



North Carolina
Department of Health and Human Services
Division of Medical Assistance
Recipient Services EIS

1985 Umstead Drive – 2512 Mail Service Center - Raleigh, N.C. 27699-2512
Courier Number 56-20-06

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Nina M. Yeager, Director
(919) 857-4019

March 27, 2003

Re: Dental Lawsuit Settlement Agreement

Dear County Directors of Social Services:
Dear Health Check Coordinators:

On March 6, 2003, the U.S. District Court for the Eastern District of North Carolina approved a contingent settlement agreement in the dental lawsuit of Arielle McCree, *et al.* v. Carmen Hooker Odom, Secretary, North Carolina Department of Health and Human Services (DHHS) and Nina Yeager, Director, North Carolina Division of Medical Assistance (DMA). This lawsuit was previously referred to as Antrican, et al. v. Carmen Hooker Odom, et al. The settlement agreement is contingent upon the North Carolina General Assembly providing sufficient funding in the 2003-2004 budget for the Medicaid dental program to sustain an agreed upon increase in certain targeted dental codes.

The purpose of this letter is to notify you of some of the requirements in the settlement agreement. The settlement agreement may be reviewed in its entirety through the DMA website at <http://www.dhhs.state.nc.us/dma/>. To review the agreement, select the option entitled "Proposed NC Medicaid Dental Settlement Agreement."

The settlement agreement targeted certain dental services for a reimbursement rate change. Effective April 1, 2003, the reimbursement rates to providers for certain Medicaid covered dental services will increase. A listing of the targeted services and the new rates can be reviewed through the DMA website referenced above.

The settlement agreement also identifies a number of requirements that DMA must fulfill. The agreement requires that all Medicaid recipients be notified of the availability and importance of dental care services. To fulfill this requirement, an insert regarding dental services through the North Carolina Medicaid program will be mailed to all Medicaid recipients with the May 2003 Medicaid identification cards. An English and Spanish version of the insert is attached to this letter (Attachment 1).

Dental Lawsuit
Page 2

The language in the insert will be included in the Family and Children's Consumer Guide which is scheduled for reprint by June 1, 2003. An English and Spanish version of similar language will also be included in the Carolina Access Recipient Handbook. A copy of the language for the Carolina Access Recipient Handbook is attached (Attachment 2).

Pursuant to the terms of the settlement agreement, we encourage you to update your list of dental providers who accept Medicaid patients. There may be some providers who have not yet heard of the targeted rate increase. A report listing the dentists who were paid by Medicaid for dental services during the last fiscal year (July 1, 2001 to June 30, 2002) is available through the DMA Website at <http://www.dhhs.state.nc.us/dma/dental/dentalprov.htm>. The report is sorted by county and includes instructions for its use.

If you have any questions, the County Department of Social Services should contact its Medicaid Program Representative. Health Check Coordinators should contact its Managed Care Representative.

Sincerely,

Nina Yeager

NMY:vb

Attachments

Attachment 1

Insert for the Medicaid Identification Card

Dental Care for your Child: Most children need to have a dental check-up every six months. Your child may also need other dental care. Medicaid will pay for check-ups and needed treatment. (Not all services are covered by Medicaid.) Call 1-800-662-7030 to learn more about Medicaid dental services. You can also call this number if you need help finding or getting a dentist.

Cuidado Dental para sus hijos/hijas: La mayoría de los niños necesitan un chequeo dental cada seis meses. Puede que sea que su hijo también necesite otros servicios dentales. Medicaid paga por los chequeos y otros servicios necesarios. (Pero el Medicaid no cubre el costo de todos los servicios dentales.) Por favor llame al 1-800-662-7030 (llamada gratuita) para aprender más acerca de los servicios dentales de Medicaid. También puede llamar a este número telefónico si necesita ayuda consiguiendo el nombre de un dentista que acepte Medicaid.

Attachment 2

Language for the Carolina Access Recipient Handbook

Dental Care for your Children: Most children need to have a dental check-up every six months. Your child may also need other dental care. Medicaid will pay for check-ups and needed treatment. (Not all services are covered by Medicaid.) Ask your PCP to refer you to a dentist who takes Medicaid. Call 1-800-662-7030 to learn more about Medicaid dental services. You can also call this number if you need help finding or getting a dentist.

Cuidado Dental para sus hijos/hijas: La mayoría de los niños necesitan un chequeo dental cada seis meses. Puede que sea que su hijo también necesite otros servicios dentales. Medicaid paga por los chequeos y otros servicios necesarios. (Pero el Medicaid no cubre el costo de todos los servicios dentales.) Pregúntele a su médico general que lo refiera a un dentista que acepte Medicaid. Por favor llame al 1-800-662-7030 (llamada gratuita) para aprender más acerca de los servicios dentales de Medicaid. También puede llamar a este número telefónico si necesita ayuda consiguiendo el nombre de un dentista que acepte Medicaid.