



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Health and Social Services

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October 3, 2019

The Honorable Andy Josephson
House of Representatives
Alaska State Legislature
State Capitol, Room 502
Juneau, AK 99801-1182

The Honorable Elvi Gray-Jackson
Alaska State Senate
Alaska State Legislature
State Capitol, Room 417
Juneau, AK 9980-1182

Via email: representative.andy.josephson@akleg.gov, senator.elvi.gray-jackson@akleg.gov

Dear Representative Josephson and Senator Gray-Jackson:

Thank you for your letter of September 16, 2019 regarding the Adult Enhanced Dental Services program. Here are the questions you posed in that letter with our responses:

- 1. A significant symptom of mental illness and cognitive disorders (such as Alzheimer's and dementia) is the deterioration of healthy gums and teeth. Did the Administration consider the link between other cuts it has made (Behavioral Health Treatment and Recovery Grants) and the impact of those cuts on dental health generally?***

Many factors, including health impacts to Alaskans, potential impacts to other programs and services, and the state's deficit, were weighed as part of this decision.

- 2. Through Adult Preventive Dental Medicaid Services, the federal government has historically paid for 70% of Alaska's Adult Dental program. How will the federal government allocate the \$18,730,900 in foregone federal funding? Will those dollars remain unspent, will they be used by other states, or will they be allocated to Alaska for other purposes?***

This information is not available to the Department at this time.

3. ***Dental care delivered in an emergency room setting is four to five times more expensive than care delivered in a dental office. While emergency room care is palliative and can relieve pain, it is not curative. Did the Administration consider this prior to issuing a veto of the program?***

The Department of Health and Social Service recognizes that some individuals will seek emergency room care for dental services, and emergency dental care will continue to be covered by Medicaid.

4. ***How and when did the Administration determine that the Adult Preventive Dental program could not be eliminated by July 1, 2019?***

In early August 2019, the Centers for Medicare and Medicaid Services notified the Department of Health and Social Services that elimination of a service category required individual notification to each Medicaid recipient at least **10** days prior to termination of coverage.

5. ***When did the Administration first seek permission from the Centers for Medicare and Medicaid Services to suspend Alaska's participation in the Adult Preventive Dental program?***

The Department of Health and Social Services is required to seek approval for a state plan amendment (SPA) no later than the end of the quarter in which the regulatory change occurs. On July 17, 2019, prior to the September 30, 2019 SPA submission deadline, the Centers for Medicare and Medicaid Services contacted the Department of Health and Social Services that they had received an inquiry regarding the termination of coverage for adult enhanced dental. However, with the extension of services until October 1, 2019, the state plan amendment is not due until the end of the quarter ending on December 31, 2019.

6. ***Is it true or false that the federal government prohibited the State of Alaska from ending the Adult Preventive Dental program on July 1, 2019, as the current Administration had intended to do?***

During the discussions with CMS, following their July 17, 2019 inquiry, CMS notified the department that elimination of a service category required individual notification to each Medicaid recipient at least 10 days prior to termination of coverage. As a result, the department extended the adult enhanced dental program until the notification requirement could be met and the Governor's office extended this benefit to October 1, 2019.

7. ***A July 1, 2019 memorandum from Conduent states that the Adult Enhanced Dental Program is unfunded as of that date. Was this an accurate statement of fact? If not, what efforts did the Administration take to correct this inaccuracy and advise dental providers and dental care recipients?***

Yes, the announcement was correct, given the action by the Governor on the FY2020 operating budget that defunded the program and to the best of the department's knowledge on July 1, 2019. The department released a Remittance Advice (RA) message to providers on July 1, announcing changes resulting from Governor Dunleavy's Friday, June 28, 2019 veto of adult enhanced dental program funding. On August 26, 2019, following CMS' notification that individual notification to Medicaid recipients was required prior to

the termination of coverage, the department released a RA message notifying providers that adult enhanced dental services coverage was extended through September 30, 2019.

8. *Dr. David Logan, the Executive Director of the Alaska Dental Society, told the Anchorage Daily News on or about August 25, 2019, that he was unaware that the Preventive Dental Medicaid program remained active. He indicated that Administration officials told him the program was cancelled effective July 1, 2019. Is Dr. Logan's statement credible and plausible?*

Remittance advice (RA) messages are the department's official mode of communication with enrolled Medicaid providers. RA messages are sent to individual providers weekly, and are available on the [Remittance Advice Messages](#) page of Alaska Medicaid Health Enterprise. The department released a RA message the morning of July 1, 2019, announcing changes resulting from Governor Dunleavy's Friday, June 28, 2019 veto of adult enhanced dental program funding. On August 26, 2019, following CMS' notification that individual notification to Medicaid recipients was required prior to the termination of coverage, the department released a RA message notifying providers that adult enhanced dental services coverage was extended through September 30, 2019.

9. *Pursuant to federal law, recipients of Medicaid benefits are entitled to notice of the cessation of a state's participation in a federally-approved program. How did your department comply with federal law regarding notification to program recipients? When did the Administration inform Medicaid recipients about changes to their dental services? Did such notice go out to recipients on or about September 10, 2019, and not until that time?*

Following notification from the Centers for Medicare and Medicaid Services that Medicaid recipient notification is required, the Department of Health and Social Services mailed a notice to the approximately 120,000 Medicaid recipients age 21 and older who would be impacted by the change. Due to the large volume of notifications, the printing, envelope stuffing, and mailing process occurred over the course of 14 days, beginning the first two weeks September 2019.

10. *When did the Administration let providers know that the program was not terminated on June 30th, the close of the fiscal year?*

On August 26, 2019, following CMS' notification that individual notification to Medicaid recipients was required prior to the termination of coverage, the department released a RA message notifying providers that adult enhanced dental services coverage was extended through September 30, 2019.

11. *Our Legislative Finance Division indicates that up to \$15 million in unspent Adult Preventive Dental dollars could be transferred to pay for other DHSS programs. Do you agree with this position? Does the Administration intend to use monies that historically would have paid for Adult Preventive Dental to fund other programs?*

The funds for the Adult Enhanced Dental program were vetoed from the department's budget and therefore are not available to be used for other programs. The \$15 million in transfer authority allowed under the

FY2020 budget bill (HB 39) allows the department to transfer authority between appropriations to help meet budget shortfalls. However, the language in the bill prohibits transfers from the Medicaid Services appropriation.

12. Tammy Green, CEO of Anchorage Neighborhood Health Center, reports that, without cleanings and other preventive care, people who "...have not been having preventative health [care] and have cavities or things like that, they can get inflammation, and that inflammation can exacerbate other chronic conditions." (Anchorage Daily News, July 18, 2019). Dr. David Logan noted that the effects might include harm to kidneys and the heart. The ADN also reported that another provider, Royann Royer, opined that a bacterial infection triggering pneumonia could be another result of a lack of preventive care. Does the Administration agree with Ms. Green, Dr. Logan, and Ms. Royer?

The Department of Health and Social Service recognizes that additional health care needs due to a lack of preventive dental care will arise. Eligibility requirements and categories for individuals in the Medicaid program remain unchanged, as well as their ability to access emergency dental services.

Sincerely,



Adam Crum
Commissioner

CC: Suzanne Cunningham, Legislative Director, Office of Governor Michael J. Dunleavy
Sana Efird, Assistant Commissioner & Administrative Services Director, Office of Management and Budget