



Ohio Legislative Service Commission

Jacquelyn Schroeder

Fiscal Note & Local Impact Statement

Bill: [H.B. 463 of the 130th G.A.](#)

Date: April 8, 2014

Status: As Introduced

Sponsor: Rep. Johnson

Local Impact Statement Procedure Required: No

Contents: Makes changes to the laws governing dental professionals

State Fiscal Highlights

- The bill increases the amount collected from each dental license, general anesthesia permit, and conscious intravenous sedation permit fee for the Dental Loan Repayment Program; however, license fees are not increased. As a result, the Ohio Dental Board will experience a decrease in revenue retained from these license fees while the Ohio Department of Health will experience an increase in revenue to the Dental Loan Repayment Fund.
- The Ohio Department of Medicaid and the Ohio Department of Health may experience an increase in costs related to their involvement in the Medicaid Payment Rates for Dental Services Workgroup, which the bill creates.
- The Development Services Agency (DSA) may experience a minimal increase in costs to enter into a contract with JobsOhio, which will specify that JobsOhio is required to use \$250,000 to provide no-interest loans for the purchase of dental equipment to be used for the treatment of underserved populations in dental health resource shortage areas. The bill requires DSA to coordinate duties with JobsOhio through the contract.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill increases the fee amounts collected for the Dentist Loan Repayment Program, establishes the Medicaid Payment Rates for Dental Services Workgroup, requires the Development Services Agency to enter into a contract with JobsOhio to provide no-interest loans for the purchase of dental equipment, makes changes to the Oral Health Access Supervision Program, and establishes a temporary volunteer's certificate. The bill also makes several changes to the laws governing dental professionals, including allowing applicants for a license to practice dentistry to complete an approved dental residency program as fulfillment of one of the requirements to obtain a license.

Dentist Loan Repayment Program

The bill increases the amount collected for the Dentist Loan Repayment Program from \$20 to \$40 in even-numbered years and from \$10 to \$20 in odd-numbered years. These amounts are collected from each dental license, general anesthesia permit, and conscious intravenous sedation permit fee submitted to the Dental Board. The Dental Board then transfers the amounts collected for the Dentist Loan Repayment Program to the Dentist Loan Repayment Fund, which is administered by the Ohio Department of Health (ODH). As dentists generally renew their licenses in even-numbered years, revenues for the Dentist Loan Repayment Program will be higher in even-numbered years.

According to the Dental Board, the Board collected and transferred approximately \$143,200 for the program in FY 2012 and approximately \$3,100 in FY 2013. The Board has transferred approximately \$137,200 in FY 2014 to date. The bill does not increase Dental Board license fees; thus, the Board would realize a decrease in revenue of approximately \$146,300 per biennium, depending on the number of relevant initial and renewal license applications submitted.

Medicaid Payment Rates for Dental Services Workgroup

The bill establishes the Medicaid Payment Rates for Dental Services Workgroup. The Workgroup will consist of the directors of Medicaid and Health or their designees, two members of the Senate (one from both the majority and minority parties and appointed by the President of the Senate), two members of the House of Representatives (one from both the majority and minority parties and appointed by the Speaker of the House), and four dentists appointed by the Executive Director of the Ohio Dental Association that have Medicaid provider agreements and practice in different areas of the state. The Director of Medicaid or the Director's designee will serve as the chairperson.

The bill requires the Workgroup to study the issue of Medicaid payment rates for dental services and must submit a report of its study to the Governor and the General Assembly by December 31, 2014. The report must include recommendations regarding Medicaid payment rates for dental services. The bill prohibits members of the Workgroup from being paid or reimbursed for expenses incurred in serving on the Workgroup, except to the extent that serving on the Workgroup is part of a member's regular employment duties. The Ohio Department of Medicaid (ODM) is required to provide staff and other support services for the Workgroup, which may result in an increase in costs to ODM. ODH may also experience a minimal increase in costs related to its participation in the Workgroup.

JobsOhio no-interest loans

The bill requires the Development Services Agency (DSA) to enter into a contract with JobsOhio, which will specify that JobsOhio is required to use \$250,000 to provide no-interest loans for the purchase of dental equipment to be used for the treatment of underserved populations in dental health resource shortage areas. The bill requires DSA to coordinate duties with JobsOhio through the contract, which may result in a minimal increase in costs to DSA.

Oral Health Access Supervision Program

The bill permits dental hygienists who wish to participate in the Oral Health Access Supervision Program (OHASP) to use a personal check to submit their application fee to the Dental Board. The bill also removes a provision that limits which dentist to whom a dental hygienist must refer services as part of the OHASP and extends the time period for when a patient should receive services from a dentist after receiving services from a dental hygienist as part of the OHASP from 90 days to six months. Additionally, the bill requires the Dental Board to include on the online directory of program participants the e-mail addresses of those participants. The Dental Board could experience a minimal increase in administrative costs related to these provisions.

Temporary volunteer's certificate

The bill also establishes a temporary volunteer's certificate for an individual who is not licensed under Ohio law so that the individual may provide dental services in Ohio as a volunteer. The certificate is valid for seven days, but may be renewed. The Dental Board may charge a fee of up to \$25 for initial and renewal applications and must issue a wallet certificate to each person who qualifies as a temporary volunteer.

Additionally, the Board must maintain a register of all individuals who hold a temporary volunteer's certificate and must adopt rules to administer and enforce these provisions. Not later than 90 days after the effective date, the Board is required to make available on its website the application form, a description of the application process, and a list of all items that are required to be submitted with the application (such as evidence that the individual is licensed to practice dentistry or dental hygiene in

another jurisdiction). The Dental Board does not anticipate a significant fiscal impact related to these provisions.

Other changes to the laws governing dental professionals

The bill makes several changes to the laws governing dental professionals which should have no fiscal impact for the Dental Board. These changes include allowing applicants for a license to practice dentistry to complete an approved dental residency program as fulfillment of one of the requirements to obtain a license. The bill adds higher education programs that recruit students in the field of dentistry to the list of programs that are eligible for awards under the Ohio Innovation Partnership.

The bill also permits dental hygienists to provide services to patients when the supervising dentist is not present if the supervising dentist examined a patient within the last year, rather than the current limit of seven months, and allows a dentist to supervise four, rather than three, dental hygienists at one time. Additionally, the bill specifies circumstances under which dental assistants and expanded function dental auxiliaries may practice while a supervising dentist is not present and specifies additional procedures that are included in the scope of practice for an expanded function dental auxiliary.