

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1046 Session of
2009

INTRODUCED BY SAYLOR, BAKER, BOYD, BROWN, CREIGHTON, CUTLER,
EVERETT, HENNESSEY, HUTCHINSON, KORTZ, MURT, M. O'BRIEN,
PICKETT, QUINN, RAPP, REICHLEY, SIPTROTH, SOLOBAY, SWANGER,
J. TAYLOR, VULAKOVICH AND WATSON, MARCH 23, 2009

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, MARCH 23,
2009

AN ACT

1 Establishing the Dentists for Medical Assistance Patients
2 Program in the Department of Public Welfare.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Dentists for
7 Medical Assistance Patients Act.

8 Section 2. Purpose.

9 The purpose of this act is to help meet the inadequacies for
10 improving care to those on medical assistance, to bring dentists
11 into communities where there is a need and to provide an
12 incentive to students of this Commonwealth to pursue higher
13 education and training in dentistry in order to maintain the
14 quality of health care services in this Commonwealth.

15 Section 3. Definitions.

16 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Dentist." A doctor of dental surgery or doctor of dental
4 medicine who is licensed within this Commonwealth to practice
5 dentistry.

6 "Department." The Department of Public Welfare of the
7 Commonwealth.

8 "Program." The Dentists for Medical Assistance Patients
9 Program established under this act.

10 Section 4. Program.

11 (a) Establishment.--The Dentists for Medical Assistance
12 Patients Program is established within the department.

13 (b) Administration.--The Commonwealth shall administer the
14 program on a Statewide basis and utilize funds in the program to
15 encourage recently graduated dentists to provide care to
16 patients on medical assistance in each of the counties based on
17 need. The Commonwealth shall provide an annual supplemental
18 salary of \$80,000 to recently graduated dentists within three
19 years from the date of graduation who dedicate 50% of their
20 practice to caring for patients on medical assistance. Dentists
21 within six years from the date of graduation shall receive an
22 annual supplemental salary of \$30,000 if they dedicate 20% of
23 their practice to serving patients on medical assistance.

24 (c) Applications.--The department shall promulgate
25 guidelines for the selection of candidates to the program based
26 on the following criteria:

27 (1) Demonstrated need.

28 (2) Willingness to continue practicing and serving
29 patients on medical assistance in this Commonwealth after
30 expiration of the program.

1 (d) Eligibility.--Dentists must be within three years from
2 the date of graduation from an accredited dental school to
3 receive an annual supplemental salary of \$80,000 or within six
4 years from the date of graduation from an accredited dental
5 school to receive an annual supplemental salary of \$30,000 from
6 the Commonwealth. Participating dentists shall not be eligible
7 to receive reimbursements from the Commonwealth for serving
8 patients on medical assistance beyond this program.

9 (e) Selection.--The department shall give preference to
10 dentists in the following order:

11 (1) Recipients of funds who, by contract with the
12 department, agree to practice dentistry in an area of this
13 Commonwealth that is reported by the department as an area
14 where a shortage of dentists who serve patients on medical
15 assistance exists.

16 (2) Commonwealth natives completing training in this
17 Commonwealth.

18 (3) Out-of-State candidates completing training in this
19 Commonwealth.

20 (4) Commonwealth natives completing out-of-State
21 training.

22 (5) Out-of-State candidates completing out-of-State
23 training.

24 (f) Verification.--The department shall monitor and verify a
25 dentist's fulfillment of all requirements under this act.

26 Section 5. Contract.

27 (a) General rule.--Dentists receiving funds shall enter into
28 a contract with the department. The contract shall include, but
29 not be limited to, the following terms and conditions:

30 (1) The dentist shall agree to provide care to the

1 established percentage of patients on medical assistance in
2 relation to the total number of patients served.

3 (2) The dentist shall permit the department to monitor
4 compliance with the percentage requirement.

5 (3) The contract shall be renewable on an annual basis
6 upon certification by the department that the dentist has
7 complied with the terms of the contract. Contracts may be
8 renewable for a total of six years.

9 (4) The contract shall terminate if the dentist dies, is
10 not able to perform the duties of a dentist or is not able to
11 maintain the dentist's license to practice dentistry due to
12 physical or mental disability.

13 (5) If a dentist's license to practice is suspended or
14 revoked, the department shall have the authority to terminate
15 the dentist's participation in the program and demand
16 repayment of all funds rendered to date.

17 (6) A dentist who fails to begin or complete the
18 obligations contracted for shall reimburse the Commonwealth
19 all amounts received under this act and interest thereon as
20 determined by the department. Both the dentist and the
21 department shall make every effort to resolve conflicts in
22 order to prevent a breach of contract.

23 (b) Contract enforcement.--The department shall have the
24 authority to seek garnishment of wages for the collection of
25 damages provided for under subsection (a)(6).

26 Section 6. Funding.

27 The department is authorized to use funds specifically
28 appropriated by the General Assembly and any funds,
29 contributions or payments which may be available to the
30 department by another Commonwealth agency, the Federal

1 Government or any public or private source for the purpose of
2 implementing this section.

3 Section 7. Reporting requirements.

4 The department shall submit annually to the chairman and
5 minority chairman of the Public Health and Welfare Committee of
6 the Senate and the chairman and minority chairman of the Health
7 and Human Services Committee of the House of Representatives a
8 report that provides details of the department's expenditures,
9 including administrative expenditures, under this section.

10 Section 8. Regulations.

11 The department shall adopt rules and regulations to carry out
12 the provisions of this act.

13 Section 20. Effective date.

14 This act shall take effect in 60 days.