

CHAPTER 147**(HB 510)**

AN ACT relating to oral health in nursing homes and making an appropriation therefor.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 216 IS CREATED TO READ AS FOLLOWS:

(1) *As used in this section:*

- (a) *"Cabinet" means the Cabinet for Health and Family Services;*
- (b) *"Department" means the Department for Public Health;*
- (c) *"Preventive oral health care nursing aide" means an aide trained and employed as a part of the pilot program established in this section, who works full time on the daily oral health of nursing home residents; and*
- (d) *"Preventive oral care services" means removal of plaque using a toothbrush, floss, or other plaque removal aid; cleaning of dentures; and other oral health services that do not exceed the duties that can be performed by a nonlicensed dental care provider according to KRS Chapter 313.*

(2) *Within sixty (60) days of the effective date of this Act, the department, in collaboration with the University of Kentucky College of Dentistry and the University of Louisville School of Dentistry, shall design and implement a pilot project to improve access to daily dental hygiene for residents in nursing homes through the training and employment of preventive oral health care nursing aides in preventive oral care services. The pilot project shall be subject to approval by the Centers for Medicare and Medicaid Services.*

(3) *The pilot project shall be funded by the federal civil monetary penalties assessed in accordance with applicable federal laws and regulations under Title 18 or 19 of the federal Social Security Act and shall include:*

- (a) *The development of a curriculum to instruct a preventive oral health care nursing aide in preventive oral care services for nursing home residents;*
- (b) *A training program to instruct preventive oral health care nursing aides hired as part of this pilot program in preventive oral care services for nursing home residents; and*
- (c) *Full salary and benefits or other type of financial support for preventive oral health care nursing aides.*

(4) *The pilot program shall include rules that allow for nursing homes that do not require a full-time preventive oral health care nursing aide to participate by sharing one (1) preventive oral health care nursing aide between two (2) or more facilities.*

(5) *The cabinet may promulgate administrative regulations in accordance with KRS Chapter 13A to carry out this section.*

(6) *The department, in collaboration with the University of Kentucky College of Dentistry and the University of Louisville School of Dentistry, shall conduct a periodic evaluation of the implementation and results of the pilot project. The findings shall include an analysis of the savings to the Medicaid program from improved oral health and decreased incidences of diseases such as pneumonia. The findings of the evaluation shall be reported to the Interim Joint Committee on Health and Welfare within sixty (60) days following a request by either chair. The entities conducting the evaluation are encouraged to include a biostatistician in each periodic evaluation of the implementation and results of the pilot project.*

Signed by Governor April 18, 2012.