



LEGISLATIVE SESSION BEGINS

The 2008 Legislative Session commenced with the usual pageantry, flowers in the chambers, speeches by the presiding officers and receptions, culminating with the Governor's state of the state address. Unlike previous sessions, the legislature immediately turned to the difficult task of reducing the current fiscal year budget. Due to the slumping economy, more than \$518 million must be trimmed from the current year budget. The cantankerous debate was a prelude to the additional \$2.5 billion that must be cut in next year's budget.

Over 2,200 bills have been filed for consideration. The issues to be considered are typical covering a very broad range of topics from the guns to work bill to health care practitioner regulation to education reform to lobbying ethics to state appropriation issues to metal recyclers to just about any public policy issue that can be imagined.

FDA staff reviews every bill filed, determines if it has an impact on dentistry, determines the possibility of the bill being used as an amendatory vehicle for dental issues, and then assigns it a priority category. From this point, all committee agendas are monitored for amendments that may affect dentistry.

In order to keep you abreast of all the pertinent happenings in Tallahassee, *Capital Report* will now be published and distributed on a weekly basis. Given the nature of issues pending in Tallahassee this session, it is imperative that you stay current with respect to the issues at hand. A general membership alert and legislative contact dentists alert has already occurred for pending issues. As session progresses, additional alerts may be necessary. We can all breathe a sigh of relief on May 2, the last day of the regularly scheduled session.

DENTAL LAB BILL AND GOVERNOR'S PROPOSAL COMBINED

The Governor's dental access bill and dental lab Proposal merged into a single proposal this week. The old adage is that politics makes strange bed fellows. The dental lab bill had a House sponsor, Rep. Stan Jordan (R-Jacksonville), however no Senator would file the bill. Meanwhile, Sen. Durell Peaden (R-Crestview) was prepared to file the Governor's proposed dental access bill. However, no House member was willing to file the bill. Henceforth, the merging of the two

proposals as HB 1367 by Rep. Jordan and SB 2670 by Sen. Peaden. Although the FDA remains neutral with respect to the dental lab provisions in the bill (material disclosure, point of origin disclosure and 18 hours of continuing education for one employee of the lab) the FDA staunchly opposes the Governor's initiatives now contained in both bills.

The FDA is urging all FDA members to contact their legislators in opposition to the governor's oral health access bill (HB 1367 and SB 2760). The bill is designed to allow licensure by credentials and allow hygienists to practice unsupervised in public health settings. As such, the bill establishes a lower standard of care for underprivileged patients and ignores the state's responsibility to adequately fund the Medicaid dental program.

The Florida Department of Health has created an Ad Hoc Committee to study dental workforce issues. The FDA is prepared to work with this committee to find real solutions to the access-to-care problem. The committee should complete its work before guessing at possible solutions, including major scope or licensure changes.

LAWMAKERS CUT BUDGET FIRST WEEK OF SESSION

After the opening session pleasantries and ceremonial speeches, legislators immediately got down to business reducing the current year's \$70 billion budget by over \$500 million. Budget conference committees were assigned and started meeting this week to settle budget differences between the House and Senate. Dental related issues have been identified within the Department of Health (DOH) for budget reductions. A majority of these issues are specific initiatives within the local county health departments that were not part of the state's base budget. The budget conference chairs will meet over the weekend to finalize budget negotiations. The final budget reduction bill could be passed off the House and Senate floors as early as next Wednesday.



After passing their budget reduction bill, the Legislature will then shift its focus to the 2008-2009 budget process. With continual reductions in tax collections, the Legislature is projecting another tight budget year that may result in some additional budget cuts. The Governor's budget recommendation includes a \$21.8 million increase for Medicaid dental providers.

Given the scarcity of recurring state general revenues, this will be a tough year to secure additional funding for dentistry. FDA staff will continue to support the Medicaid fee increase despite the gloomy economic forecast.

MEDICAID DENTAL FEE INCREASE

Sen. Ted Deutch (D-Delray Beach) has filed SB 1410 and Rep. Susan Bucher (D-West Palm Beach) has filed HB 329 to increase Medicaid reimbursement rates for dental providers. The legislation filed would increase Medicaid dental fees to fifty percent of usual and customary rates (UCR). The bill would also require at least this level of reimbursement for all managed care contracts.

LEGISLATIVE ALERT SENT TO ENTIRE FDA MEMBERSHIP

The FDA Governmental Affairs Office sent a legislative alert to the entire FDA membership on Thursday, March 5. The alert asks member dentists to call or e-mail their Senator and Representative to let them know that the FDA opposes the Governor's dental health access proposal; HB 1367 by Rep. Stan Jordan (R-Jacksonville) and SB 2760 by Sen. Durell Peadar (R-Crestview). If you have not had an opportunity to contact your legislators, please do so by next Wednesday, March 12. For more information on the legislative alert, visit the FDA's web site at <http://floridadental.org/pro/members/resources/>.

GROUP CONSIDERS BAN AGAINST DENTISTS INJECTING NEUROTOXINS AND DERMAL FILLERS

Recently, the FDA learned of a pending effort to develop and seek legislation banning dentists from injecting neurotoxins and dermal fillers. At this point in time, it appears the group seeking the ban has shifted its focus to ensuring that only professionals with prescribing authority (which includes dentists) would be allowed to inject the substances. FDA lobbyists will continue to monitor this situation closely.

DENTAL 111 CLAIM FORM CHANGES TO ADA DENTAL FORM

Effective March 1, 2008, Medicaid will accept billing for all dental services on the American Dental Association (ADA) claim form only. The current Dental 111 claim form and the DPA 1041 prior authorization request form will no longer be valid forms to bill services to Medicaid. They will be replaced by the ADA dental form. The new ADA dental form will serve two functions: 1) it will be used to bill dental services, and, 2) it will be used to request prior authorization for certain services.

NEWLY SWORN IN LEGISLATORS

Since the 2007 Legislative Session ended, there have been several special elections around the state.

The following is a list of the new legislators in the Florida House of Representatives:

- Rep. Chris Dorworth (R-Heathrow), House District 34
- Rep. Matt Hudson (R-Naples), House District 101
- Rep. Kurt Kelly (R-Ocala), House District 24
- Rep. Charles McBurney (R-Jacksonville), House District 16
- Rep. Ron Schultz (R-Homosassa), House District 43,
- Rep. Oscar Braynon (D-Miami Gardens), House District 103
- Rep. Tony Sasso (D-Cocoa Beach), House District 32

We would like to congratulate all of the newly elected legislators.

DENTISTS' DAY CONFIRMATION PACKETS MAILED



FDA staff mailed Dentists' Day on the Hill confirmation packets to all who have registered to attend. As of today, 102 dentists have registered.

The confirmation packets will include the following:

- current FDA legislative issues sheet
- Dentists' Day on the Hill schedule of events
- Downtown Tallahassee map indicating meeting locations
- shuttle service and parking information
- legislative directory (includes legislators capitol phone numbers and office number for setting up appointments)
- tips on "How to Meet with Your Legislator on Dentists' Day"

Although confirmation packets have been mailed, it is not too late to register to attend Dentists' Day on the Hill. To register for Dentists' Day on the Hill, call the FDA Governmental Affairs Office at (800) 326-0051 or register online at <http://floridadental.org/pro/members/governmental/hi/register.html>.

LEGISLATOR SPOTLIGHT

Rep. Matt Hudson (R-Naples) was elected to serve Florida House District 101 on November 20, 2007. He is a member of the House Healthcare Council and the House Health Quality Committee. He is



