

REPORT OF THE LEGISLATIVE AFFAIRS COMMITTEE

2024

Members

Jim Nickman, Chair; Alejandro Aguirre; Amber Cziok; Kevin Dens; Michael Flynn; Tim Holland; Bill Keute; Paul Zollinger; Scott Wagnild, Board Liaison; Dan Murphy, MDA staff; Kevin Goodno, Advisor; Cody Holliday, Advisor; Carmelo Cinqueonce, Ex-officio.

Duties

Pursuant to the Committee Missions and Duties as determined by the Board of Trustees, it is the duty of this Committee to:

1. Monitor legislative and regulatory changes on the local, state, and federal levels that can have a direct effect on the practice of dentistry.
2. Monitor, analyze, and provide advice concerning legislative and regulatory issues affecting the practice of dentistry and dental patients. The committee, which consists of a representative from each of the MDA districts, also assists in the development and direction of MDA legislative priorities and positions.
3. Receive input from membership and dispense information in a timely fashion.
4. Implement legislative policy directives in the most strategically effective way.

Vision

That all related legislation enacted in Minnesota will provide effective, efficient, and safe oral healthcare to the people of Minnesota, and in a manner that is fair and efficient to oral healthcare providers.

Activities

The Legislative Affairs Committee convened four times to solidify legislative priorities and ongoing advocacy strategy. The meetings were well attended and generated an excellent discussion on the MDA's legislative priorities.

The Legislative Affairs Committee was active in helping to direct the MDA's messaging on key issues, including but not limited to, third party payer issues (covered services in particular), workforce issues, Medicaid and MinnesotaCare improvements, and other policy areas. Throughout the 2024 session, Dan Murphy, Cody Holliday, Dr. Jim Nickman, Dr. Rose Perpich, and Kevin Goodno met with legislators, provided testimony, and provided letters of support on legislation of importance to dentistry in Minnesota.

Legislative Issues and Outcomes

In 2024, the MDA prioritized legislation addressing workforce and third party payer issues. The MDA's dental assistant licensure by credentials bill was successful and signed into law. The MDA also supported the Dentist and Dental Hygienist Licensure Compact and the Board of Dentistry's Specialty Licensure bill, both of which passed. The MDA was also able to exempt services provided by a dentist from being included in medical debt legislation that passed. Unfortunately, the MDA

1 was unsuccessful in passing legislation on redefining dental covered services and obtaining
 2 appropriation for dental hygiene and assisting schools to expand their student capacity. More
 3 specific information on the MDA's legislative activity is contained below.

4 5 **Dental Assistant Licensure by Credentials (*MDA Legislation*)**

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7 The MDA's bill to more clearly articulate the Board of Dentistry's authority to recognize out of state
 8 non-CODA dental assisting programs for those seeking licensure by credentials, passed into law.
 9 The MDA worked with Representative John Huot (DFL-Rosemount) and Senator Robert Kupec
 10 (DFL-Moorhead). This bill will help expand the applicant pool for out of state dental assistants, who
 11 may not meet licensure criteria in Minnesota, to become licensed.

12 13 **Covered Services (*MDA Legislation*)**

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15 Unfortunately, the MDA's bill redefining a covered service was not passed. The bill did obtain a
 16 hearing in the Senate but did not proceed. The MDA is grateful for all members who submitted
 17 sample EOBs, and letters of support, and who contacted their legislator. Despite not being passed
 18 into law, the MDA will continue to push for changes to Minnesota's covered services law next
 19 session. The MDA also thanks Representative Liz Reyer (DFL-Eagan) and Senator Liz Boldon (DFL-
 20 Rochester) for their hard work advocating and carrying the bill.

21 22 **Grants/Loans for Hygiene and Assisting Programs to Expand Capacity (*MDA Legislation*)**

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24 The MDA introduced legislation appropriating \$20 million in the form of grants/loans to
 25 Minnesota's dental hygiene and assisting programs to expand their capacity. Many programs are at
 26 maximum capacity with lengthy waiting lists, thus limiting the number of graduates into the
 27 workforce. Programs expressed interest in expanding their capacity but were limited due to
 28 financial reasons. The MDA collaborated with the educators of hygiene and assisting programs to
 29 advocate for this legislation. The MDA thanks Representative Amanda Hemmingsen-Jaeger (DFL-
 30 Woodbury) and Senator Rob Kupec (DFL-Moorhead) for authoring the bill. This bill did not obtain
 31 a hearing due to limited spending this past session. It will be a top priority for the MDA in 2025.

32 33 **Dentist and Hygienist Licensure Compact (*MDA Supported Legislation*)**

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35 The MDA successfully supported legislation to allow Minnesota to enter an interstate licensure
 36 compact for dentists and dental hygienists. This will allow dentists and hygienists from other states
 37 that have compact privileges to practice in Minnesota, among the other participating compact
 38 states. The MDA hopes this will help alleviate some workforce issues regarding dental hygienists.

39 40 **Specialty Dentist Licensure (*MDA Supported Legislation*)**

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42 The MDA supported the Minnesota Board of Dentistry's bill to no longer restrict specialty dentists
 43 who hold a general dentist license to practice only within their area of specialty.

44 45 **Medical Debt - Dental Excluded**

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47 Legislation passed that requires medical providers to be more transparent in medical debt
 48 collection. The bill prohibits medical debt from being transferred to a patient's spouse, prohibits
 49 providers from refusing care to patients with outstanding debts, and prohibits medical debt from

1 being reported on credit reports. The MDA was successful in getting debt for “services provided by
 2 a dentist” exempt from the definition of medical debt.

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 4 **Patient Medical Record Provider Charge Rates**

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 6 Changes were made to the amount a provider may charge a patient to obtain their medical records
 7 beyond reviewing the treatment of their current care and modifies the release of medical records
 8 to be more restrictive than HIPAA.

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 10 **Health Professions Workforce Advisory Council**

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 12 Legislation passed that requires The Minnesota Department of Health to provide recommendations
 13 on creating a Health Professions Workforce Advisory Council to advise the legislature and state
 14 agencies on healthcare workforce issues, including dentistry and oral health.

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 16 **For Profit HMO Prohibition in State Programs**

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 18 For-profit health maintenance organizations will be prohibited from participating in state
 19 programs.

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 21 **County Administrated Rural MA Model**

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 23 Legislation passed that requires the Minnesota Department of Human Services to develop and
 24 provide recommendations on implementing a county administered rural medical assistance model.
 25 Given the impending transition to a single dental administrator for state programs, it is currently
 26 unclear whether dental would be included.

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 28 **Provider Credentialing Prohibited Application Questions**

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 30 Effective in 2025, provider credentialing applications must not require a provider from disclosing
 31 past or current health conditions that would not affect their ability to practice.

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 33 **Paid Leave Program Modifications**

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 35 Changes were made to the law regarding the newly formed Paid Family and Medical Leave program.
 36 Changes include technical and clarifying changes, details on an appeals process, disability insurance
 37 offset modifications, definition of a family member, changes to the small employer premium rate,
 38 and other changes.

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 40 **2023-2024 Biennium Recap and Looking Ahead to 2025**

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 42 Looking back at the 2023-2024 biennium, the MDA had a successful two years at the State Capitol.
 43 Successes range from restoring the adult dental Medicaid benefit set; third party payer issues such
 44 as virtual credit cards, fee schedule disclosure, and network leasing; changes to licensing criteria
 45 for dental assistants applying via credentials; the dentist and hygienist licensure compact; and
 46 many more. Although the MDA was not successful in passing all priorities into law, significant
 47 progress was made. All eyes now turn to the 2024 election and the 2025 legislative session.

48
 49 The MDA thanks all members for their advocacy and support this session. Thank you to everyone
 50 who attended both the 2023 and 2024 Dental Day at the Capitol events and engaging in the

1 legislative process. The MDA is grateful for all members who contacted their legislator, submitted
2 written testimony, provided feedback on the MDA’s legislative efforts and priority issues, and
3 answering calls to action. The MDA’s legislative work is not possible without your participation.
4

5 The 2025 legislative session will begin on January 14, 2025. The MDA will continue to advocate for
6 its legislation pertaining to covered services, and appropriations for dental hygiene and assisting
7 programs to expand student capacity, and will support efforts to rebase Medicaid and Minnesota
8 Care reimbursement rates tied to inflation. The MDA also anticipates legislation pertaining to third
9 party payer issues such as assignment of benefits and creating a dental loss ratio. The MDA
10 anticipates 2025 to be extremely proactive in third party payer reform and workforce related
11 issues.
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13 Submitted by:
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15 Jim Nickman, D.D.S.
16 Chair