

January 29, 2019

The Honorable Gene Suellentrop, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 441-E
Topeka, Kansas 66612

Dear Senator Suellentrop:

SUBJECT: Fiscal Note for SB 11 by Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight

In accordance with KSA 75-3715a, the following fiscal note concerning SB 11 is respectfully submitted to your committee.

SB 11 would add dental therapists to the list of licensees under the Kansas Dental Practices Act beginning July 1, 2021. To practice as a dental therapist, a person would be required to have the following qualifications:

1. Be a licensed dental hygienist who is a graduate of a dental therapist education program approved by the Kansas Dental Board;
2. Pass a comprehensive, competency-based clinical examination that is approved by the Board and administered independently of an institution which provides registered dental practitioner education; and
3. Obtain a policy of professional liability insurance and show proof of the insurance as required by rules and regulations.

The Board would be required to adopt rules and regulations regarding the licensure of dental therapists. A person would be authorized to practice as a dental therapist if the person meets the qualifications specified in the bill, works under the direct or general supervision of a dentist licensed in Kansas in accordance with a written supervising agreement, and is licensed by the Board. The bill defines “direct supervision” and “general supervision” and lists the specific services that may be performed under each type of supervision. Licensed dental therapists would be allowed to perform dental hygiene tasks and procedures, subject to certain limitations. Supervising dentists would be limited to supervising no more than three dental therapists. A supervising dentist must be either employed by an indigent health care clinic or enrolled as a Medicaid provider.

The bill would also specify the terms and conditions for which a supervising dentist or dental therapist's license may be suspended or revoked. The bill also makes several amendments throughout the Dental Practices Act relating to references to dental therapists and the practice of dental therapy.

The Department of Health and Environment and the Kansas Dental Board would be required to submit a joint report to the 2030 Legislature regarding the effects of the bill on access to dental care in rural Kansas.

The bill would permit the Board to collect fees related to the licensure of dental therapists. The maximum limit for these fees would include \$25 for certificates for credentials; \$200 for biennial license renewals; \$150 for examinations; and \$100 for subsequent examinations.

The Kansas Dental Board would receive additional revenue from dental hygienists who would choose to become licensed dental therapists. The additional revenue would be from dental hygienists who would have to pay initial certificate and examination fees upon becoming licensed dental therapists and from biennial license renewal fees that would be higher for dental therapists than dental hygienists. The fiscal effect on revenue cannot be estimated because the number of dental hygienists who would become dental therapists is unknown. Under current law, it is estimated the Kansas Dental Board will receive \$479,798 from fee revenue in FY 2020, net of the 10.0 percent obligation to the State General Fund.

The Kansas Department of Health and Environment states the bill would have no fiscal effect on the agency in FY 2019 or FY 2020. However, the Department indicates that producing a report for the Legislature in 2030 would require additional expenditures in future budgets from hiring additional staff, gathering data and collaborating with managed care organizations, dental providers, the Kansas Dental Association, the Kansas Dental Board and epidemiologists. Any fiscal effect associated with SB 11 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Campbell", written in a cursive style.

Larry L. Campbell
Director of the Budget

cc: Charity Carlat, Dental Board
Dan Thimmesch, Health & Environment