

CHAPTER 114

HEALTH AND ENVIRONMENT

HOUSE BILL 08-1116

BY REPRESENTATIVE(S) Gallegos, Butcher, Casso, Fischer, Frangas, Hodge, Kefalas, Labuda, Madden, Merrifield, Peniston, Primavera, Rice, Riesberg, Stafford, and Todd;
also SENATOR(S) Shaffer, Boyd, Gibbs, Groff, Isgar, Schwartz, Spence, Tapia, Tochtrop, Williams, and Windels.

AN ACT

CONCERNING THE AUTHORITY OF THE STATE BOARD OF HEALTH TO PROMULGATE RULES REGARDING THE DENTAL ASSISTANCE PROGRAM FOR SENIORS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 25-21-105 (5) and (6), Colorado Revised Statutes, are amended to read:

25-21-105. Copayments - fees. (5) ~~If a qualified grantee awarded a service grant provides services to eligible seniors using a fee-for-service payment system, the maximum fee for dental and oral health services shall be as follows, subject to adjustment as provided in subsection (6) of this section:~~

- (a) Oral examination (diagnosis and treatment planning). \$ 12
- (b) Emergency treatment (palliative). 15
- (c) X rays - full mouth (periapical or panorex). 20
- (d) X rays - bite wing. 6
- (e) Prophylaxis. 15
- (f) Full dentures, upper and lower, including adjustments. 367
- (g) ~~Single full or acrylic partial dentures, including adjustments. 175~~
- (h) Repair of fractured dentures. 15

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

- (i) Replacement or repair of one broken tooth..... 15
and for each additional tooth. 5
- (j) Addition of a tooth to a partial denture to replace a natural tooth..... 25
and for each additional tooth. 10
- (k) Replacement of clasp, clasp intact..... 25
- (l) Replacement of clasp, new clasp. 35
- (m) Removal of permanent tooth..... 8
- (n) Surgical removal. 15
- (o) Reline (chairside)..... 30
- (p) Reline (laboratory processed).. 45
- (q) Jump rebase (laboratory processed)..... 75
- (r) Partial dentures (chrome base cast)..... 250
- (s) Amalgam fillings (per surface)..... 9
- (t) Composite (per surface - maximum of three surfaces). 15
- (u) Periodontal treatment (per quadrant)..... 50
- (v) Soft tissue treatment (surgical)..... 50

(6) ~~The maximum fee for each dental service listed in subsection (5) of this section shall be automatically increased or decreased on July 1 each year beginning July 1, 1980, to an amount which bears the same relationship to the maximum fee so listed as the Denver area consumer price index produced by the bureau of labor statistics of the United States department of labor for the month of January of a particular year bears to the said Denver area consumer price index for the month of January, 1979. Unless a recomputed maximum fee is an even dollar amount, the maximum fee shall be the next lowest even dollar figure~~ THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103 SHALL PROMULGATE RULES REGARDING ALLOWABLE PROCEDURES AND FEES PURSUANT TO THIS ARTICLE BASED UPON RECOMMENDATIONS OF THE DENTAL ADVISORY COMMITTEE CREATED IN SECTION 25-21-107.5. THE ALLOWABLE PROCEDURES FOR WHICH FEES MAY BE SET SHALL INCLUDE, BUT NOT BE LIMITED TO, ORAL EXAMINATION (DIAGNOSIS AND TREATMENT PLANNING); EMERGENCY TREATMENT (PALLIATIVE); X-RAYS - FULL MOUTH (PERIAPICAL OR PANOREX); X-RAYS - BITE WING; PROPHYLAXIS; FULL DENTURES, UPPER AND LOWER, INCLUDING ADJUSTMENTS; SINGLE, FULL, OR ACRYLIC PARTIAL DENTURES, INCLUDING ADJUSTMENTS; REPAIR OF FRACTURED DENTURES; REPLACEMENT OR REPAIR OF BROKEN TEETH; ADDITION OF TEETH TO A PARTIAL DENTURE TO REPLACE A NATURAL TOOTH; REPLACEMENT OF CLASP, CLASP INTACT; REPLACEMENT OF CLASP, NEW CLASP; REMOVAL OF PERMANENT TEETH; SURGICAL

REMOVAL; RELINE (CHAIRSIDE); RELINE (LABORATORY PROCESSED); JUMP REBASE (LABORATORY PROCESSED); PARTIAL DENTURES (CHROME BASE CAST); AMALGAM FILLINGS (PER SURFACE); COMPOSITE (PER SURFACE); PERIODONTAL TREATMENT; AND SOFT TISSUE TREATMENT (SURGICAL).

SECTION 2. Repeal. 25-21-106 (1), Colorado Revised Statutes, is repealed as follows:

25-21-106. Operation period of program - review - reports. (1) ~~Claims by dentists for provider payments under this article will be accepted for dental services rendered after October 1, 1977, and before July 1, 2003. Claims may not be accepted by the department for services rendered before October 1, 1977.~~

SECTION 3. 25-21-107.5 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

25-21-107.5. Dental advisory committee - creation - repeal. (2) The advisory committee shall:

(c) MAKE RECOMMENDATIONS TO THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103 REGARDING ALLOWABLE DENTAL PROCEDURES AND FEES TO MAXIMIZE THE NUMBER OF PARTICIPATING PROVIDERS AND THE NUMBER OF ELIGIBLE SENIORS RECEIVING SERVICES.

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 10, 2008