

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2343

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

14 **SECTION 2. LEGISLATIVE INTENT - ACCESS AND OUTCOMES.** It is the intent of the
15 sixty-seventh legislative assembly that access to dental services and dental health outcomes
16 under a managed care contract resulting from section 1 of this Act must be greater than access
17 to dental services and that dental health outcomes must be improved for Medicaid members
18 under the current fee-for-service arrangement. It is also the intent that expenditures decrease
19 under a managed care contract as compared to the current fee-for-service arrangement. The
20 managed care contractor shall provide evidence to the department of human services that the
21 contractor has decreased expenditures, improved dental outcomes, and maintained or
22 improved access relative to the current fee-for-service arrangement.

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

24 The department of human services shall provide reports to the legislative management during

1 the 2021-22 interim regarding the progress to implement the managed care contract required
2 under section 1 of this Act.

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