



Ohio Legislative Service Commission

Bill Analysis

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H.B. 129

131st General Assembly
(As Introduced)

Reps. Barnes, Patmon, Sweeney

BILL SUMMARY

- Establishes the Hope for a Smile Program with a specified primary objective of improving the oral health of school-age children, particularly those who are indigent and uninsured.
- Requires the Director of Health to divide the state into three regions and to secure, maintain, and operate a bus as a mobile dental unit in each region.
- Creates a state income tax deduction, to be used by a dentist or dental hygienist beginning with taxable year 2015, equal to the fair market value of the services provided for free under the program.

CONTENT AND OPERATION

Hope for a Smile Program

Establishment; participants

The bill establishes the Hope for a Smile Program as a collaboration between the Department of Health and all of the following entities:¹

--The Ohio Dental Association;

--The Ohio Dental Hygienists' Association;

--The Ohio State University College of Dentistry and the dental hygiene program at the College;

--Case Western Reserve University School of Dental Medicine;

¹ R.C. 3701.139(A) and (B).

--Shawnee State University;
--James A. Rhodes State College;
--Columbus State Community College;
--Cuyahoga Community College, Metropolitan Campus;
--Youngstown State University;
--Lorain County Community College;
--Lakeland Community College;
--University of Cincinnati;
--Sinclair Community College;
--Owens Community College; and
--Stark State College.

Objective

The bill specifies that the primary objective of the Program is to improve the oral health of school-age children, which the General Assembly declares to be one of the most unmet health care needs of Ohio.²

Mobile dental units

The bill requires the Director of Health, with assistance from the Director of Administrative Services, to use the state's purchasing power to purchase or secure the use of, maintain, and operate three buses equipped as mobile dental units. Funds for these purposes are to come from one or more of the following sources: the Economic Development Programs Fund created under existing law governing casino licensure, the Hope for a Smile Program Fund created by the bill (see "**Hope for a Smile Fund**," below), and other public funds.³

² R.C. 3701.139(A).

³ R.C. 3701.139(C).



Services

The bill requires that Program services be targeted at school-age children who are indigent and uninsured, although it specifies that other children may be served. The bill authorizes the Hope for a Smile Advisory Council created by the bill (see "**Advisory Council**," below) to recommend additional populations for the Program to target.⁴

The bill requires the Director of Health to divide the state into three regions (northern, central, and southern) and assign one bus to each region. Dentists, dental hygienists, and faculty and staff of the dental and dental hygiene programs specified above must staff each bus and travel to schools in their assigned regions. Students enrolled in those educational programs also may participate in staffing the buses.

When scheduling visits to schools, priority must be given to schools attended by high numbers of children in the Program's targeted population. Services must be provided in accordance with law governing dentists and dental hygienists that is administered by the Ohio State Dental Board (R.C. Chapter 4715.).⁵

Reimbursement

The bill authorizes the Program to accept grants, donations, and awards. It also authorizes the Program to seek (1) Medicaid payment for services provided to children who are Medicaid recipients and (2) payment from private insurance companies for services provided to children covered by policies issued by those companies.⁶ Accordingly, the bill requires the Director of Health to apply on the Program's behalf to the Department of Medicaid for a Medicaid provider agreement. The Director also must seek to enter into arrangements with private insurance companies operating in Ohio for the Program to be reimbursed for services provided to children who have coverage through those companies.⁷

Workforce and economic development initiative

The bill specifies that the service of dental and dental hygiene students to the Program must be recognized by the Governor and General Assembly as a workforce and economic development initiative.⁸ Accordingly, the bill authorizes the Program to

⁴ R.C. 3701.139(A).

⁵ R.C. 3701.139(D).

⁶ R.C. 3701.139(G).

⁷ R.C. 3701.139(F).

⁸ R.C. 3701.139(E).



apply for money allocated by the United States Department of Labor or other entities for workforce or economic development initiatives.⁹

Hope for a Smile Fund

The bill creates the Hope for a Smile Program Fund and requires any funds received from the sources described above be deposited into the Fund. It also requires that any interest earned on money in the Fund be credited to the Fund. The Director of Health must use money in the Fund to pay expenses incurred under the Program.¹⁰

State income tax deduction

The bill authorizes dentists and dental hygienists who provide services free of charge under the Program to take a state income tax deduction that is equal to the fair market value of the services provided.¹¹ The income tax deduction applies to taxable years on and after January 1, 2015.¹²

Advisory Council

The bill requires Director of Health to appoint the Hope for a Smile Advisory Council to advise the Director on implementation and administration of the Program. The Council's membership must consist of representatives of the Ohio Dental Association, the Ohio Dental Hygienists' Association, the Ohio State University College of Dentistry and its dental hygiene program, the Case Western Reserve University School of Dental Medicine, the Ohio Council of Dental Hygiene Directors, and other members considered appropriate by the Director.¹³

In consultation with the Advisory Council, the bill requires the Director to adopt rules as necessary to implement and administer the Program. The rules must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119).¹⁴

Not later than July 1 each year, the Director, with input from the Advisory Council, must submit to the Governor, President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives a report on

⁹ R.C. 3701.139(F).

¹⁰ R.C. 3701.139(G).

¹¹ R.C. 3701.139(E) and 5747.01(A)(32).

¹² Section 3.

¹³ R.C. 3701.139(H).

¹⁴ R.C. 3701.139(I).

progress the Program has made in achieving its primary objective, saving money for the Medicaid Program and other safety net programs, and promoting workforce and economic development in Ohio.¹⁵

HISTORY

ACTION	DATE
Introduced	03-24-15

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¹⁵ R.C. 3701.139(J).

