

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Iowa Administrative Code.

These amendments restore Medicaid coverage of periodontal and endodontic dental services, including posts, cores, and crowns, for members 21 years of age or older. This coverage was eliminated in 2002.

Periodontal disease and endodontic disease are infectious diseases that, if left untreated, may result in other health complications. They are the only infectious diseases for which Iowa Medicaid does not cover treatment. Studies have shown higher medical costs for patients with chronic medical conditions who have periodontal disease. In state fiscal year 2008, the Department received 208 requests for exceptions to policy for these services and approved 177 of them (85 percent). Reasons for approval included pregnancy, diabetes, organ transplants, heart disease, lung disease, severe or profound mental retardation, and physical disabilities.

The Department has determined that it is more cost-effective in the long term to treat these infectious diseases and thereby minimize other health complications.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on the amendment was published in the Iowa Administrative Bulletin on September 10, 2008, as **ARC 7137B**. The Department received one comment on the Notice of Intended Action, which was in support of the amendment.

The Department has added to the amendment published under Notice of Intended Action several technical changes to update terminology in other subrules on dental coverage.

The Council on Human Services adopted these amendments on November 12, 2008.

The Department finds that these amendments confer a benefit on adult Medicaid members by allowing payment for needed medical treatment. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

These amendments are intended to implement Iowa Code section 249A.4.

These amendments became effective on December 1, 2008.

The following amendments are adopted.

ITEM 1. Amend paragraph **78.4(3)“d”** as follows:

*d.* Two laboratory-fabricated crowns using nonprecious materials, other than stainless steel, are payable per ~~patient~~ member in a 12-month period. Additional laboratory-fabricated crowns using nonprecious materials, other than stainless steel, are payable when prior authorization has been obtained. Noble metals are payable for crowns when ~~recipients~~ members are allergic to all other restorative materials. Stainless steel crowns are payable when a more conservative procedure would not be serviceable. (Cross-reference 78.28(2)“e”)

ITEM 2. Strike “recipient” and “recipients” wherever they appear in paragraphs **78.4(7)“c,” “d”** and “**e**” and insert “member” or “members” in lieu thereof.

ITEM 3. Amend subrule 78.4(14) as follows:

**78.4(14)** *Services to ~~adults~~ members 21 years of age ~~and or~~ and or older.* ~~Effective May 10, 2002, the following dental services~~ Orthodontic procedures are not covered for ~~adults~~ members 21 years of age ~~and or~~ and or older:

*a.* ~~—Crowns, posts, and cores on anterior teeth that have not received endodontic treatment and on posterior teeth.~~

*b.* ~~—Periodontal services.~~

*c.* ~~—Endodontic services on posterior teeth.~~

~~d. —Orthodontic procedures.~~

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/3/08.