

**KENTUCKY DENTAL  
ASSOCIATION**

**2021 KDA ANNUAL SESSION**

**HOUSE OF DELEGATES  
AUGUST 21 & 22, 2021**

**\*\*\*\*\***

**GALT HOUSE HOTEL**

**LOUISVILLE, KENTUCKY**

**161<sup>st</sup> KDA ANNUAL SESSION  
HOUSE OF DELEGATES  
SATURDAY, AUGUST 21, 2021 – 2:30 P.M.  
GALT HOUSE HOTEL – LOUISVILLE, KY  
DR. H. FRED HOWARD – SPEAKER OF THE HOUSE**

**Notice to Delegates and Alternate Delegates:**

Enclosed is the Delegate information packet that includes Council, Committee and Work Group reports and proposed resolutions. The first House of Delegates meeting will convene on **SATURDAY, AUGUST 21, 2021 at 2:30 p.m. (EASTERN DAYLIGHT TIME)** in Grand Ballroom C of the Galt House East Hotel (2<sup>nd</sup> Floor Ballroom Level).

The Reference Committee meeting will be on **SATURDAY, AUGUST 21, 2021 at 4:00 p.m. (EASTERN DAYLIGHT TIME)** or immediately following the 2:30 p.m. House of Delegates meeting in the Clements room of the Galt House East (2<sup>nd</sup> Floor Ballroom Level). Discussion relative to any report should be made at that time. Reports will be available Saturday evening at the main registration desk for the Chairperson of each delegation to pick up for a caucus before the **2<sup>nd</sup> House of Delegates meeting on SUNDAY, AUGUST 22, 2021 at 10:30 a.m. (EASTERN DAYLIGHT TIME)** in Grand Ballroom C of the Galt House East Hotel (2<sup>nd</sup> Floor Ballroom Level).

**ATTENTION ALL DELEGATES**

*The House of Delegates is the decision-making body of your organization. For it to function, all members must participate in the process. Your Society has chosen you to represent them in decisions that will affect the way they operate their practices. It is extremely important that you be present to speak for them at every meeting of the House of Delegates.*

*If you have circumstances that prevent your attendance and that cannot be mitigated, it becomes your responsibility to notify your Society President in order that a replacement can be appointed.*

*Your willingness to participate in the workings of your organization is appreciated.*

## **REFERENCE COMMITTEE MEMBERS**

KENTUCKY DENTAL ASSOCIATION REFERENCE COMMITTEE – Dr. Scott Bridges, Chairman  
Dr. Christopher Costello  
Dr. John Lowe  
Dr. Olivia Estes  
Dr. Joe Boster

## **REPORT ASSIGNMENTS**

Budget & Finance	R1	P3
Annual Session	R2	P4
Executive Board	R3	P4
Secretary/Treasurer Report	R4	P5
Journal Committee	R5	P5
Ethics, Bylaws & Judicial Affairs	R6	P5
Board of Dentistry	R7	P5
Governmental Affairs	R8	P6
KDPAC	R9	P7
KMAP Advisory	R10	P8
Membership Steering/New Dentist	R11	P15
Medicaid	R12	P16
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**Addendum A Budget**

**Addendum B Budget Performance**

**Addendum C Sum. of Journal, Legislative & Relief Monies (as pertains to dues revenue)**

**Addendum D Executive Board Minutes (November 14, 2020, February 20, 2021, May 15, 2021 and Action Minutes from July 24, 2021)**

**Addendum E House of Delegate Minutes (August 29, 2020)**

**Addendum F KDPAC**

## **2021 TELLERS:**

**Dr. Barry Curry**

**Dr. James Ransdell**

**Dr. Audrey Kinder**

**KENTUCKY DENTAL ASSOCIATION REFERENCE COMMITTEE**  
**Dr. Scott Bridges - Chairman**

**REPORT NO. 1**

**BUDGET AND FINANCE COMMITTEE – Dr. B. J. Millay, Chairman**

**KENTUCKY DENTAL ASSOCIATION  
BUDGET AND FINANCE MEETING  
Conference Call**

Louisville, Kentucky

May 3, 2021

7:00 P.M.

- 1. CALL TO ORDER.** Dr. BJ Millay called the meeting to order at 7:00 P.M. The following members of the committee were present: Dr Cliff Lowdenback, Dr. Joe McCarty, Dr. Robert Millay, Dr. Jonathan Rich, Dr. Kevin Wall and Dr Darren Greenwell.

Staff members present were: Mr. Rick Whitehouse, KDA Executive Director and Mr. Todd Edwards, KDA Assistant Executive Director.

- 2. THE PROPOSED 2022 KDA BUDGET.** There were lengthy discussions about the revenues and expenses for the proposed 2022 KDA Budget.

It was the consensus of the committee to send the 2022 Proposed KDA Budget to the KDA Executive Board with a recommendation to approve.

In order to stay in compliance with the Reserve Fund maintaining 35 percent of the operating budget, the committee made the following recommendation to the KDA Board.

**MOTION: Dr. BJ Millay** moved to transfer \$12,000.00 from the Capital Projects Fund to the Reserve Fund. Also transfer \$29,503.00 from the Capital Projects Fund to the Legislative Fund, leaving the Capital Projects Fund with a balance of \$50,000.00.

**Dr. Cliff Lowdenback** seconded the motion.

**ACTION: ADOPTED.**

- 3. ADJOURNMENT.** The meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Dr. B.J. Millay, Chairman

REPORT NO. 2

COUNCIL ON ANNUAL SESSION – Dr. William J. Moorhead, Chairman

**COUNCIL ON ANNUAL SESSION**

Saturday, March 27, 2021 – Zoom Meeting

10:00 A.M. (Eastern Daylight Time)

Council members present: Drs. B.J. Moorhead, Chairman, Laura Hancock Jones, Michelle Story, Charles Montague, Randy Ransdell and Mark Moats. Guests present: Drs. Don Heine, Fred Howard, Ken Remmers, Jonathan Rich, Darren Greenwell and Kevin Wall. Staff present: Richard Whitehouse, Janet Glover, Melissa Nathanson and Todd Edwards.

The meeting was called to order at 10:00 a.m.

There was discussion on the proposed 2022 Annual Session Budget. Specifically, the keynote speaker line item and the printing line item.

Melissa Nathanson gave an informational update on the printing line item.

The council discussed different options for entertainment, etc. and changing the Keynote Speaker line item to include entertainment. The line item should read “Keynote Speaker and Other Entertainment”.

A motion was made by Dr. Randy Ransdell, second by Dr. Mark Moats, changing the Keynote line item to include entertainment. With that amendment, the entire 2022 proposed budget was approved unanimously and referred to the executive board for final approval.

Meeting adjourned at 10:30 a.m.

Respectfully submitted,

Dr. William J. Moorhead, Chairman

REPORT NO. 3

EXECUTIVE BOARD – Dr. Joseph McCarty, Chairman

The minutes of the November, February, May and action minutes from the July board meetings are found in Addendum D. The Executive Board offers the following resolution for consideration.

**RESOLUTION 2021-101**

**ORIGINATOR: KDA EXECUTIVE BOARD**

**BACKGROUND:** The KDA Executive Board reviewed and approved the 2022 Budget as developed by the Budget and Finance Committee. Therefore be it

**RESOLVED,** that the proposed 2022 Revenue and Expenditure Budget be approved.

**ACTION: APPROVED AND REFERRED TO THE HOUSE OF DELEGATES WITH AN EXECUTIVE BOARD RECOMMENDATION TO ADOPT**

Respectfully submitted,

Dr. Joseph McCarty, Chairman

REPORT NO. 4  
SECRETARY TREASURER'S REPORT – Dr. Kevin Wall

Addendums B (year end financials) and C (journal, legislative and relief fund reports).

Respectfully submitted,

Dr. Kevin Wall

REPORT NO. 5  
JOURNAL COMMITTEE – Dr. Glenn Blincoe, Chairman

Committee members are Dr. Glenn Blincoe, Chairman, Dr. Steve Robertson and Dr. Sharon Turner. KDA Staff Liaison is Melissa Nathanson.

***KDA TODAY***

*KDA TODAY* is still doing well.

Advertising continues to hold its own.

We continue to send Good Vibrations out once a month to members, non-members, students, hygienists, and vendors. Please send us photos!

Respectfully Submitted,

Dr. Glenn Blincoe, Chairman

REPORT NO. 6  
COUNCIL ON ETHICS, BYLAWS & JUDICIAL AFFAIRS – Dr. Joe McCarty, Chairman

**NO REPORT**

Respectfully submitted,

Dr. Joe McCarty, Chairman

REPORT NO. 7  
KENTUCKY BOARD OF DENTISTRY

**NO REPORT**

REPORT NO. 8

COUNCIL ON GOVERNMENTAL AFFAIRS & FEDERAL DENTAL SERVICES – Dr. Garth Bobrowski, Chairman

AUGUST 2021

This last year has been a busy year—‘ZOOMING’!

I want to start by thanking many non-members and members of the KDA for their thoughts, ideas (even complaints, which brings forth more good discussion). Open dialogue has so many benefits to the betterment of our profession and our KDA organization.

Listed below are just some of the activities and people we have been involved with:

1. A seat at the table with the KDA Executive Committee
2. A seat at the table with the KDA Legislative Committee
3. Medicaid Dental Technical Advisory Committee (TAC)
4. Advisory Committee to the Medicaid Council (MAC)(19 TACS)
5. Monthly ZOOM calls with Medicaid Commissioner: Lisa Lee
6. Working with our lobbying firm: McCarthy Strategic Solutions
7. Working with the Medicaid Managed Care Organizations (MCO's)
8. KDA Executive Board on Legislative efforts on Third Party/ Insurance Reform
9. Specialty groups, like oral surgeons, orthodontists and pediatric dentists
10. Our wonderful dental schools and oral health coalitions
11. Dr. Julie McKee, Dental Public Health in Frankfort
12. Numerous KY legislators and administrators
13. KDPAC-Key Contacts/funding
14. Medicaid Forums
15. Our KDA staff: Rick, Todd, Janet and Melissa

I will give you a few examples of how working together with various groups benefits our patients and helps our dentists. By working with the MCO's and Medicaid administrators in Frankfort we have added dental codes and treatment modalities: for instance, use of silver diamine fluoride and a dental cleaning/fluoride treatments every 3 months for our youth in orthodontic treatment, better definition on the use of nitrous oxide for our Medicaid children. Frankfort has contacted us for information on other codes to possibly be added. A list has been submitted. Fee structuring has been on the forefront of many meetings and discussions and hopefully we will have an announcement soon.

Gov. Andy Beshear appointed me to be on the MAC which involves a meeting every two months working with 19 health advisory TAC's. Here situations are brought before the State administrators and the MCO's from the TAC's and healthcare entities from across the State.

The KDA has appointed me as Chair of the Dental TAC and our KDA bylaws allows for 5 KDA members to be on this committee. This committee meets quarterly. Currently, your representatives are: Dr. Phillip Schuler, Dr. John Gray, Dr. Joe Petrey, Dr. Brandon Taylor and myself. Please, if you have ideas, suggestions, contact one of us to bring it up at our next TAC meeting for discussion.

I, personally, want to commend Dr. Julie McKee for her work in the Public Health arena. Many dentists here are involved with their area Health Boards. Dr. McKee attends many of these meetings and keeps the KDA well informed on dental related issues-especially with the advent of COVID.

The MCO's state leaders are Dr. Jerry Caudill (Avesis), Dr. Adam Rich (United Healthcare), Dr. Kwane Watson (DentaQuest). They are continually working to help their provider dentists and patients.

One of our President's, Dr. Darren Greenwell, agenda items has been third party /insurance reform. The KDA Executive Board has assigned the task of working on our legislative agenda, especially on Insurance Reform to the Council on Governmental Affairs. I contacted Dr. Mike Johnson concerning the KDPAC involvement in the KDA's legislative efforts. I contacted Dr. Beverly Largent to be involved with establishing KEY CONTACTS to work with our legislators. Both have agreed to help. A separate legislative fund has been established at the KDA office. This Council has sent in research from other states and the ADA on insurance reforms. I can't stress enough how valuable our lobbyist, Libby Milligan, has been. In talks with our Lobbyist, the KDA Executive Com. has developed a timeline to keep us focused to have legislation ready by December 2021. A decision later will be made as to pre-file this or wait until January, 2022 to file. A few people can't work on this alone. We NEED HELP! There are many places you can help-financially with donations, recruit KDA membership, contact your legislator now before the legislative session starts in January, become a key contact for your area. Let your dentist friends and area dentists know what the KDA is working on. Thanks to our Council members for working on this and other issues.

I want to 'THANK' our KDA STAFF: Rick Whitehouse, Todd Edwards, Janet Glover, and Melissa Nathanson for all the work they do to help our membership and our efforts as an organization.

I want to thank the members of our Council for their hard work. This includes Dr. Darren Greenwell, Dr. Laura Hancock-Jones, Dr. John Gray and Dr. Greg Crabtree. They also serve on numerous other committees.

Respectfully Submitted,

Garth Bobrowski DMD  
Chair, Council on Governmental Affairs  
Chair, Medicaid Dental TAC  
Vice-Chair, Advisory Committee Medicaid Council (MAC)

REPORT NO. 9  
KDPAC COMMITTEE – Dr. Mike Johnson, Chairman

#### KDPAC Board Report 11-20-20

The KDPAC Board has been busy since the virtual annual meeting. Since the KDA meeting was virtual, we did not have the opportunity to solicit contributions one on one both at the meeting and in the House of Delegates.

Since this was the case, the KDPAC Board decided to send an email to all KDA members soliciting contributions. The results were extremely disappointing. We received less than \$100.00. Last year at our annual meeting, we received \$9000.00.

The KDPAC Board had a virtual meeting to decide who and what level of contribution should be allocated to this election cycle of Kentucky legislative elections. Due to the two-year election cycle, we had approximately \$19,000 available for contributions. The Board decided to support both parties, Senate and House Caucuses, and to members of the Senate and House Committees on Banking and Insurance and Health and Welfare and Family Matters. We supported only candidates who had contested races. Total for all contributions was \$18,250. A complete list of all allocations is available at the KDA Office.



My final part of this report deals with contributions to the KDPAC. We have no funds available. I am ASKING for a contribution from each member of the KDA Board of \$250.00. You are the leaders of the KDA, and you realize that legislative advocacy is a cornerstone of our association. We need your support. You may go to the KDA website and go to the KDPAC section to make your contribution, Thanks in advance for your support.

Kentucky Dental Political Action Committee

Report to KDA Executive Board

May 2021

The American Dental Association held the annual Dentist Student Lobby Day on April 25 and April 28. The meeting was virtual. Attending for Kentucky were Dr. Fred Howard, Dr. Bill Lee, Dr. Mark Moats, and Dr. Mike Johnson. The lone student from University of Kentucky was Dr. Aditi Desai, a post graduate student in periodontics.

On Sunday, the meeting agenda included information concerning the legislation to be lobbied for on Wednesday. There was time for each state to plan for the virtual congressional visits.

On Wednesday, April 28, Kentucky representatives had virtual congressional visits with Senator Mitch McConnell's staff, Senator Rand Paul's staff, Congressman Brett Guthrie and staff, Congressman Jim Comer and staff, Congressman Andy Barr and staff, and Congressman Hal Rogers and staff. The meetings were scheduled throughout the day and all Kentucky members were at both Senator's meetings. Meetings with congressional members were divided and each dentist met with his/her respective Representative.

Although as a group we were pleased with the meetings and the job the ADA did, to a person we all wished we could have met in person.

Attached to this report is information about bills that were discussed with members of Congress and staff. Refer to Addendum F.

Respectfully submitted,

Dr. Mike Johnson, Chairman

REPORT NO. 10

TECHNICAL ADVISORY COMMITTEE TO KMAP – Dr. Garth Bobrowski, Chairman

<https://medcitynews.com/2021/06/cms-nixes-medicaid-work-requirements-in-arizona-indiana/>

**Subject: 05.27.2021 Advisory Council for Medical Assistance (MAC) Meeting**

Good Afternoon,

Today, the Advisory Council for Medical Assistance (MAC) met virtually to hear updates from the Department for Medicaid Services (DMS), along with reports from the Technical Advisory Committees (TAC).

For your review, below is a summary of the meeting, along with links to the meeting materials.

If you have any questions, please let our office know.

Best regards,  
Libby

**Advisory Council for Medical Assistance (MAC)**

May 27, 2021

**Meeting Materials**

Presentations from the meeting will be available on the MAC website in the coming days at <https://chfs.ky.gov/agencies/dms/mac/Pages/default.aspx>

The MAC approved the minutes of the March MAC Meeting.

**Old Business**

*Presenter: Dr. Beth Partin, MAC Chair*

- A request was made at the March meeting for suggestions on information to be posted on the DMS website.
  - Dr. Beth Partin offered the following suggestions:
    - Include information on provider availability and the type of provider for each MCO in each region.
    - Kentucky rankings for heart disease, diabetes, cancer, COPD, SUD, and maternal/child health.
  - Dr. Partin also mentioned including information if providers were taking new patients.
  - Commissioner Lee said it was suggested to have a searchable provider database available in one central location. DMS is sure how to get information regarding providers taking new patients. She said that the original thought was starting with the database first and then drilling down into the information down the road.
  - Dr. Partin said she thinks this information could be combined with a network adequacy report.
- Missed appointments – Is the new site being used? Could a notice be sent out to providers regarding the availability of reporting "no shows"?
  - Commissioner Lee said it is the site is working. So far, DMS has had 40 providers have been using it, and 610 missed appointments have been reported. DMS would like to look at the information by the county to personally reach out to those patients with missed appointments to make sure no other issues are causing the patients to miss appointments. She noted that DMS needs providers to utilize the website to have enough statewide data to study.
  - Dr. Partin asked that DMS share the website with providers.
  - Dr. Bobrowski asked, based on the data, at what point would DMS step in with the patient?
  - Dr. Judy Theriot, the DMS Medical Director, said that DMS usually does not fire patients. Commissioner Lee explained that the role of the Medicaid program is to serve the most vulnerable. She went on to say that DMS needs to understand better why the patients are missing an appointment to see if they are having other issues like transportation so DMS can intervene.
- Follow up on request from the Hospital TAC regarding some institutions for mental diseases (IMDs) not being paid by some MCOs as per Managed Medicaid 42 CFR Part 438.
  - Nina Eisner said this has been an issue for several months. But, unfortunately, there is not a solution yet. She noted that in the Louisville market, this is 388 beds.
  - Commissioner Lee said DMS would continue to work on this with Hospital TAC.
- The podiatry representative noted the paperwork for Prior Authorizations (PAs) for durable medical equipment must be mailed. Is there a website or fax number where these PAs may be submitted?

- Jerry Roberts said the supporting documentation seemed to be the issue, and Lee Guice with DMS help to work through the issue.
- Has any work been done to amend the Medicaid regulation to reimburse Certified Professional Midwives (CPMs)?
  - Commissioner Lee said DMS has not amended that regulation yet. DMS is still considering the regulation.
- Request amendment to the Rural Health Clinic regulation 907 KAR 1:082 Section 9(1)(b) 2 (on page 16) to extend the time to 3 days for providers to sign Medicaid participant's chart. The current regulation requires charts to be signed on the day services are provided. Three (3) days would be in line with other regulations and more realistic in busy clinic settings.
  - Commissioner Lee said DMS plans to align the timeframes. It is on the department to-do list.
- The Behavioral Health TAC submitted recommendations from the Acquired Brain Injury Work Group regarding proposed changes to the ABI Waivers to the MAC with the recommendation that the report and recommendations be forwarded to DMS for their review, response, and implementation, if indicated. Could we have a response from DMS regarding this recommendation?
  - Commissioner Lee said regarding the recommendations; she thinks there needs to be a formal process for recommendations for the TACs. She believes that the TACs should submit their approved recommendations two weeks before the MAC meeting so MAC members can review them before the meeting. She said that DMS will help develop a formal process to share with the TAC and MAC members.
- Dr. Partin reminded the MAC there will be an update on the report on maternal/infant health at the November MAC meeting.

#### **Updates from Commissioner Lee**

*Presenter: Commissioner Lisa Lee*

- Commissioner Lee provided an update to Medicaid Oversight Advisory Committee (MOAC) at their May meeting. Topics included in her update included: ([Link to presentation MOAC MAY 20 2021 DMS Presentation\(s\).pdf](#))
  - She provided an update on the impact of COVID on the Medicaid program. She noted that KY was 3<sup>rd</sup> in the nation for the number of individuals who enrolled in Medicaid. In addition, DMS saw an increase in children's enrollment, and they saw a decrease in preventative services.
  - DMS provided information on pre-COVID and post-COVID expenditures by provider type.
  - DMS is also keeping a close eye on ER utilization to see if they can identify interventions.
  - DMS has seen an increase in telehealth use during COVID.

#### **Update of Legislative Session**

*Presenter: Commissioner Lisa Lee*

#### **Managed Care Directed Payment Programs**

- 42 CFR 438 governs how states may direct expenditures in connection with implementing delivery system and provider payment initiatives under MCO contracts.
- Effective with contract rating periods on or after July 1, 2017. State submits preprint form to CMS rather than SPA.
- Must be submitted 90 days before starting the rating period that includes the directed payment.

- Allows states with managed care programs to make enhanced payments to providers to advance the goals of the Medicaid program:
  - Based on the utilization and delivery of services.
  - Designed to advance at least one goal of the State Medicaid program's quality strategy with appropriate oversight to evaluate progress on the goals
  - Evaluated at the end of each program year to measure progress on achieving outlined goals.
  - Submitted to CMS for approval annually.

#### SB50 (2020) Single MCO PBM

- Requires DMS to establish a single preferred drug list (PDL) for use by each Medicaid managed care organization (MCO).
- Required the Department for Medicaid Services to contract with a single pharmacy benefit manager (PBM) for MCOs by December 31, 2020.
- Contract with MCO PBM awarded to MedImpact.
- All 6 MCOS will transition to single PBM on July 1, 2021.
- Routine meetings being held to discuss pharmacy benefit design, technical requirements, clinical requirements
- Updated reimbursement methodology aligns with fee-for-service.
- Formulary alignment across MCOs for managed Medicaid lives
- PA and claims processing via one entity
- Aligned pharmacy network
- One BIN/PCN/Group number for all MCOs
- Pricing transparency (DMS determined reimbursement)
- Dispensing fee aligned with FFS (\$10.64)
- MCOs will continue to manage the medical benefit (Physician administered drugs (PAD), inpatient services, etc.)
- MedImpact will manage the outpatient pharmacy benefit on behalf of the MCOs
- Engaging with MCOs
- Several webinars available for providers
- Will focus on current prior authorizations to ensure no interruption of services
- 90-day no questions asked extension to allow time to update information
- Uniform PDL will remain in place. If a drug is not on the PDL it will follow fee-for-service rules.
- Over-the-counter meds – developing a common MCO OTC coverage list and getting feedback from providers
- Communications will go out to members and providers prior to the change.
- The preprint is pending with CMS.
- MCOs provide a higher dispensing fee for compounds.
- The current decision is to align MCOs with the FFS dispensing fee. For compounds, allow up to 3 professional dispensing fees every 13 days. Supports chronic use of up to three 14-day beyond use date compounded products.
- How will providers receive payments? MedImpact will pay providers directly based on EFT information on-file with Medicaid. If PSAO is on file through PSAO then the payment will go to PSAO
- Evaluation – how do we measure the impact of SB50? Expenses, # of enrolled pharmacies, access and provider network (quality measures in preprint)

#### HB183 (2021) - Hospital Rate Improvement Program (HRIP)

- On January 14, 2021, CMS approved a revision to the HRIP. The revision will significantly increase inpatient Medicaid reimbursement to private Kentucky hospitals. The dollars available to hospitals will increase significantly by changing from a Medicare upper payment limit methodology to an Average Commercial Rate (ACR) methodology, paid on a per discharge basis.

- The increase in payments will help advance the quality of care of Medicaid members and provide a stable financial base for hospitals that will extend beyond the financial challenges of the COVID-19 pandemic.
- Continued goals of improved access to care and lowered hospital readmissions, but also expands the quality targets to include reporting/improvement in 2 opioid-related metrics are opioid-Related Adverse Respiratory Events (ORARE) and concurrent e-prescribing.
- CMS approval for ACR reimbursement is retroactive to July 1, 2020, and approved through June 30, 2021.
- DMS collaborated with the KY Hospital Association and other stakeholders to finalize a request for a 3- year approval of the same ACR program with some changes to the quality metrics - submitted May 11, 2021.
- HRIP was modified through the passage and signing of House Bill 183, and the necessary budget appropriations were provided in the budget bill, House Bill 192, during the 2021 legislative session.
- The implementation Timeline for SFY 2021 Payments:
- April 15, 2021 – Q1 payments processed (\$246m)
- April 30, 2021 – Q2 payments processed (\$248m)
- May 26, 2021 – Q3 payments will be processed (estimated \$250m)
- August 2021 – Estimated time to process Q4 payments (estimated \$250m)
- Hospitals cover the increased state cost of the program

#### HJR57 (2021) – Establish a Work Group

- Requires the Cabinet to establish a workgroup to assess the feasibility of:
  - Implementing a bridge insurance program
  - Reviewing current Temporary Assistance for Needy Families expenditures, and – Considering opportunities for public-private partnerships to better meet the needs of public assistance beneficiaries
- The first meeting to be held in July of 2021
- The workgroup will report to the Governor, Legislative Research Commission, Interim Joint Committee on Health, Welfare, and Family Services, and the Interim Joint Committee on Banking and Insurance by December 31, 2021.
- Workgroup members include:
  - Eric Friedlander, Secretary for CHFS
  - Nikki Coursey, Deputy Chief of Staff, Education and Workforce Development Cabinet
  - John Lyons, Interim Executive Director, Kentucky Workforce Innovation Board
  - Tom Stephens, Executive Director of the Kentucky Association of Health Plans
  - DJ Wasson, Deputy Commissioner of the Department of Insurance
  - Jessica Peay, Department for Community Based Services
  - Lisa Lee, Commissioner of the Department for Medicaid Services
  - Tod Griffin, Kentucky Retail Federation
  - Charles Aull, Senior Policy Analyst for the Kentucky Chamber of Commerce
  - Representative Kim Moser
  - Representative Nima Kulkarni
  - Senator Ralph Alvarado
  - Senator David Givens

#### 1115 SUD Waiver Update

Commissioner Lee said the waiver is pending CMS approval.

#### Q & A

##### Nina Eisner

Q: Will the Cabinet continue the lifting of PA's for Behavioral Health past the pandemic?

A: Commissioner Lee: Currently, there is no PA. We should look at the services to see what makes sense going forward.

Q: Is it correct that SB 50 does not discriminate under 340b?

A: Commissioner Lee: That is correct.

#### Ron Poole

Q: Can you comment on why it has taken so long to implement SB 50? Regarding pricing methodology, can you comment on why CVS reduced rates?

A: Commissioner Lee: Regarding the implementation of SB 50. We are the first to do this in the country. Regarding the CVS rate reduction, we can tell how much money was paid to the pharmacy. My understanding is that some use a PSAO, which impacted the reduction.

Q: I am tired of going to funerals for individuals who have committed suicide because of a medication change. I realize this is a complicated issue. However, I would like to see the medical board or someone to come up with a protocol. Perhaps we should form an ad hoc committee.

A: Commissioner Lee: The MAC should help with this issue. I think the Behavioral Health TAC and several behavioral health experts in the Cabinet would be helpful.

#### Beth Partin

Q: Comment: I think that as we move into the single formulary, there will be more consistency. As we transition, I ask to allow providers to be permitted to keep patients on medications.

A: Commissioner Lee: The goal is to make sure there is no disruption for the patients. There will be a 90-day grandfather period for members and providers. We want to make sure DMS is doing everything possible for the continuity of care.

### **Reports and Recommendations from TACs**

#### Behavioral Health

- Highlights: The TAC continues to work on targeted case management. The TAC continues to hear problems with the single formulary, particularly among child psychiatrists. Dual eligibility continues to be an issue. The TAC thanked DMS for their responses to the ABI recommendations. The Behavioral Health TAC would like to work with the Pharmacy TAC on the medication issues mentioned earlier and recommends that psychologists and psychiatric nurse practitioners be involved.
- Recommendations: None.

#### Children's Health

- Highlights: The TAC did not have a quorum.
- Recommendations: None.

#### Consumer Rights and Client Needs

- Highlights: The TAC discussed the public charge rule. The Biden administration reversed course on the rule.
- Recommendations: None

#### Dental

- Highlights: The TAC discussed the decline in dental access to care and low reimbursement.
- Recommendations: Recommends the MAC discuss additional funding for Medicaid, such as soda tax to fund Medicaid.
- Dr. Ashima Gupta said that the soda tax is something she has been trying to work on for a few years. Her brother submitted a proposal to the KMA, who turned it down. She noted different ways to approach the soda tax, either by taxing the company or the consumer.
- Dr. Partin commented that she thinks it's a good idea but thinks the professional organizations would need to work on this issue rather than the MAC. She said she would be happy to reach out to the KY Association of Nurse Practitioners and Nurse-Midwives.

#### Nursing Home Care

- Highlights: The TAC discussed follow-up on a Medicaid rate add-on, bed reserves, and billing issues.
- Recommendations: Requests that DMS update the rebasing of the price regulation.

#### Home Health Care

- No report.

#### Hospital Care

- Highlights: The TAC discussed patient transportation issues. Numerous hospitals are having problems with timely and safe transportation. As a result, some of the hospitals have been using costly air transport. The KY Hospital Association has a specific workgroup looking at this issue.
- Recommendations: None

#### Intellectual and Developmental Disabilities (IDD)

- No one from the TAC was present to provide a report.

#### Nursing Service

- No report.

#### Optometric Care

- Highlights: The TAC discussed credentialing and payment for claims.
- Recommendations: None

#### Pharmacy

- Recommendations:
  - Look at the standard dispensing fee for specialty drug claims. The P&T would need to need to develop a standard fee.
  - Look at reimbursement per prescription guidelines; due to using suboxone. The TAC recommends that the minimum be placed down to 7 days.
  - DMS look at a compounding reimbursement model

#### Physician Services

- The TAC did not meet.

#### Podiatric Care

- The TAC did not meet.

#### Primary Care

- Highlights: The TAC discussed the workgroup at their last meeting. The TAC heard a presentation on payment methodology for same-day multiple visits (FQHCs). Kentucky was the only state that did not pay for multiple visits.
- Recommendations: The TAC recommended that DMS review its same-day payment methodology and how it compares to other states.

#### Therapy Services

- Highlights: The TAC continues to work on administrative burden issues and has provided DMS with a list. The other issue discussed was related to the fee schedule. There was a cut in the fee schedule. The TAC has asked DMS to revisit the cut in the fee schedule since it was deeper than the Medicare cuts.
- Recommendations: none

### **New Business**

- In late April, Judge Phillip Shepherd, Franklin Circuit Court, ruled that the bidding process (the second one) for awarding the MCO contracts was flawed and must be rebid. What are the immediate and long-term effects of the Judge's ruling that the MCO contracts must be rebid? How does DMS plan to proceed?
  - Commissioner Lee said the Judge's order is not final. The Cabinet is waiting for additional information with the final order. She hopes to know more by the next meeting.
- MAC meetings are recorded. So that stakeholders who cannot attend the meeting may stay informed, would it be possible to post the recording of the meeting shortly after it is held?
  - Commissioner Lee said that DMS posts the minutes but will look into adding recordings.

Respectfully submitted,

Dr. Garth Bobrowski, Chairman

### **REPORT NO. 11**

**MEMBERSHIP STEERING COMMITTEE/NEW DENTIST COMMITTEE – Dr. Olivia Estes, Chairman**

Due to the Covid-19 pandemic, National Signing Day events were presented virtually. Jeanine Pekkarinen from the ADA and Dr. Olivia Estes hosted the events on April 13th for ULSD and April 29th for UKCD. Students who attended were given the opportunity to win door prizes, \$50 gift e-cards to GrubHub. The New Dentist Committee is hoping in-person presentations and lunch and learns will return to the dental schools in the fall. Jeanine, Dr. Estes, and the KDA staff are continuing to follow-up with students who have not completed their ADA application.

The NDC is looking forward to the 2021 meeting to be held in Louisville. Due to the Covid-19 pandemic, the annual New Dentist social event will be consolidated into the Bootleggers' Bash at the Galt House. We are looking forward to engaging with new dentists and dental students at this entertaining event!

The New Dentist Committee co-chair, Dr. Rachel Gold stepped down from her role in 2020. She graduated dental school over 10 years ago and is no longer categorized as an ADA New Dentist. Dr. Gold is passionate about organized dentistry and will continue to be involved whenever possible. Her dedication will be greatly missed.

On this note, a replacement is needed to fill Dr. Gold's position. If any member knows an enthusiastic new dentist who would be interested in this position, please reach out to Dr. Olivia Estes or the KDA staff.

Respectfully submitted,

Dr. Olivia Estes, Chairman



**MEMBERSHIP COUNT AS OF JULY 2, 2021**

	<b>2019</b>	<b>2020</b>	<b>2021</b>
Blue Grass Dental Society	245	225	256
Eastern Dental Society	25	29	26
KY Mountain Dental Society	40	41	29
Louisville Dental Society	421	404	399
Northern KY Dental Society	123	113	109
Green River Dental Society	61	58	51
Pennyrile Dental Society	53	45	49
Southeastern Dental Society	32	33	30
Purchase Dental Society	47	45	44
West Central Dental Society	47	40	34
South Central Dental Society	52	49	48
KY Student Dental Society:			
University of Kentucky	201	206	197
University of Louisville	452	461	459
<b>TOTAL:</b>	<b>1799</b>	<b>1749</b>	<b>1731</b>

**Please Note: These figures indicate dues paying members only and do not include approximately 369 retired life members residing in Kentucky and other states.**

**REPORT NO. 12**

**MEDICAID – Dr. Garth Bobrowski, Chairman**

**SEE REPORT NO. 10**

Respectfully submitted,

Dr. Garth Bobrowski, Chairman

**REPORT NO. 13**

**TELEDENTISTRY – Dr. William E. Lee**

**NO REPORT**