement the managed care contract required
10 under section 1 of this Act.

11 **SECTION 4. CONTINGENT EFFECTIVE DATE.** Section 1 of this Act becomes effective on
12 the date, which may not be earlier than July 1, 2022, that the department of human services
13 certifies to the legislative council that the department has entered a contract with a dental health
14 plan and has secured the necessary approvals from the centers for Medicare and Medicaid
15 services for ensuring federal Medicaid funding for services provided under a dental managed
16 care contract.