

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

House Bill 4933

By Delegate Summers

[Originating in the Committee on Health and Human

Resources; Reported on February 1, 2024]

1 A BILL to amend and reenact §9-5-12a of the Code of West Virginia, 1931, as amended, relating to
2 Medicaid dental coverage; providing that purchases of dentures do not count against the
3 \$1,000 yearly limit on coverage; and removing expired internal effective date.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-12a. Medicaid program; dental care.

1 (a) The following terms are defined:

2 (1) "Cosmetic services" means dental work that improves the appearance of the teeth,
3 gums, or bite, including, but not limited to, inlays or onlays, composite bonding, dental veneers,
4 teeth whitening, or braces.

5 (2) "Diagnostic and preventative services" means dental work that maintains good oral
6 health and includes oral evaluations, routine cleanings, x-rays, fluoride treatment, fillings, and
7 extractions.

8 (3) "Restorative services" means dental work that involves tooth replacement, including,
9 but not limited to, dentures, dental implants, bridges, crowns, or corrective procedures such as
10 root canals.

11 (b) The Department of Human Services shall extend Medicaid coverage to adults age 21
12 and over covered by the Medicaid program for diagnostic and preventative dental services and
13 restorative dental services, excluding cosmetic services. This coverage is limited to \$1,000 each
14 budget year. Recipients must pay for services over the \$1,000 yearly limit. Dentures are covered,
15 but do count not against the \$1,000 yearly limit. No provision in this section shall restrict the
16 department in exercising new options provided by, or to be in compliance with, new federal
17 legislation that further expands eligibility for dental care for adult recipients.

18 (c) The department is responsible for the implementation of, and program design for, a
19 dental care system to reduce the continuing harm and continuing impact on the health care system
20 in West Virginia. The dental health system design shall include oversight, quality assurance

21 measures, case management, and patient outreach activities. The department shall assume
22 responsibility for claims processing in accordance with established fee schedules and financial
23 aspects of the program necessary to receive available federal dollars and to meet federal rules
24 and regulations. The department shall seek authority from the Centers for Medicare and Medicaid
25 Services to implement the provisions of this section.

26 ~~(d) The provisions of this section enacted during the 2020 regular legislative session shall~~
27 ~~only become effective upon approval from the federal Centers for Medicare and Medicaid Services~~
28 ~~of the provider tax as set forth in §11-27-10a of this code.~~

NOTE: The purpose of this bill is to exclude dentures from the \$1,000 dental coverage cap.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.