

2021: A Year of Progress for State Medicaid Oral Health Coverage and Opportunities for Bigger, Bolder Federal Investment



KEY POINTS

- » States across the country advanced Medicaid adult dental coverage in 2021, with especially big wins in VA, ME, OK.
- » Even as progress is made, Medicaid oral health coverage for adults continues to be at risk because states are not required to offer it.
- » The outcomes of the past year show the need for federal investment in long-term oral health coverage solutions in Medicare and Medicaid.

In 2020, the coronavirus pandemic disrupted legislative sessions and state budgets, forcing state policymakers to make tough decisions in response to the drastic decline in revenue stemming from the economic impact of COVID-19.

Multiple state legislatures considered drastic budget cuts to critical oral health programs in shortsighted attempts to save money. Thanks to the hard work of health advocates, many of those proposed cuts were ultimately unsuccessful. In fact, in a number of states, advocates' efforts resulted in notable progress¹ on oral health policy despite the uncertain environment.

As the pandemic dragged into 2021, advocates showed up and — once again — successfully advanced oral health policy. Nonetheless, too many state policymakers have not been willing to take action to advance Medicaid oral health, leaving millions of low-income, disabled and older adults enrolled in Medicaid without access to oral health care.

This year's actions by advocates during state legislative sessions provide lessons learned on pathways to improve Medicaid adult dental benefits. However, even as progress is made, oral health coverage for adults will continue to be at risk when future budget cuts arise, because states are not required to offer it. The outcomes of the past year underscore the importance of, and demand for, bigger, bolder federal investments in oral health coverage to provide comprehensive, long-term and stable solutions.

States Are Moving the Needle on Medicaid Oral Health Coverage

Despite the pandemic's early impact on state budgets, multiple states took action in 2021 to improve Medicaid adult dental coverage as an important part of the country's health and economic recovery. This year's success positions advocates well for progress on oral health policy as we approach the 2022 legislative sessions.

Major Wins for Adult Oral Health Coverage

This year, three states made considerable advancements toward comprehensive oral health coverage in Medicaid, offering excellent lessons on multiple pathways to achieving comprehensive adult dental benefits:

- » In late 2020, **Virginia** passed² a comprehensive Medicaid adult dental benefit as part of the commonwealth's budget. Virginia implemented the benefit on July 1, 2021, giving 830,000 adults robust dental coverage for the first time. The new benefit covers three dental check-ups per year, cleanings and other preventive services, x-rays and cavity fillings. Previously, Virginia's Medicaid program covered only emergency dental care for adults.
- » After several years of almost getting a new dental benefit across the finish line, **Maine** passed³ a comprehensive Medicaid adult dental benefit through the state's supplemental budget in late June 2021. This legislative win expands the current emergency-only benefit to extensive coverage, including preventive services; restorative, basic and major treatment; and dentures. The new benefit is set to begin in July 2022 and will provide coverage to over 215,000 adults. Other states that introduced legislation that would expand their current dental benefits to cover comprehensive services include Arizona, Florida, Hawaii, Illinois, Kansas, Minnesota and New Hampshire.
- » In June 2020, **Oklahoma** passed a Medicaid expansion ballot initiative⁴ that extended coverage to residents with incomes below 138% of the federal poverty level. Coverage began on July 1, 2021. As part of the expansion implementation process, the Oklahoma Health Care Authority, the state's Medicaid agency, improved the state's adult dental benefit, which now provides preventive care including cleanings, fluoride, periodontal scaling, exams, x-rays and dentures.⁵ This improved coverage is available to all adults enrolled in Medicaid, including the 120,000 additional Oklahomans who have enrolled in the newly available coverage.

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Incremental Improvements to Existing Benefits

Other states secured small but steady advancements to improve their Medicaid adult dental coverage:

- » At the beginning of the pandemic, the **Colorado** legislature capped the state's Medicaid adult dental benefit at \$1,000 per year to lower state spending. This decision put a strict limit on access to necessary dental

services for individuals who rely on Medicaid for oral health care. During the state's 2021 budget process, Colorado⁶ repealed the \$1,000 cap, restoring access to comprehensive Medicaid oral health benefits.

- » **Maryland** passed SB 485,⁷ which will prohibit the state's Medicaid program and its participating managed care plans and organizations from limiting the frequency of dental prophylaxis care and oral health exams per Medicaid enrollee beginning on January 1, 2022. While Maryland's fee-for-service Medicaid program covers only emergency dental care for adults, some adults receive preventive coverage through a managed care plan and/or the state's pilot program for adults with disabilities.
- » **Maryland** also enacted SB 777,⁸ which grants additional funding to hospitals and federally qualified health centers for prenatal care. The bill allows for oral and behavioral health services to be included in such care to maintain the health of pregnant individuals.
- » **Minnesota** added periodontal treatment to the state's adult dental coverage benefit in its 2021 state budget.⁹ This legislation finally restores coverage that was scaled back in response to the Great Recession in 2009.
- » The **Ohio** Department of Medicaid¹⁰ made a rule change to add an additional dental cleaning for pregnant people who rely on Medicaid. Pregnant people who are covered by Medicaid will now have access to two dental cleanings per year. The previous benefit only provided for one cleaning per year.

Expanding Oral Health Coverage to Adults with Disabilities

Adults with disabilities face compounding barriers¹¹ to oral health care, including a lack of affordable, comprehensive oral health insurance options. Two state legislatures recognized these issues and advanced policy to address these coverage barriers:

- » The **Louisiana** legislature passed HB 172,¹² which will require the state Medicaid program to cover routine dental care for those 21 and older with intellectual and developmental disabilities. Alongside this bill, HCR 34¹³ was adopted, requesting that the Louisiana Department of Health study the financing of dental care for adults with intellectual and developmental disabilities. Newly covered dental services for this population will include diagnostic, preventive, restorative, emergency and other care. This measure will take effect on July 1, 2022.

- » Similarly, in Texas, HB 2658¹⁴ was signed into law, requiring the Texas Medicaid program to reimburse for one preventive dental visit per year to adults with disabilities who are not enrolled in the STAR+PLUS managed care program. It is important to note that, while this is a step in the right direction, it is not sufficient to meet a person's oral health needs.

Legislative Assessments on Adult Dental Benefits

During the 2021 legislative session, several states adopted resolutions to continue investigating oral health issues. While these legislative research efforts do not go far enough to help people directly, they will provide important data and context that can help advocates advance their policy change efforts.

- » Governor Larry Hogan of **Maryland** signed SB 100¹⁵ into law, creating the Task Force on Oral Health. The task force will study dental care access statewide, analyze and identify barriers to dental services and provide recommendations to eliminate these barriers. Other states that introduced legislation that would create legislative boards dedicated to studying population oral health outcomes include **Kansas** and **Massachusetts**.
- » The **Pennsylvania** legislature adopted HR 68¹⁶ in March 2021. This resolution will direct the Legislative Budget and Finance Committee to study and review the availability of dental services in rural areas of the commonwealth and report recommendations for improving access to dental care.

Broader State Medicaid Expansion Efforts Provide Opportunities to Improve Access to Comprehensive Coverage, Including Oral Health Coverage Medicaid Expansion Implementation

Over the last few years, several states passed Medicaid expansion ballot initiatives resulting in thousands of adults gaining health insurance coverage and, often, dental benefits. In **Nebraska**,¹⁷ however, expanded Medicaid coverage that began in October 2020 did not come with improved dental coverage for all adults who qualified for the program. The benefit was tiered. All adults who rely on Medicaid for their health would have coverage for basic services, including physical and mental health care and prescriptions. However, dental and vision services and over-the-counter medications were not covered for specific populations. Low-income, working-age adults were subject to reporting requirements, which included their work hours, volunteering and other activities for 80 hours per month in order to access dental benefits and other important health services.¹⁸ This year, Nebraska withdrew its 1115 waiver,¹⁹

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clearing the way for all adults enrolled in Medicaid to access dental coverage. Dental benefits will finally be fully available in October 2021.

Medicaid Postpartum Coverage Extensions

Millions of pregnant people across the country qualify for Medicaid insurance coverage, often including oral health coverage, which they are able to access during pregnancy and for some time during the postpartum period. In many states, Medicaid postpartum coverage ends just 60 days after a baby is born. In 2021, advocates pushed hard to extend Medicaid postpartum coverage to better support maternal and child health, and multiple states followed through.²⁰ The following states have taken steps to extend Medicaid postpartum coverage from 60 days to 12 months: **California, Colorado, Connecticut, Florida, Illinois, Maine, Maryland, Minnesota, New Jersey, Ohio, South Carolina, Tennessee, Washington** and **West Virginia**.

Expanding Coverage to Undocumented People

Multiple states introduced legislation that would extend Medicaid coverage to undocumented people so that access to needed health services is available to adults, regardless of immigration status. In addition to other health services, extending Medicaid coverage to undocumented people would provide needed access to oral health care. Half of undocumented people reported²¹ not having access to any health and dental insurance due to many factors, including limited options for health coverage and facilities that offer health services and care.²² This year, **California**²³ and **Oregon**²⁴ passed legislation that will extend Medicaid coverage to undocumented individuals. Other states that introduced legislation to extend coverage to undocumented people include **Connecticut, Maine** and **New Jersey**.

While States' Steady Advancements are Critical, They Do Not Provide Comprehensive Coverage for All Adults

This year, the action on oral health coverage across states — from Maine to Oklahoma — shows the momentum and need for improved access to oral health coverage, across demographics and political landscapes. What we have now, however, is a patchwork of protections. Adults who live in states that don't take action are left behind, often with higher costs for care, untreated oral health needs and worsened health outcomes. Put simply, state advancements are critical, but they do not — and cannot — ensure that all adults across the country have access to necessary oral health care. Big and bold federal policies are essential to getting comprehensive, sustainable coverage to adults in all states, territories and tribal nations.

The good news is that attention to improving oral health coverage has not only gained traction among state policymakers: there is also significant interest among public and federal policymakers in making national changes.²⁵ One national poll reported²⁶ that nearly 90% of Democratic voters and 80% of Republican voters support adding dental coverage to Medicare. Another survey found that six in 10 Americans are concerned that they will need dental care when they're older but may not be able to afford it.²⁷ Recent media attention has also shined a bright light on how people's lives and health are affected by the lack of affordable oral health care, with increased coverage of oral health issues and personal stories over the past year.²⁸ The combination of advocate engagement, state action, new research, public support and media attention has fueled Congressional interest.

With growing momentum from across the country, President Biden proposed²⁹ adding dental, vision and hearing coverage to Medicare in his first annual federal budget proposal. As of this writing, Congress is working on budget reconciliation legislation that includes a commitment to Medicare dental, vision and hearing coverage. This fall, advocates are working hard to move Medicare dental coverage across the finish line, which would provide new access to oral health care to over 60 million older adults and people with disabilities.

Federal action is needed for Medicaid too, and for the first time, Congress introduced legislation to improve dental coverage for adults who rely on Medicaid, the Medicaid Dental Benefit Act.³⁰ The bill would require states to provide dental coverage for all adults enrolled in Medicaid and increase the federal Medicaid matching rate (FMAP) for the benefit. This investment would ensure that every state has the resources to provide oral health care to adults who need it. While Congress is currently focused on Medicare, this bill is a critical development that could pave the way for future federal action in Medicaid.

2021 is a landmark year for oral health advocates, whether we talk about state policy advancements, public engagement or federal activity. It is clear that policymakers are finally recognizing that oral health is an integral part of health care, and advocates will keep pushing forward to ensure they turn that recognition into meaningful action by establishing strong oral health coverage in both Medicare and Medicaid.

For the first time, Congress introduced legislation to improve dental coverage for adults who rely on Medicaid, the Medicaid Dental Benefit Act.

Endnotes

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