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House Bill 4865 (Substitute S-4 as reported by the Committee of the Whole)

Sponsor: Representative Peter MacGregor

House Committee: Health Policy

Senate Committee: Health Policy

CONTENT

The bill would add Part 216 (Mobile Dental Facility) to the Public Health Code to:

- Require a person to obtain a permit from the Department of Community Health (DCH) in order to operate a mobile dental facility.
- Require a permit applicant to pay a registration fee in an amount determined by the DCH, but not more than the cost of a dental license renewal fee.
- Require a permit applicant to give the DCH specific information, including a written plan for providing emergency follow-up care to facility patients and any necessary memoranda of understanding with other dentists to provide follow-up care and comprehensive dental services within a reasonable distance of a patient.
- Require a mobile facility to have an operator in charge at all times.
- Require a mobile dental facility operator to comply with all applicable State, Federal, and local laws, regulations, and ordinances, and provide that an operator who failed to do so would be subject to disciplinary action by the DCH.
- Require a mobile dental facility to have appropriate access to, or be equipped with, specific equipment.
- Require an operator to establish a written treatment plan for each patient who received dental services at the mobile facility.
- Require an operator, if the plan would not be completed at the mobile facility, to make a reasonable attempt to refer the patient to a dentist or party who could arrange for or provide services under a memorandum of agreement until the plan was completed or the patient ceased treatment; and provide that failure to do so would be cause for disciplinary action by the DCH.
- Require an operator to obtain the patient's written consent, or the consent of a parent or guardian, as applicable, before providing any dental services to a patient at a mobile dental facility.
- Require each patient to receive prescribed information from the mobile facility.
- Require an operator to notify all treatment venues, provide for the availability of patients' dental records, and notify patients of that availability, upon ceasing operation.
- Exempt from Part 216 an individual or entity owning, operating, or providing services at a mobile dental facility used solely to provide services that were rendered without compensation.
- Provide that a Federal law regulating nursing homes would prevail in a conflict with Part 216.
- Authorize the DCH to promulgate rules to implement Part 216.
- Provide that Part 216 would not require new or additional third-party reimbursement or mandated worker's compensation benefits for services rendered at a mobile dental facility.

The bill would take effect on April 1, 2015.

Proposed MCL 333.21601-333.21617

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the Department of Community Health and no fiscal impact on local units of government. The fiscal impact on the DCH would ultimately depend on whether the \$270 application and renewal fees paid every three years would be sufficient to cover the Department's costs in administering the program. It is expected that approximately 65 facilities would be licensed under the program, meaning the licenses would generate about \$17,550 the first year and a like amount every third year thereafter. It is not clear where the fee revenue would be deposited.

Date Completed: 3-26-14

Fiscal Analyst: Steve Angelotti

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.