

Legislative History of Senate Bill 536: An Act Making Technical Correction in a  
Certain Law Relative to Oral Health  
Legislative Counsel Clinic  
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For this project, I researched the legislative history of senate bill 536, An Act Making Technical Correction in a Certain Law Relative to Oral Health. This was a bill presented by Senator Harriette L. Chandler which made an amendment to section 51 of chapter 112 of the General Laws. The original law stated that dental hygienists are allowed to practice in public health settings without the supervision of a dentist. Further, the hygienists must be reimbursed for these services by MassHealth or the Commonwealth Care Health Insurance Program, but not by any other insurance or third party payer.

Senate bill 536 made a correction to this law by allowing the dental hygienists to be reimbursed by a third party payer if required by Federal Medicaid law. The bill thus makes the law consistent with federal laws and regulation, which require that MassHealth only pay after all other responsible third parties make payments first.

For the first step in my research, I looked up the history of senate bill 536 in the 2009 session laws. There I saw that, since January 20, 2009, the bill had been referred to three different committees, including the Joint Committee on Health Care Financing, the Senate Committee on Ethics and Rules, and the House Committee on Steering, Policy, and Scheduling.

I made phone calls to both the House and Senate staff of the Joint Committee on Health Care Financing. In the Senate staff office, I spoke to Kimberly Haddad who works for Senator Richard T. Moore, co-chair of the committee. She was very helpful and e-mailed me a bill summary and testimony made in favor of the bill. Various testimonies were made by Thomas Dehner, Medicaid Director; Matt Selig, Deputy Director of Health Law Advocates; Amy

Whitcomb Slemmer, Executive Director of Health Care For All; Katherine Pelullo of the Massachusetts Dental Hygienists' Association; Myron Allukian, Jr., former Director of Oral Health at the Boston Public Health Commission; the Oral Health Advocacy Taskforce; the Massachusetts Dental Hygienists' Association, and the Massachusetts Dental Society.

I next called the House staff of the Joint Committee on Health Care Financing, and spoke with Jenny Nathans there. She offered to provide me with all of the relevant information she had, which I picked up at the State House the next day. Most of the information was what I had already obtained from the Senate staff's office, including the bill summary and testimony from the above-named sources. However, I did receive a copy of the testimony from one new source, the Massachusetts League of Community Health Centers.

I tried calling the House Committee on Steering, Policy, and Scheduling, but was told that they do not keep any records relevant to bills that come through their doors. I received a similar response when I called the Senate Committee on Ethics and Rules.

Next, I called the office of Senator Harriette Chandler, who sponsored the bill. I expected to receive a lot of information here, but was surprised to find that her office only had a copy of the bill language and the text of the original law, prior to amendment. Meghan Driscoll, who works for the Senator, emailed this information to me.

I made a search for the bill on the State House News Service, but found nothing other than brief mentions of the amendment in Senate and House session summaries. Extensive searches on Lexis Nexis and Westlaw also proved unsuccessful. To finish up my research, I made a call to the Governor's office on the offhand chance that they might have something, which they did not.

I feel confident that I have obtained all relevant information on this bill's history because I have searched in a wide variety of places and seem to have exhausted my options. Many of the offices that I called provided me with the same documents, leading me to believe that what I have is all that exists. Further, the bill was a relatively simple one, and thus probably does not have an extensive history.