

We look forward to working with the Missouri Legislature on the following legislation for the benefit of our members and Missouri citizens to whom they provide care.

2021 MDA Supported Legislation

Downcoding *SB401* sponsored by Senator Bob Onder (R-St. Charles) – House Bill Pending

- Downcoding describes a growing phenomenon, in which an insurance carrier modifies the procedure code originally submitted by the healthcare provider and reimburses the amount attributed to the new code in lieu of the originally billed code.
- In a 2020 MDA membership survey, 94% of dentists said they experience down-coding, with 100% of those stating it results in lower payment.
- Unfortunately, this practice is not limited to dentists and affects other healthcare providers, too. A recent analysis done by other large medical practices found up to 68% of their claims submitted to Missouri’s Medicaid MCOs—the state’s three largest health insurance carriers—were categorized by the insurers as “fraudulent”, resulting in the submitted code being changed to a code with a lower reimbursable rate or from a covered to a non-covered service code. When this occurs, the healthcare provider is forced to write off the difference and absorb the loss.
- The MDA is eager to work with other health care provider groups and associations across the state to address this growing problem.

Credentialing *Pending Bill Numbers & Sponsors*

- In 2020 the Missouri General Assembly passed House Bill 1682, a bill designed to enforce prompt credentialing for healthcare providers. Most important, it requires a health insurance carrier’s credentialing decision to be issued within 60 days of receiving an application and prohibits a carrier from requiring a practitioner to be credentialed if the practitioner is working on behalf of a credentialed provider who is on FMLA leave.
- A prominent Missouri dental insurance carrier has not adhered to the new law, citing exemption based on tax status. We believe regardless of the type of corporation, an insurer of health benefits should be required to abide by this law.

2021 MDA Supported Budgetary Items

The MDA is extremely appreciative of the 2020 Missouri Legislature including funding for limited adult dental services, provider reimbursement rate increases and other dental programs. We appreciate your consideration of funding continuation for these areas:

- **Dental Medicaid Continuation** – Approximately \$5 Million to maintain provider reimbursement rates and current funding for Adult Dental Services.
- **Continued funding for the following dental programs** – Dental Lifeline Network/Donated Dental Services (\$90,000); Elks Mobile Dental (\$200,000); and, State Dental Director (\$70,000).

2021 MDA Legislation Monitoring

Vaccines

- Two bills have been filed to allow for dentists to administer vaccinations. **HB628** creates provisions relating to vaccine administration by dentists (sponsored by Rep. Danny Busick). **SB322** modifies the practice of dentistry to include the prescription and administration of vaccines (sponsored Sen. Steven Roberts).
- The legislation, supported by the Missouri dental schools, would allow for licensed dentists to administer vaccine, including the COVID-19 vaccine. Dentists would not be required to administer vaccines and before administering any vaccine, dentists must complete a Missouri Dental Board recognized training.
- In October 2020, the American Dental Association passed a resolution expressing support for “dentists seeking to administer vaccines, including (when it becomes available) a safe and effective vaccine for COVID-19.”
- A 2020 MDA membership survey indicated 61% of members believe dentists should be able to administer the COVID-19 vaccine.

COVID-19 Liability Protection

- In November 2020, the Governor called the legislature to a special session to pass COVID-19 liability reforms. The legislation would have included protections for healthcare providers, premises, and producers against frivolous COVID-19 related lawsuits. Unfortunately, the special session was cut short after a COVID-19 outbreak in the Capitol.
- We are hopeful that COVID-19 liability protections will be a priority for legislators during the 2021 session.
- **SB42** modifies provisions relating to liability for civil damages resulting from the state of emergency due to COVID-19. Specifically, the bill provides protections for premises, providers, and relevant products against lawsuits relating to COVID-19 (sponsored by Sen. Bill White). Similarly, **SB51** provides protections against liability in COVID-19 related cases (sponsored by Sen. Tony Luetkemeyer).

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