

April 11, 2023

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue, SW
Washington, D.C. 20201

Dear Administrator Brooks-LaSure:

We write to acknowledge efforts by the Centers for Medicare and Medicaid Services (CMS) to address serious concerns regarding access to dental rehabilitative services for children and adults with special health care needs and disabilities, minority populations, and frail elderly patients. We understand that as of January 1, 2023, CMS established a Medicare billing option that allows for hospital facilities to bill and receive improved reimbursement for dental surgical services. While this change is expected to provide significant support for many beneficiaries, we urge CMS to take an additional step this year to ensure access to dental surgical services is available to those beneficiaries who lack access to a hospital facility due to rural geographic challenges or where there are delayed wait times for operating room access. For these beneficiaries, ambulatory surgical centers (ASCs) could provide timely access for needed dental surgical services. We ask that CMS allow the same dental surgical services to be covered in ASCs as it prepares its Calendar Year 2024 outpatient prospective payment system (OPPS) rule for stakeholder comment.

Thousands of children under five years of age, those with special needs and the frail elderly disproportionately suffer from significant pain and infection from dental decay (dental caries). If not treated through dental surgical intervention, this disease can result in emergency department visits and hospital admissions, resulting in pain and suffering and significantly increasing costs on our health care system. Given the time involved for restorative dental surgical procedures and the often-complex equipment and anesthesia required, dentists need to provide these services in a hospital or ambulatory surgery center (ASC) operating room to ensure accessible, safe, and quality care.

With the dental coding and payment changes established by CMS for hospital facilities this year, beneficiaries are able to receive needed dental rehabilitation surgical procedures in hospitals. However, we are concerned that due to regulatory restrictions, at this time, Medicare does not currently cover the same new dental code or allow for its similar reimbursement structure for

dental surgeries that are performed in ASCs. We ask that CMS move forward to allow the new dental surgical code it established for hospitals to be included on the ASC covered procedures list and to ensure its appropriate reimbursement, effective for calendar year 2024. This need affects both Medicare and Medicaid patients, as many states rely on Medicare codes to support coverage and payment for Medicaid dental services that are provided in hospitals and ASCs.

We thank you for consideration of this request to build upon CMS's progress on this issue and further improve beneficiary access to needed dental surgeries.

Sincerely,



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Member of Congress



Terri A. Sewell
Member of Congress



David J. Trone
Member of Congress



Jefferson Van Drew
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John B. Larson
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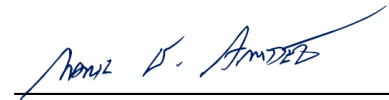
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Rick Larsen
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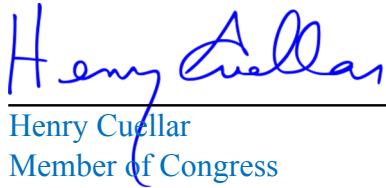
Derek Kilmer
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Susie Lee
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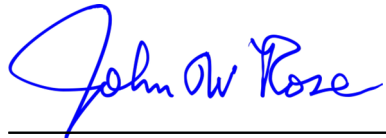
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