

REQUIRE DENTAL SCREENING OF CHILDREN

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Senate Bill 280 (S-1) as passed by the Senate

Sponsor: Sen. Sam Singh

House Committee: Health Policy

Senate Committee: Health Policy

Complete to 9-5-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 280 would amend the Public Health Code to require dental oral assessments for children who are registering for the first time in kindergarten or the first grade in a school in Michigan. However, the requirement would not apply to a child whose parent, guardian, or person in loco parentis provides a written statement that the requirement violates their personal religious beliefs. (Currently, such assessments are allowed and not required.) The bill also would eliminate a January 1, 2024 expiration date that now applies to these provisions.

The bill would amend section 9316, which was added to the code in 2020 and which, among other things, requires the Department of Health and Human Services (DHHS) to contract with a government entity or person to establish and maintain a dental oral assessment program. This program provides dental oral assessments for children registering for the first time in kindergarten or the first grade whose parents, guardians, or persons in loco parentis want such an assessment and did not have a dentist or dental hygienist conduct the assessment within the six months before the child's school registration.¹ Section 9316 took effect beginning in the 2021-2022 school year and will no longer apply beginning January 1, 2024.²

Under the bill, beginning in the 2023-2024 school year, a parent, guardian, or person in loco parentis applying to have a child registered for the first time in kindergarten or the first grade in a school in Michigan would have to do the following:

- Have a dentist or dental hygienist conduct a dental oral assessment on the child not earlier than six months before the date of the child's school registration and obtain from the dentist or dental hygienist a written statement, on a form prescribed by DHHS, certifying that the child received the assessment within that time frame.
- If the parent or guardian does not meet the above requirements, have a dental oral assessment conducted on the child by the government entity or person contracted with by DHHS for the dental oral assessment program established under the code.

¹ See https://www.michigan.gov/mdhhs/-/media/Project/Websites/mdhhs/Adult-and-Childrens-Services/Children-and-Families/Healthy-Children-and-Healthy-Families/Oral-Health/FAQs_Schools.pdf

² HFA summary of the 2020 public act that added section 9316: <https://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-4223-A9FEFDA9.pdf>

Beginning in the 2023-2024 school year, a parent, guardian, or person in loco parentis applying to register a child for the first time in kindergarten or the first grade in a school in Michigan would have to present one of the following to school officials at the time of registration or by the first day of school:

- The written statement provided by a dentist or dental hygienist, as described above, certifying that the child received the dental oral assessment within the six months before the date of the child's school registration.
- A written statement indicating that the parent, guardian, or person in loco parentis will provide for the child's dental oral assessment by the government entity or person selected by DHHS for the dental oral assessment program.
- A written statement that the dental oral assessment requirement violates the personal religious beliefs of the parent, guardian, or person in loco parentis. (This statement would exempt the child from the requirement.)

However, a child could not be excluded from school attendance if the parent, guardian, or person in loco parentis does not present a statement described above to school officials on or before the first day of school as required by the bill.

In addition, section 9316 currently allows a school district to continue to use a governmental entity or person it has contracted with to administer dental oral assessments to its students as long as all of the following are met:

- The district ensures that assessments are conducted by May 31 of each year.
- Notification requirements are met concerning indicated follow-up care.
- Reporting requirements are met concerning dental reports received by schools.
- The district provides DHHS with the name of the government entity or person that conducts the dental oral assessments; each date the entity or person is scheduled to provide the assessments; and the total number of assessments scheduled.

The bill would eliminate the last bulleted item above.

The bill also would make largely technical amendments to other provisions of section 9316 to reflect its proposed general requirement of dental oral assessments.

Finally, the bill would eliminate the sunset (expiration) clause that now provides that section 9316 does not apply beginning January 1, 2024.

MCL 333.9316

FISCAL IMPACT:

Senate Bill 280 would increase costs for the Department of Health and Human Services and local units of government by an additional \$2.7 million of state funding. According to DHHS, the estimated cost to the state to fully administer the Oral Health Assessment program across 45 local health departments would be \$4.5 million, serving approximately 112,000 kindergartners. For FY 2023-24, \$1.8 million has been appropriated on an ongoing basis from the School Aid Fund and GF/GP with an additional \$1.5 million of one-time

private funding from Delta Dental to carry out the program in the DHHS budget. The additional \$2.7 million of state funding would be needed for Phase 1 expansion completion along with the onboarding of the 25 local health departments that have not yet implemented the program. Senate Bill 280 may also increase costs to local units of government due to the administrative costs of implementing or maintaining the program expansion for local health departments.

It should be noted that initial program cost estimates were based on pre-pandemic wages, which have increased in previous years. Total cost will also be dependent on the number of families that take advantage of the program, as well as the cost of full coverage of large geographic areas, which is not accounted for in the current estimate.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.