

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2403

2001 SENATE HUMAN SERVICES
SB 2403

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2403

Senate Human Services Committee

Conference Committee

Hearing Date February 6, 2001

Tape Number	Side A	Side B	Meter #
2	X		22.9
2		X	3.3
February 7, 2001 3	X		30.1
Committee Clerk Signature <i>Barbara Kolodziejchuk</i>			

Minutes:

The hearing was opened on SB 2403.

SENATOR KILZER, sponsor, introduced the bill (Written testimony) SENATOR MATHERN:

Would dental care be reduced from what we have now? SENATOR KILZER: One procedure could save other procedures and problems.

SENATOR RANDY CHRISTMANN, cosponsor, supports bill.

SENATOR TIM MATHERN, cosponsor of the bill, supports bill. Is there enough money to pass this bill. I believe we would not be decreasing services.

MATTHEW SCHWARZ, parent, supports bill. (Written testimony)

DAVID BOECK, lawyer for Protection and Advocacy Project, supports bill. (Written testimony)

DAVID ZENTNER, Director of Medical Services, Dept. Human Services, opposes bill. (Written testimony) SENATOR LEE: This would only be unique situations - far fewer people covered.

How many? MR. ZENTNER: The estimates would maybe be 1/2 of 1%. Difficult to know how many adults would be eligible. SENATOR LEE: Have you had request for individuals and they

have been denied? MR. ZENTNER: Only one case. SENATOR MATHERN: If there wasn't enough money, how do you make decision? Are you required to cut dental program. MR.

ZENTNER: There are certain optional services you provide to adults in case of financial shortfall. Cutting services is not the first option. SENATOR POLOVITZ: Do you have the

ability to shift funds? MR. ZENTNER: Within the Medicaid program I have one main line to change. We can shift; I can go to the department to see if additional dollars are available.

JOE CICHY, lawyer representing ND Dental Assoc., opposes the bill. (Written testimony)

SENATOR KILZER: Will the DDS program be providing oral surgery? MR. CICHY: Yes, if the individual is enrolled. SENATOR MATHERN: Would you support the bill if the

appropriation were available? MR. CICHY: I can't answer before I talk to the members.

SENATOR LEE: Would the CHIP program cover under the age for CHIP for something like this which is almost a disability or the Caring Foundation? MR. ZENTNER: The CHIP

program uses dental services to process those claims. Orthodontics is not covered. The Dental is a minimal benefit. Oral surgery is covered under Medicaid. SENATOR LEE: It is oral surgery vs. Orthodontics.

DR. BRIAN JESPERSON, orthodontist, opposes bill. (Written testimony) Skeletal problems should be handled by specialists. SENATOR LEE: What if this is the result of an accident?

DR. JESPERSON: There is a need for an oral surgeon and orthodontics. SENATOR LEE: Our goal is to allow extraordinary and if you could help us, please do. DR. JESPERSON: We will do that.

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MR. SCHWARTZ: This disability is a lifelong thing and it will be related to orthodontics all of their lives. There are rules in place to take care of this and have not been executed. Mr. Zentner can speak to that.

The hearing was closed on 2403.

February 7, 2001, Tape 3, Side A, Meter 30.1

Discussion was opened on SB 2403. SENATOR KILZER moved amendment to change orthodontics to ostiotomy, (It means to cut through bone). And orthodontic to follow.

SENATOR MATHERN seconded the motion. Roll call vote carried 6-0. SENATOR ERBELE moved DO PASS AS AMENDED. SENATOR POLOVITZ seconded the motion. Roll call vote carried 6-0. SENATOR KILZER will carry the bill.

FISCAL NOTE

Requested by Legislative Council

02/12/2001

Bill/Resolution No.:

Amendment to: SB 2403

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$20,039		\$20,930
Expenditures			\$8,641	\$20,039	\$9,026	\$20,930
Appropriations			\$8,641	\$20,039	\$9,026	\$20,930

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill would require Medicaid to make available orthodontic services in conjunction with oral maxillofacial surgical services, if such services are likely to correct or mitigate a congenital or acquired deformity associated with a significant impairment in drinking, eating, or speaking. It is estimated that 4 individuals will obtain these services each year.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Additional revenues are Federal funds.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The medical assistance grant expenditures are for the cost of orthodontic services for adults. It is estimated that 4 individuals will qualify for the services each year.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The adult orthodontic services required to be provided in this bill were not included in the Executive Budget. If this bill is passed the medical assistance grant appropriation will need to be increased \$28,680, of which \$8,641 are general funds.

Name:	Brenda M. Weisz	Agency:	Department of Human Services
Phone Number:	328-2397	Date Prepared:	02/14/2001

FISCAL NOTE
 Requested by Legislative Council
 01/30/2001

Bill/Resolution No.: SB 2403

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$265,514		\$277,326
Expenditures			\$114,497	\$265,514	\$119,591	\$277,326
Appropriations			\$114,497	\$265,514	\$119,591	\$277,326

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill would require the Department to make orthodontic services available to Medicaid recipients if the orthodontic service would mitigate a significant functional impairment in drinking, eating, or speaking. It is estimated that 53 adults will need this service each year.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Other funds would be obtained through Federal matching funds.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The Medical Assistance grant expenditures are for the cost of orthodontic services for adults. It is estimated that 53 adults will qualify for the service on a yearly basis.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Adult orthodontic services were not included in the 2001-2003 Executive Budget. If this bill is passed the Medical Assistance grant appropriation would need to be increased \$380,011, of which \$114,497 are general funds.

Name:	Brenda M. Weisz	Agency:	Department of Human Services
Phone Number:	328-2397	Date Prepared:	02/02/2001

