

MedicareAdvocacy.org

ORAL HEALTH & THE MEDICARE POPULATION

Hosted by:

The Center for Medicare Advocacy

March 6, 2024



MedicareAdvocacy.org

The Center for Medicare Advocacy is a national non-profit law organization that works to advance access to comprehensive Medicare, health equity, and quality health care for older people and people with disabilities.

- Founded in 1986
- Headquartered in CT and Washington, DC, additional attorneys in CA, MA, and MD
- Staffed by attorneys, advocates, a nurse consultant, and technical experts
- Provides education, legal analysis, writing and assistance
- Systemic change Policy & Litigation, based on our experience with the problems of real people
- Inappropriate Medicare denials and appeals
- Medicare/Medicaid Third Party Liability Projects

Welcome and Introduction

Kata Kertesz Center for Medicare Advocacy

Presenters:

- Judith Haber, Santa Fe Group
- Allison Neale, Henry Schein, Inc.
- Kaz Rafia, CareQuest Institute for Oral Health
- Wey-Wey Kwok, Center for Medicare Advocacy

Agenda

- Welcome and Introduction Kata Kertesz, CMA (Moderator)
- Oral Health Advocacy Overview Wey-Wey Kwok, CMA
- CMS Medically Necessary Dental Coverage and Nominations
 Process Judith Haber, Santa Fe Group
- Private-Public Partnerships to Advance Integration of Oral Health and Overall Health – Allison Neale, Henry Schein, Inc.
- Philanthropy's Role in Advancing Oral Health Equity Kaz Rafia, CareQuest Institute for Oral Health
- Questions & Panel Discussion

Oral Health Advocacy Overview

Wey-Wey Kwok, Center for Medicare Advocacy

Medicare's Exclusion of Payment for Dental Care

No payment may be made under part A or part B for any expenses incurred for items or services "in connection with the care, treatment, filling, removal, or replacement of teeth or structures directly supporting teeth..."

Social Security Act § 1862(a)(12)

Thus, **Original Medicare does NOT cover most dental care**, including cleanings, fillings, tooth extractions, dentures, etc.

NOTE: Statute says that **if hospitalization is required** due to underlying medical condition & clinical status, or severity of dental procedure, Part A may pay for inpatient hospital services. But, dental procedure itself is likely NOT covered unless narrow exception applies.

Narrow Exception to Dental Payment Exclusion

- For decades, policy only allowed payment for dental services performed "incident to and as integral part of" a covered service performed by the dentist (e.g., repairing jaw fracture, removing tumor in the mouth)
- For decades, "same time, same dentist" rule posed a barrier
- What about patients who require dental services in connection with *other* covered medical procedures or treatments?
- As a result of years of advocacy, Medicare recently issued "clarification" that allows payment for dental in additional clinical circumstances

Medicare Population Dental Coverage

Kaiser Family Foundation (2021) issue brief: Medicare and Dental Coverage: A Closer Look | KFF

- Nearly 1/2 of beneficiaries have no dental coverage (2019)
- 94% of Medicare Advantage (MA) enrollees are in a plan that provides or offers some dental coverage.
 - Some plans require separate premium
 - Covered care, service limits, and cost sharing vary widely
 - 59% in plans that are capped at \$1000 or less annually (average \$1,300)
 - Most limit coverage to in-network providers or charge more for out-of network care
- Adult dental benefits are *optional* for Medicaid programs.
 - Only 25 states and DC currently provide fairly comprehensive adult dental benefits (NASHP 2022)

Advocating for a Comprehensive Medicare Dental Benefit

• Adding it to Part B

- Co-insurance structure that beneficiaries are used to
- Treated the same as other benefits for purposes of Medigap plans
- Existing structure for appeals, determining provider payment
- Existing low-income protections through state QMB programs
- Medicare Advantage enrollees would be entitled to equivalent dental benefits

• Medicare has expanded coverage in the past

for disabled individuals (1972); hospice (1982); prescription drugs (2003-2006); preventive services (2010)

Many facets to systemic change

- Insurance is one piece of the larger puzzle
- Implementation is crucial
 - Will dental providers participate?
 - Will patients access care?
- Viewing problems and solutions through the lens of health equity and social justice
- Interconnected sets of solutions

CMS Medically Necessary Dental Coverage & Nominations Process

Judith Haber,

Oral Health Nursing Education & Practice (OHNEP) Program Santa Fe Group Professor Emerita, NYU Rory Meyers College of Nursing



The Oral Health Medicare Journey

Judith Haber, PhD, APRN, FAAN

Executive Director

Oral Health Nursing Education & Practice (OHNEP) Program

Member, Santa Fe Group

Professor Emerita, NYU Rory Meyers College of Nursing



Collective Impact!



SANTA FE | Improving Lives Through Oral Health

When Medicare was created in 1965... ...dental opted out.

 Fast forward to 2016: Santa Fe Group (SFG) salons focused on the oral health disparity for older adults, launching a national interprofessional Consortium - grown to 244 organizations - to pursue incremental coverage of medically necessary dental care.



• The Build Back Better bill gave us hope for a Medicare Part B dental benefit and attracted broad support. Although that didn't pass, progress is being made on the medically necessary front, generating data that can soon be used to pave the way for a comprehensive benefit.

More Effective, Equitable & Affordable Care

Medicare Coverage of Medically-Necessary Oral Health is a Proven Way to Achieve These Priorities



Medicare Beneficiaries



Medically Necessary Medicare Dental Coverage

Is Now a Reality thanks to the Administration's clarification in the Physician Fee Schedule for 2023 and 2024.

To avoid medical complications and unnecessary cost, PFS clarified coverage for dental services that are inextricably linked and substantially related and integral to:

- organ transplant surgery
- cardiac valve replacement
- valvuloplasty procedures
- head and neck cancers

- chemotherapy
- CAR T-cell therapy and radiation
- high-dose bone-modifying agents
- head and neck cancers (writ large)

With CMS' annual nominations process, the opportunity now exists to clarify equitable coverage of all relevant conditions.



On the Horizon...

Nominations have been submitted to CMS for 2025:

Autoimmune Disease

• Sjögren's Foundation: "immunosuppressive therapies prescribed to manage autoimmune diseases can be severely complicated and compromised by oral/dental disease and conditions."

Diabetes Mellitus

• SFG: "We now have evidence that periodontal treatment improves glycemic control in people with both periodontitis and diabetes by a clinically significant amount when compared to no treatment or usual care." (Cochrane Review)

End Stage Renal Disease

 ASN and NKF: "Treatment of dental infections risking/causing blood stream infections (BSI), poor glycemic control, and other complications can be integral and substantially related to the clinical success of medical therapies to manage ESRD."



Congressional Support

Lawmakers to CMS – February 20, 2024

"[W]e are writing in support of nominations we understand you are receiving for clarification of payment policy for dental services that are inextricably linked, substantially related and integral to the clinical success of covered medical services..."



Implementation Challenges

- Increase Knowledge of Medical, Dental, and Consumer Communities
- Motivate Providers to Participate
- Implement Documentation and Reimbursement Protocol
- Evaluate Outcomes

Community Support

AARP

ABLE NH (Advocates Building Lasting Equality in NH) ACA Consumer Advocacy Acuity Specialists Adenoid Cystic Carcinoma Research Foundation AIDS Foundation of Chicago Alliance for Retired Americans Allies for Independence ALS Association American Academy of Nursing American Academy of Periodontology American Association for Community Dental Programs American Association for Dental, Oral, and Craniofacial Research American Association of Clinical Endocrinologists American Association of Colleges of Nursing American Association of Diabetes Educators American Association of Hip and Knee Surgeons American Association of Kidney Patients American Association of Oral and Maxillofacial Surgeons American Association of Nurse Practitioners American Association of Public Health Dentistry American Association on Health and Disability American Autoimmune Related Diseases Association American College of Cardiology American College of Emergency Physicians American College of Gastroenterology American College of Physicians American College of Rheumatology American Dental Assistants Association American Dental Education Association American Dental Hygienists' Association American Diabetes Association American Geriatrics Society American Head and Neck Society American Heart Association American Institute of Dental Public Health American Kidney Fund American Liver Foundation American Medical Association American Muslim Health Professionals (AMHP) American Nephrology Nurses' Association American Network of Oral Health Coalitions

G R O U P

American Nurses Association American Parkinson Disease Association American Psychiatric Association American Psychiatric Nurses Association American Public Health Association American Society for Radiation Oncology American Society of Clinical Oncology American Society of Nephrology American Society of Transplant Surgeons American Society of Transplantation American Thoracic Society Arcora Foundation Arizona Oral Health Coalition Arthritis Foundation Association of Asian Pacific Community Health Organizations (AAPCHO) Association of Community Cancer Centers Association of Oncology Social Work Association of State and Territorial Dental Directors Autistic Self Advocacy Network Be a Hero Brain Injury Association of America California Dental Association California Medical Association CareQuest Institute for Oral Health **Carlson Foley Enterprises** Catholic Health Association of the United States Center for Advocacy for the Rights and Interests of the Elderly (CARIE) Center for Elder Law & Justice Center for Health Law and Policy Innovation Center for Medicare Advocacy Center for Popular Democracy Champaign County Health Care Consumers Children's Dental Health Project Coalition for Oral Health for the Aging Coalition of Texans with Disabilities **Colgate Palmolive Company** Colorado Consumer Health Initiative Community Catalyst Community Dental Health NPO Connecticut Oral Health Initiative **Cornerstone Dental Specialties**

Crohn's and Colitis Foundation of America **Culpeper Wellness Foundation** Davis Phinney Foundation for Parkinson's Delaware Dental Hygienists' Association Dental Lifeline Network Dental Trade Alliance **Dentsply Sirona Dialysis Patient Citizens Dientes Community Dental Care** Disability Rights Education and Defense Fund Eating Disorders Coalition **Elderly Housing Development & Operations** Corporation **Epilepsy Foundation** EXCELth, Inc. Families USA 504HealthNet Florida Health Justice Project Georgia AIDS Coalition Georgians for a Healthy Future Gerontological Advanced Practice Nurses Association GLMA: Health Professionals Advancing LGBTQ Equality Haleon Hartford Institute for Geriatric Nursing Hawai'i Oral Health Coalition Hawai'i Children's Action Network Speaks! Head and Neck Cancer Alliance Health Care For All (MA) Health Care Is a Human Right WA Health Care Voices Healthy Living and Learning Center Heartland Alliance Henry Schein Cares Foundation **HIV Medicine Association Hispanic Dental Association** International Pemphigus and Pemphigoid Foundation Island Liaison, Inc. John A. Hartford Foundation Jon C Burr Foundation

Community Support (cont'd)

Justice in Aging Kentucky Oral Health Coalition Klamath Basin Oral Health Coalition Lakeshore Foundation Leukemia and Lymphoma Society Louisiana Primary Care Association Lupus and Allied Diseases Association, Inc. Lupus Foundation of America Maryland Dental Action Coalition Massachusetts ME/CFS and FM Assoc Medicaid | Medicare | CHIP Services Dental Association Medicare Rights Center Mended Hearts Mental Health America Metro New York Health Care for All Michigan Primary Care Association Minnesota Dental Therapy Association myNEXUS National Alliance of State & Territorial AIDS Directors National Alliance on Mental Illness National Association of Area Agencies on Aging National Association of Chronic Disease Directors National Association of Community Health Centers National Association of Dental Plans National Association of Nutrition and Aging Services Programs National Association of Social Workers National Association of States United for Aging and Disabilities National Coalition of Dentists for Health Equity National Comprehensive Cancer Network National Committee to Preserve Social Security and Medicare National Consumer Voice for Quality Long-Term Care National Consumers League National Council for Behavioral Health National Dental Association National Forum for Heart Disease and Stroke Prevention National Hispanic Medical Association National Health Law Program National Interprofessional Initiative on Oral Health National Kidney Foundation National League for Nursing

National Medical Association National Multiple Sclerosis Society National Network for Oral Health Access National Osteoporosis Foundation National Rural Health Association National Stroke Association North American Transplant Coordinators Organization Northwest Harvest Nursing Interventions for Health System Elders NYU Rory Mevers College of Nursing Ohio Alliance for Retired Americans Educational Fund **Oklahoma Policy Institute Oncology Nursing Society** Oral Cancer Foundation Oral Health Kansas Oral Health Nursing Education and Practice Program Oral Health Ohio Oral Health Progress and Equity Network (OPEN) Our Mother's Voice PA Coalition for Oral Health Pacific Dental Services Foundation Parkinson's Foundation Patient-Centered Primary Care Collaborative Pennsylvania Health Access Network PEW Dental Campaign Piedmont Regional Dental Clinic PRC Preventive Cardiovascular Nurses Association Pride At Work - WA North, Mt. Kulshan Chapter Procter & Gamble ProHEALTH Dental Project Accessible Oral Health Puget Sound Advocates for Retirement Action (PSARA) Renal Healthcare Association **Renal Physicians Association** Research!America Santa Fe Group School-Based Health Alliance Scleroderma Foundation Senior Charity Care Foundation Senior Mobile Dental Sepsis Alliance

Siögren's Foundation Smiles To Go, LLC Social Security Works Society for Transplant Social Workers Statewide Poverty Action Network Support for People with Oral and Head and Neck Cancer Texas Oral Health Coalition, Inc Texas Parent to Parent The AIDS Institute The Arc of the United States The Bingham Program The CornerStone Community Development Center The Gerontological Society of America The Michael J. Fox Foundation The National Forum of ESRD Networks The Society for Thoracic Surgeons The TMJ Association Third Way Tri-Area Community Health Trust for America's Health United Health Organization United Network for Organ Sharing UUFHCT Virginia Community Healthcare Association Virginia Health Catalyst Virginia Organizing Virginia Rural Health Association Washington Healthcare Access Alliance Wayne County Oral Health Organization Wesley Living Woodland Homes West Central Initiative Western Center on Law and Poverty Winters Elder Day Council WomenHeart, The National Coalition for Women with Heart Disease

Questions and Discussion

Thank you!



https://www.oralhealthconsortium.org/



Private-Public Partnerships to Advance the Integration of Oral Health and Overall Health

Allison Neale, Henry Schein, Inc.

HENRY SCHEIN®

Partnering to Advance Oral Health for Better Overall Health

Allison Neale Vice President, Public Policy, Henry Schein, Inc. Managing Director, Henry Schein Cares Foundation

March 6, 2024

Henry Schein – At a Glance





Oral Health is Integral to Overall Health

90% of U.S.'s \$4.1 trillion annual health care spend results from NCDs

Brain

- Oral inflammation has been linked to Alzheimer's and dementia
- Oral inflammation is associated with increased blood clots leading to stroke

Heart

 Oral inflammation can raise the risk of heart attack by almost 3 times

Kidneys

- Oral inflammation stresses the kidneys' function to fight diseases
- Current research is showing a link between oral inflammation and kidney failure

Mouth

- · Oral inflammation is linked to oral cancer
- · Non-smokers are also at risk for oral cancer
- Oral cancer has a 30% survival rate if undetected but almost 100% survival rate if caught early

Lungs

 Oral inflammation can increase susceptibility to pneumonia and bronchitis

Pancreas

- Oral inflammation may disrupt blood sugars resulting in diabetes
- Oral inflammation has been linked to pancreatic cancer

Promoting oral health COSTS SO LITTLE and RETURNS SO MUCH



Advocating for Policy Changes to Improve Oral Health



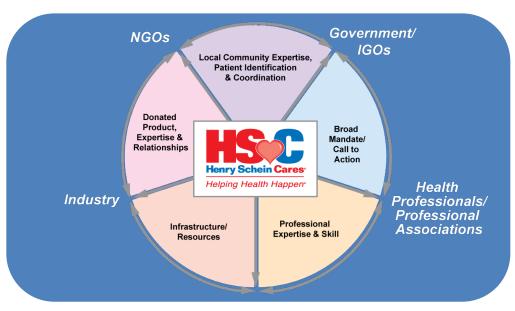
Consortium for Medically Necessary Oral Health Coverage https://www.oralhealthconsortium.org/



Partnering Across Sectors to Strengthen Interprofessional Integration

"SHE" Systemic Healthcare Initiative in partnership with CareQuest





S.M.I.L.E. Healthcare Pathway Program in partnership with NDA & other professional associations





The Power of Integrated Care



What is Systemic Health?

Systemic health recognizes the fundamental interconnectedness of all bodily systems to an individual's overall health and well-being.

The Importance of an Integrated Care Approach to Systemic Health

An integrated care approach recognizes the importance of **patient-centered care**, **the opportunity to close care gaps**, **and advance healthy equity**, and the necessity of shifting away from sick care to a model of preventive care and wellness, underscoring the importance of maintaining routine medical, dental, mental health care.

Benefits:

- Patients: Better health outcomes; lower costs; more convenient care and reduced time visiting providers; reduced stress on individuals and families
- Providers: Healthier and happier patients; expanded patient base and higher revenue
- Society: Lower health care costs; higher societal productivity due to less healthcare complications; improved health equity
- Cost: A prevention and wellness approach leads to savings for individuals, private payors, and the U.S. Healthcare System

Current Barriers to Integrated Care

- Education Model: Aspiring and current Dental and Medical practitioners are educated in silos
- Behavior: Practitioners need to be motivated to have a vested interest in each other's respective professions
- Scope of Practice: Relevant governing boards in each state must permit the respective professions to conduct diagnosis and recommend treatments/care plans without fear of violating their licensure
- Reimbursement Potential: Providers engaging in interdisciplinary care should not have to do so as charity or at a loss
- Infrastructure: Every healthcare professional medical, dental and mental health – must be empowered with the patient data (*i.e., integrated health records*) and tools (*i.e., products, testing, etc.*) to provide care

Henry Schein is Making a Difference

We recognize the crucial link between oral health and overall health – that "prevention is power." Integrated care, prevention and wellness all go hand and hand and take place in the office-based healthcare setting. As the only global health care solutions provider serving office-based medical and dental professionals, we are uniquely positioned to help, directly, by:

- Offering solutions needed for office-based dental and medical providers, including products, equipment, and related services.
- Expanding the availability of **diagnostic testing**, in particular, point-of-care tests, to empower primary care practitioners to holistically screen patients for improved early detection and to close care gaps.

Advancing health record interoperability to provide patient record visibility through our leading open architecture dental practice management software that connects to over 40 medical electronic medical record softwares.

Advocating with key partners for issues key to the promulgation of integrated care models, including reimbursement, coverage expansion, and scope of practice.



Improving Access to Care for People with Disabilities



Project Accessible Oral Health



Improving Access to Care for Seniors



Holocaust Survivors Oral Health Program

Program Guardians The Claire Friedlander Family Foundation Robert I. Schattner Foundation, Inc.





Improving Access to Care for Underserved Children





- 7 million children have accessed free oral health services since inception
- * 1,500 events each year staffed by 6,500 dentists and 30,000 dental team members



Creating A Healthier World Requires Our Collaboration & Partnership





HENRY SCHEIN®

Thank You!

Philanthropy's Role in Advancing Oral Health Equity

Kaz Rafia, CareQuest Institute for Oral Health

Philanthropy's Role In Advancing Oral Health Equity

Center for Medicare Advocacy





- Definitions Around Health Equity
- National-level Spending On Healthcare & Outcomes
- Disparities in Oral Health
- How do we move forward



DISPARITIES

Preventable differences in the burden of disease, injury, violence, or opportunities to achieve optimal health that are experienced by socially disadvantaged populations.



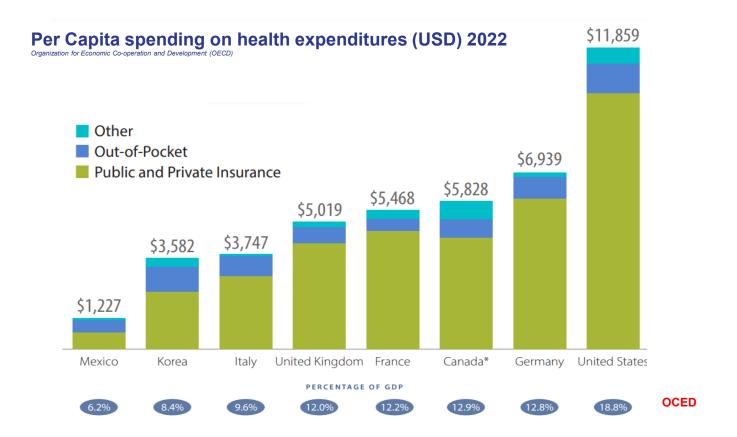
CDC

HEALTH EQUITY

The attainment of the highest level of health **for all people**, where everyone has a **fair and just opportunity** to attain their optimal health **regardless of** race, ethnicity, disability, sexual orientation, gender identity, socioeconomic status, geography, preferred language, and other factors that affect access to care and health outcomes.

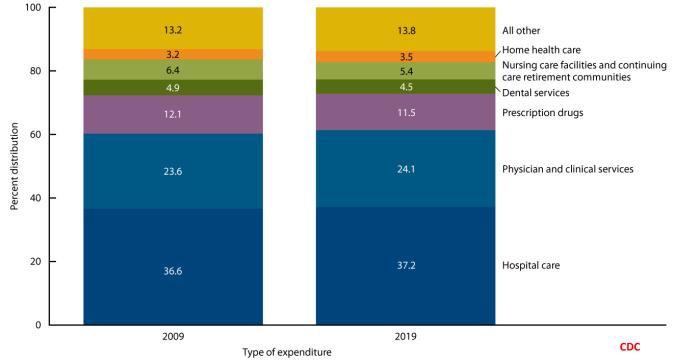


CMS

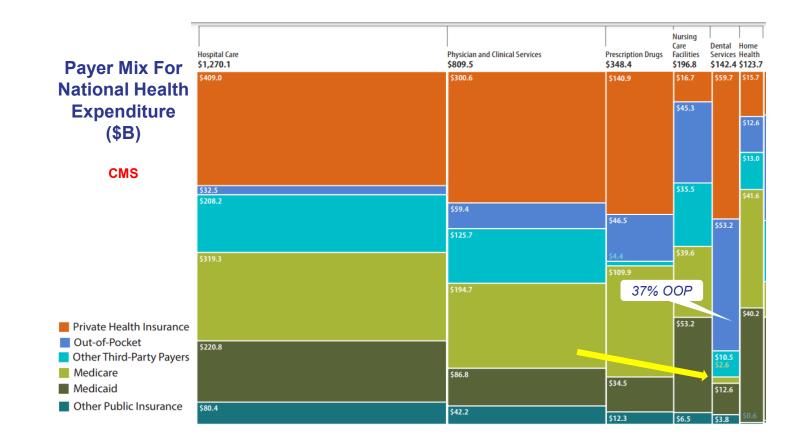




Dental service expenditures, as a percentage of national health expenditure, have declined









Consider:

- With this much spending and out-of-pocket burden, what is the impact on the socioeconomically marginalized?
- Is the impact strictly financial?
- If the impact is not the same, should the solution be the same?



And we know there are plenty of disparities in access and outcomes





Percentage of adults 65 years or older with **periodontal** (gum) disease (CDC) 19%

Nearly 1 in 5 of adults 65 or older have **lost all their teeth** (CDC)



78% of oropharyngeal cancer cases are in adults > 55 (NYU)



Percentage of adults 65 or older have **diabetes**. (ADA)





About half of adults 65-80 reported that they do not have dental insurance (U MICHIGAN)

\$1000 cost spending on dental care amon

Average out of pocket dental care among **MA** beneficiaries (Health Affairs)



Number of 65 and older individuals in this US by 2060. (Double from 2023) (KFF)

73%

Nearly three-quarters of Medicare beneficiaries with incomes of less than \$10,000 per year did not visit a dentist (KFF)



How does CareQuest Institute engage and lead in this space ?





Philanthropy

- Equitable healthcare workforce pathways
- Community Health Worker (CHW)
- Medical Dental Integration





Analytics and Data Insights

- Data Equity And Disaggregated Data
- Oral Health Index
- SOHEA Survey
- Participatory Research





Education

- Collaborative and health-equity centered webinars
 - Medical Dental Integration
 - Social care coordination
- On-demand and growing offering of CE





Policy and Advocacy

- Partnership with other leading advocates in this space to advance federal and state initiatives
- Grassroots network support





Health Transformation

- Healthcare economics
- Integrated models of care
- Total cost of care and cost of inequities







OCED <u>https://www.oecd-ilibrary.org/sites/675059cd-en/index.html?itemId=/content/component/675059cd-en/:~:text=In%202022%2C%20average%20per%20capita,555%20for%20every%20US%20citizen.</u>

CDC https://www.cdc.gov/nchs/hus/topics/health-careexpenditures.htm#:~:text=In%202019%2C%20hospital%20care%20spending,%25)%2C%20and%20home%20health%20care%20(

HEALTH AFFAIRS https://www.healthaffairs.org/doi/10.1377/hlthaff.2019.00451

CMS https://www.cms.gov/data-research/statistics-trends-and-reports/national-health-expenditure-data/nhe-fact-sheet#:~:text=Historical%20NHE%2C%202022%3A&text=Medicare%20spending%20grew%205.9%25%20to,29%20percent%20of%20total%20NHE.

CDC https://www.cdc.gov/oralhealth/basics/adult-oral-

health/adult_older.htm#:~:text=About%202%20in%203%20(68,or%20older%20have%20gum%20disease.&text=Tooth%20loss.,65%2D74%20(13%25)

NYU https://dental.nyu.edu/research/nyu-oral-cancer-center/oral-cancer/facts.html#:~:text=Age,frequently%20in%20much%20younger%20patients.

MICHIGAN https://www.healthyagingpoll.org/reports-more/report/dental-care-coverage-after-65-experiences-perspectives

American Diabetes Association <u>https://diabetes.org/about-diabetes/statistics/about-diabetes/statistics/about-diabetes/:~:text=Diagnosed%20and%20undiagnosed:%20Of%20the,seniors%20(diagnosed%20and%20undiagnosed).</u>

KFF https://www.kff.org/report-section/racial-and-ethnic-health-inequities-and-medicaredemographics/#:~:text=The%20population%20of%20the%20United,become%20more%20diverse%20over%20time.

KFF https://www.kff.org/medicare/issue-brief/medicare-and-dental-coverage-a-closer-look/



Questions & Panel Discussion

Do You Have More You'd Like to Share?

Communications@MedicareAdvocacy.org



MedicareAdvocacy.org

For further information, to receive the Center's free weekly electronic newsletter, *CMA Alert*, update emails and webinar announcements, contact:

Communications@MedicareAdvocacy.org

Or visit MedicareAdvocacy.org

Follow us on Facebook and Twitter!

