

House Bill 725

By: Representatives Taylor of the 173rd, Hawkins of the 27th, Gaines of the 117th, Mathiak of the 73rd, Greene of the 151st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to medical assistance generally, so as to provide for two or more dental service
3 organization administrators for dental services for Medicaid recipients and PeachCare for
4 Kids participants; to require the Department of Community Health to competitively bid out
5 and contract with such dental service organization administrators; to provide for
6 requirements for the dental service organization administrators; to provide for applicability;
7 to provide for an amendment to the state plan if necessary; to provide for related matters; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
11 medical assistance generally, is amended by adding a new Code section to read as follows:
12 "49-4-159.
13 (a) Upon expiration, or termination prior to expiration, of the current term of a contract
14 with a care management organization which covers dental services for recipients of
15 medical assistance pursuant to this article and for participants in the PeachCare for Kids
16 program pursuant to Article 13 of Chapter 5 of this title, the department shall enter into a
17 contract with two or more qualified dental service organization administrators to provide
18 dental services for such recipients and participants. Such administrators shall be selected
19 through a competitive bidding process pursuant to Article 3 of Chapter 5 of Title 50. The
20 administrators shall only outsource, subcontract, or assign any obligations under their
21 contracts with the department to qualified subcontractors that provide the required services.
22 Any such subcontract must be disclosed to the Commissioner of Insurance. The
23 responsibility and administration of any subcontractor will be the sole responsibility of an
24 administrator. The administrators shall be required to obtain a certificate of authority from
25 the Commissioner of Insurance as a health maintenance organization pursuant to
26 the Commissioner of Insurance as a health maintenance organization pursuant to

27 Chapter 21 of Title 33. The administrators shall be compensated for dental services on a
28 prepaid, capitated basis for recipients of medical assistance and PeachCare for Kids
29 participants. The administrators shall establish a dental provider fee schedule which is at
30 least 85 percent of the maximum allowable payments for dental services as published by
31 the department in Appendix B of the Policies and Procedures for Dental Services on
32 January 1, 2020, and subject to annual review and adjustment by the department.

33 (b) The administrators for dental services shall be in place and shall contract with willing
34 dental providers upon the expiration, or termination prior to expiration, of the current term
35 of all contracts with care management organizations which cover dental services for
36 recipients of medical assistance pursuant to this article and for participants in the
37 PeachCare for Kids program pursuant to Article 13 of Chapter 5 of this title. At such time,
38 all dental services for such recipients shall be provided through the administrators.

39 (c) The administrators shall comply with and be subject to the provisions of subsection (e)
40 of Code Section 49-4-153 in the same manner as a care management organization subject
41 to such subsection. The administrators shall be subject to and shall comply with the
42 provisions of Code Section 33-21A-8 in the same manner as for care management
43 organizations.

44 (d) The department shall submit any necessary modifications, if applicable, to the state
45 plan for medical assistance filed pursuant to Code Section 49-4-12 in order to fulfill the
46 requirements of this Code section."

47 **SECTION 2.**

48 All laws and parts of laws in conflict with this Act are repealed.