By: Hughes

H.B. No. 3336

A BILL TO BE ENTITLED

1   AN ACT

2   relating to dental hygiene services or procedures provided under

3   the medical assistance program.

4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5   SECTION 1.   Section 32.027, Human Resources Code, is amended

6   by adding Subsection (l) to read as follows:

7   (l)   The department shall assure that a recipient of medical

8   assistance under this chapter may select a dental hygienist

9   licensed under Subchapter B, Chapter 256, Occupations Code, to

10   perform any dental hygiene service or procedure covered under the

11   medical assistance program if the selected dental hygienist is

12   authorized by law to perform the service or procedure.   This

13   subsection shall be liberally construed.

14   SECTION 2.   Subchapter B, Chapter 32, Human Resources Code,

15   is amended by adding Section 32.0541 to read as follows:

16   Sec. 32.0541.   DENTAL HYGIENE SERVICES.   In providing dental

17   hygiene services or procedures under the medical assistance

18   program, the department shall:

19   (1)   require a dental hygienist participating in the

20   medical assistance program to comply with a minimum standard of

21   documentation and recordkeeping for each of the dental hygienist's

22   patients, regardless of whether the patient's costs are paid

23   privately or through the medical assistance program; and

24   (2)   take all necessary action to eliminate unlawful

1 acts described by Section 36.002 in the provision of dental hygiene

2 services and procedures under the medical assistance program,

3 including:

4   (A) aggressively investigating and prosecuting

5 any dental hygienist who abuses the system for reimbursement under

6 the medical assistance program; and

7   (B) conducting targeted audits of dental

8 hygienists whose billing activities under the medical assistance

9 program are excessive or otherwise inconsistent with the billing

10 activities of other similarly situated dental hygienists.

11   SECTION 3. This Act takes effect September 1, 2005.