



President's Report

Bryan Geremia

► Dr. Stewart suggests in his Dots and Dashes that spring has sprung and it is a time of renewal and rejuvenation. Well I guess that holds true unless you are in the dental benefits industry or a resident of the state of California. It seems that the same issues are shadowing us that were on our agenda last spring. Healthcare reform, state budget gaps and legislative infighting at the State Capitol.

It has been one year since President Obama signed the Affordable Care Act (ACA) into law. Since its passage, the ACA has been the source of debate in Congress, and among state officials, the media and the public. In fact, as you know, some members of Congress have called for its repeal, while some states (not ours) want the law declared unconstitutional.

Despite the ongoing political and legal challenges, CADP remains fully committed to and engaged in helping you through the obstacles related to health reform and how it impacts dental. We have been tracking legislative issues such as SB 122 (Price) which is intended to clean up language to last year's SB 1088 regarding coverage extended to adult dependents up to age 26. This clean up will state affirmatively that the requirement does not apply to specialty health plans. There are several other

ills that relate to ACA that could affect dental and we will continue to monitor and provide input with an end goal of exemption for dental specialty plans.

The CADP/CDA Work Group continues to meet in an attempt to resolve any issues that impact member plans and the CDA membership. I feel this work continues to be valuable and we will strive to alleviate any barriers to our important working relationships. However, there is a bill that we will be looking at sponsored by Assemblyman Huffman that would require health care service plans to pay interest on late or underpaid claims, similar to the bill the CDA attempted to sponsor last year.

Of course we will all be watching the ongoing soap opera of the state budget, special elections and the quest to cut services across every municipality throughout the state.

All the more reason for you to register and send as many people as possible to our Twenty-Second Annual Conference, June 1- 4, 2011, at the San Diego Hilton Resort & Spa. The theme of "Uncertainty: The New Normal for Dental?" certainly applies to this year. Register early and I look forward to seeing all of you in June!

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CALIFORNIA
ASSOCIATION
OF DENTAL PLANS

News

The CADP News is published quarterly. Your suggestions and/or comments are encouraged. Please write or call:

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DENTAL PLANS**

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Dots and Dashes

Charles D. Stewart, DMD
Chair, Quality Management Committee

Spring has sprung and during this historical time of renewal and rejuvenation it is important to take advantage of all opportunities for growth. Keeping with this theme, it is appropriate to remind all of you that the upcoming Quality Management Conference and Quality Assurance Consultant Course in San Diego will fulfill the needs of those desiring to renew their QA Consultant (Auditor) Certificates. And speaking of Renewal! The QA course is newly updated for 2011. All of the case studies are digitized, with a new case study for 2011 added to some of the returning favorites. These digitized patient records have been developed to permit reaching a consensus without many of the sources of discontent (though there are intentional sources of discussion remaining in the course). The structural review portion of the course has been renewed to comply with the guidance issued by government authorities for 2011, with an expanded lecture portion and a case study that takes attendees to a new office location while exploring the world of compliance. Yes, the two courses required for license renewal continue to be offered as a value-added benefit of the Quality Management Conference (These courses are once again required by the Dental Board of California for license renewal in the 2011-2012 cycle.) The two required courses are Infection Control and the California Dental Practice Act. Adding even greater rejuvenation is the addition of Dr. Cary Sun as a co-instructor of the course. Cary provides a new energy and excitement to the development of and teaching of the course materials. I am sure all in attendance will see this! In spite of his neophyte status, Cary acts as a seasoned pro, handling the toughest of questions with the greatest of ease! Plan to attend the Quality Management Conference June 3-4, 2011, in San Diego!

The March Quality Management Committee meeting was graciously hosted by Delta Dental. Thank you to Jeff Album, Jim Saunders and John Yamamoto for their wonderful hospitality. This meeting provided the opportunity to learn about some major issues facing medical and dental practices, specifically the mandated electronic health record. In preparation for this mandate, there will be many new CDT codes to minimize the 'by report' requirements of many of the existing codes. In addition, the current state of the economy and California's budget woes were discussed, along with concerns about the dental community and its apparent response via creative billing and treatment planning for plan patients.

The Children's Oral Health Initiative was again a central topic for the March meeting. Sean O'Brien presented a status report of the January OHAC meeting. Sean's message was that the Children's Health issue is getting more complicated because of reduced state commitment regarding dentistry (First Five, Healthy Families). Several other committee members reported activities in support of this QMC strategic initiative, especially in conjunction with Give Kids a Smile® and the National Children's Dental Health Month. It is estimated that with all the activity, committee members were able to reach (through education, screening or treatment) well over 6,500 children. Though this number seems to be quite large, its impact is small as far as the dental needs of children are concerned. It is estimated that there are still over 1 million children with unmet dental needs in the State of California alone. Plans with activities reported included Aetna, MetLife,

Regulatory Update

Marq Powers Antoine, Nossaman, LLP

Below is a chart updating the latest information on the Department of Managed Health Care's currently pending regulations and regulations under consideration.

CURRENTLY PENDING REGULATIONS		
Regulation	Status	Remarks
Discount Plan Regulations (Adds Rules 1300.49.1.1, et seq.)	The final regulations were submitted to the Office of Administrative Law (OAL) for review on November 12, 2010. On December 28, 2010 , the OAL issued its Decision of Disapproval of Regulatory Action. This Decision was based on the following reasons: (1) The regulations appear to authorize activities in conflict with or contradictory to the prohibitions contained in section 650 of the Business and Professions Code and section 445 of the Health and Safety Code. (Bus. & Prof. Code section 650 prohibits the offer, delivery, receipt, or acceptance by dentists (and other health care professionals) of any discount as an inducement for referring patients. Health & Safety Code section 445 prohibits referring or recommending persons to a physician, hospital or health facility for profit.) (2) The rulemaking file does not contain all of the required documents, and certain documents included in the rulemaking file are defective. (3) The DMHC's final statement of reasons does not contain a response to all of the comments submitted during the public comment period. (The OAL specifically pointed out that the DMHC did not respond to certain comments submitted by Nossaman on behalf of CADP.)	The DMHC has indicated its intent to resubmit the regulations within 120 days and address the points raised by the OAL. The OAL would then conduct another review based on the supplemented record and issue another decision. As of the date of this memo, we have not heard whether the DMHC has yet completed the resubmission.
REGULATIONS CURRENTLY UNDER CONSIDERATION		
Regulation	Status	Remarks
Proposed Rulemaking Calendar	Government Code section 11017.6 requires the DMHC to prepare a Rulemaking Calendar for the year by January 30, 2011. The OAL asked that this Rulemaking Calendar be submitted to the OAL on or before February 11, 2011 , which the OAL would then make available to the public.	The Rulemaking Calendar has not yet been published by the OAL. We anticipate the DMHC will undertake a limited revision to 2 CCR sections 1300.51 and 1300.52.

Legislative Update

Meg Catzen-Brown, Nossaman, LLP

▶ As it has for the last several years, the State Budget continues to dominate the news and activity at the State Capitol. You may remember that Governor Brown released his first budget proposal in mid-January, proposing \$12.5 billion in spending cuts, \$12 billion in “revenue extensions” and \$1.9 billion in “other solutions” to close the gap and provide for a \$1 billion “rainy day” reserve. The proposal included significant cuts from health and welfare and higher education, abolishment of local redevelopment agencies (for the purpose of redistributing the tax revenues that would otherwise flow to their coffers), and voter approval of a five-year extension on temporary income, sales, and car tax increases that were enacted in 2009 and are scheduled to expire July 1, 2011. Governor Brown asked the Legislature to adopt a budget conforming (more or less) to this formula by March 10 (the date this report was written), so that the matter of the tax extensions could be put before the voters in a June special election. He also expressed his hope that the tax extension measure(s) would be placed on the ballot by a 2/3 vote of the Legislature. The legislative Republican leadership indicated early on that Republicans would be reluctant to vote for such a measure, stating that to vote to put the measure on the ballot would be a violation of their pledges not to raise taxes. However, the state’s truly dire fiscal circumstances seems to have resulted in a willingness on the part of several Republican legislators to negotiate with the Governor in earnest. As of this writing, it remains to be seen if Republicans and Democrats will come together on a budget compromise.

Meanwhile, this year’s deadline by which bills must be introduced has passed – and as usual, legislators introduced 2/3 of this year’s legislation (1,715 bills and resolutions) in the last five days leading up to the February 18th deadline. Policy committees – which have been meeting only sporadically, mostly for informational hearings - will start hearing these bills as they become eligible for amendment and hearings in the weeks ahead. And, as usual, included among these bills are dozens that pertain to health care service plans and health care delivery. A handful likely will be at the top of CADP’s priority list this year.

First among those would be **SB 122 (Price)**, a follow-up to last year’s **SB 1088 (Price – Chapter 660, Statutes of 2010)**. SB 1088 was intended simply to conform state law to the requirement in the federal Patient Protection and Affordable Care Act (PPACA) that health care coverage be extended to adult dependents up to age 26. However, the federal law does not make this requirement of specialty plans, and the language of SB 1088 was ambiguous enough to require cleanup legislation which states affirmatively that specialty health plans are exempt from the provisions of SB 1088.

Other bills rooted in conformity with the PPACA include **AB 36 (Perea & Blumenfield)**, which would conform state income tax law to federal law as it pertains to state taxation of the value of health care benefits for adult dependents. This bill is on a fast-track to the Governor’s desk – it has already passed the Assembly on a unanimous vote, and is now pending action in the Senate. And **AB 242**, an Assembly Revenue & Taxation Committee bill, would also conform state income tax law to federal law with regard to the offering of “cafeteria plans,” Indian tribe health care benefits, and “free choice vouchers,” among other things. This bill was heard earlier this week in Assembly Rev & Tax Committee, and was sent to the committee’s suspense file.

CADP also will likely keep a close eye on **AB 52 (Feuer)**, a spot bill which declares the intent of the Legislature to enact legislation requiring the approval of the Department of Managed Health Care or the Department of Insurance for increases in health care service plans’ or health care insurers’ premiums, copayments or deductibles. As this bill is fleshed out, it may be necessary to seek an exemption for dental specialty plans.

And although the California Dental Association (CDA) has decided not to pursue its late payment legislation of last session, this year we will be looking at **AB 1059 (Huffman)**, which among other things would require a health care service plan to pay interest on late- or under-paid claims as well as an administrative penalty to DMHC. This bill has not yet been set for hearing.

Governor Brown has remained singularly focused on budget issues, and has not made very many appointments either at the Cabinet or department level. He has not yet named a Secretary for the Business, Transportation & Housing Agency, which oversees the Department of Managed Health Care. As you know, Cindy Ehnes has left DMHC, and the Department is now operating under the direction of Ed Heidig as interim Director. However, Speaker John Perez recently announced his selection of Paul Fearer, former Chair of PacAdvantage and Senior Executive VP and Director of Human Resources for Union Bank, as the Speaker’s appointee to the board of the California Health Benefit Exchange Board. That Board will be complete upon the appointment of a member by Senate President Pro Tempore Darrell Steinberg.

And of course, the special election beat goes on . . . As you may remember, the new legislative session began with two vacancies in the State Senate – SD 1 and SD 28 were both vacant, due to the deaths last year of Senators Dave Cox and Jenny Oropeza. The special election for SD 1 was held on January 4, and to no one’s great surprise, the seat was won by Ted Gaines (R – Roseville), who had won re-election to AD 4 only weeks before. The special election for SD 28 was held on February 15, and the seat was won outright by former Assemblymember Ted Lieu (D – Torrance). Also elected on February 15 to SD 17 was former Assemblymember Sharon Runner (R – Antelope Valley), who now will serve in a seat vacated by her husband, George Runner, when he assumed a seat on the Board of Equalization earlier this year. The next special election – the runoff to decide the race for the aforementioned AD 4 – will be held on May 3, with Republican Beth Gaines (wife of Senator Ted Gaines) facing Democrat Dennis Campanale. Mrs. Gaines should be considered the favorite to win this seat.

As always, don’t hesitate to contact me if you have any questions or seek additional information regarding any of the information in this report.

In the News...

▶ More Adults Delaying Health Care Because of Cost, CDC Report Finds

The percentage of U.S. residents ages 18 to 64 who say they delayed medical care because of cost has increased from 11% in 1997 to 15% in 2008, according to a report from CDC's National Center for Health Statistics. The annual report also found that the percentage of U.S. adults who did not receive prescription drugs because of cost increased from 6% to 11%, and the percentage of U.S. adults who did not receive necessary dental care rose from 11% to 17%.

▶ Debate Stirring Over Idea of Merging Health Plan Oversight Agencies

As California works to reduce state spending and implement the federal health reform law, policymakers and advocates are debating whether to combine the Department of Managed Health Care and Department of Insurance. California is the only state with two agencies that oversee health insurers. Currently, DMHC regulates health plans with 21.6 million state residents, while the Department of Insurance regulates plans which cover approximately 2.4 million Californians.

Although no legislation has been drafted to combine the departments, some stakeholders have proposed shifting all health insurance regulation to one agency or the other. During his campaign for office, newly-elected Insurance Commissioner Dave Jones called for the two departments to better collaborate and possibly merge. According to the Department, the dual structure is "confusing to consumers, inefficient and duplicative and can definitely lead to regulatory inconsistency." However, the DMHC has expressed concern about the idea of allowing DOI to regulate all insurers, since the DMHC oversees more health plans and has more authority to regulate quality and continuity of care than the DOI.

The California HealthCare Foundation has hired a consultant to analyze the issue and release a report on the issue of such a merger. It is scheduled to be released this summer.

▶ Special Election to Extend Taxes Losing Support

Governor Jerry Brown's effort to place a tax-and-cut budget before the public in a special election has lost support from the public, although half of the likely voters surveyed still think it's a good idea, according to the latest poll by the Public Policy Institute of California. Sixty-six (66) percent of likely voters supported the idea in January. Now, about 51 percent back it, the survey found. Among Democrats, support has dipped from 73 percent two months ago to 64 percent now. Republican support, meanwhile, dropped from 55 percent to 34 percent. The findings were based on a telephone survey of 2,000 California adult residents interviewed on landlines and cell phones from March 8–15.

Support has also declined since January for the package that voters would be considering—a five-year extension of temporary increases in income and sales taxes and the vehicle license fee to avoid additional budget cuts. Today, less than half (46 percent all adults and likely voters) favor the governor's proposal, a decline of 7 points among all adults and 8 points among likely voters.

Dots and Dashes... continued from page 2

Pacific Dental Services, Health Net, United Concordia and SmileCare. These plan activities allow additional access points and start the process for many children, some of whom have never seen a dentist! I would like to specifically recognize the efforts of, and congratulate Lesa Paige Bentley who, in conjunction with Angel City Dental Society, was able to reach over 5,000 children!

The shared assessment warehouse project was discussed, especially the coordination aspect of the program which allows a plan to select an office it desires to review, and also allows the identification of an office to be referred to another plan by establishing a communication channel that permits such identification and coordination. This is for assessments that are planned in the near future. The ability to extract existing assessments was also discussed. Cary Sun is the champion of this aspect of the warehouse and his goal is to allow a plan to receive maximum return for their investment. There are nearly 5,000 practices with assessments in the warehouse, with over 10,300 assessments in place. Many of these are duplicates, and if they were coordinated, the duplication could have been avoided.

Remember to do your Spring Thing! Renew and rejuvenate (and maybe relax) at the Quality Management Conference in San Diego on June 3 & 4! See You There!

22nd Annual Conference

"Uncertainty: The New 'Normal' for Dental? – Part II"
June 1-4, 2011 - Hilton San Diego Resort & Spa, San Diego CA

▶ It seems like DÉJÀ VU! Last year at this time we were talking about a conference and a theme of *Retooling for a New Landscape*. Well, we have all "retooled," but the landscape's still the same! Unprecedented budget deficits for California, high unemployment and continued uncertainty regarding Health Care Reform and its effects on our industry and all of us as individuals. And California continues to move ahead with its version of the Exchange – what will that mean for dental?

There is one positive constant: the CADP Annual Conference remains one of the most popular and valuable venues for all of our member plans. Be assured that this year's event will be just as informative and enlightening as past conferences.

Our conference this year will explore the economic effects of Health Care Reform and the continued uncertainty of this legislation. We'll talk about current dental trends and hear expert opinions from guests both from inside and outside our industry. We invite you and your staff to attend and have once again extended an affordable fee schedule to encourage participation of your middle managers and support staff at this important event.

We will have ample time set aside for networking with fellow plan participants and enjoying the great Hilton San Diego Resort & Spa! Make your reservations early, and see you in San Diego!!

Go to www.caldentalplans.org to download a conference brochure and registration form, and to make reservations. A registration form has also been included in the newsletter.

▶ TENTATIVE SCHEDULE:

Wednesday, June 1:

- 2:30 pm - 5:00 pm Registration
- 12:00 pm - 2:30 pm Board of Directors' Meeting
- 2:30 pm - 5:00 pm Exhibit set-up
- 3:00 pm - 5:00 pm Annual Meeting
- 5:00 pm - 6:00 pm Welcome Reception

Thursday, June 2:

- 7:00 am - 5:00 pm Registration
- 8:00 am - 8:45 am Continental Breakfast
- 8:00 am - 4:30 pm Exhibits Open
- 9:00 am - 4:30 pm Annual Conference
- 3:30 pm - 4:30 pm Dessert with Exhibitors
- 7:00 pm Fun Night: "CADP Goes Hollywood!"

▶ PROGRAM:

- 9:00 am – 10:00 am Keynote Presentation: "Uncertainty: The New Economic Normal"?
Christopher Thornberg, Ph.D., Founding Principal, Beacon Economics
- 10:00 am – 10:45 am Break - Visit Exhibits
- 10:45 am – 11:45 am "Dental Insurance: Differentiate to Win?"
Alan Vogel, CEO, Alan J. Vogel Dental Consulting
- 12:00 pm – 1:00 pm Luncheon

▶ **TENTATIVE SCHEDULE CONTINUED...**

- 1:15 pm – 2:30 pm "The Agent's Perspective: The Evolving Relationship between Dental Plans and Agents, HCR's Impact on that Relationship and Selling Dental in an HCR World"
Moderator: Brian Watts, Executive Vice President, First Dental Health
Neil Crosby, Director of Sales, Warner Pacific Insurance Services
Bill Hammett, President, Hammett Health Insurance Services
Neal Stehly, Vice President, Benefits Division, Marris Maddocks and Associates Insurance Services
Jane Ramshaw, President, Ramshaw, Inc.
- 2:30 pm – 3:30 pm "Technology's Impact on the Consumer's Experience and Why the Dental Benefits Industry Must Respond"
Bret Guenther, CEBS, President and CEO, go2dental
- 3:30 pm – 4:30 pm Dessert Break – Visit Exhibits
- 7:00 pm Fun Night: CADP Goes Hollywood!

Friday, June 3:

- 7:00 am - 12:00 pm Registration
- 7:30 am - 8:45 am Continental Breakfast
- 7:30 am - 12:00 pm Exhibits Open
- 8:00 am Board of Directors' meeting
- 9:00 am - 1:00 pm Annual Conference
- 9:00 am - 5:45 pm Quality Management Conference
- 12:00 pm – 1:00 pm Luncheon
- 1:00 pm Annual Conference concludes

▶ **PROGRAM:**

- 9:00 am – 10:30 am "From Legislation to Reality - 2011 and Beyond: An Update on the California Exchange"
Moderator: Jeff Album, Vice President, Delta Dental of California
S. Kimberly Belshé, Member, California Health Benefit Exchange (invited)
Evelyn Ireland, Executive Director, National Association of Dental Plans
Vince Mudd, Chairman, San Diego Chamber of Commerce (tentative)
- 10:30 am – 11:00 am Break – Visit Exhibits
- 11:00 am – 12:00 pm "Regulatory Outlook: A Joint Discussion"
Moderator: Mary Powers Antoine, Nossaman LLP
Dave Jones, Insurance Commissioner, State of California (tentative)
Ed Heidig, Acting Director, Department of Managed Health Care

- 12:00 pm – 1:00 pm Luncheon
- 1:00 pm Conference concludes

Saturday, June 4:

- 7:30 am – 4:30 pm QMC Conference

Quality Management Conference

June 3-4, 2011

Friday, June 3:

- 7:30 am – 8:45 am Continental Breakfast/Visit Exhibits
- 7:30 am – 12:00 pm Exhibits Open
- 9:00 am – 1:00 pm Annual Conference
- 9:00 am – 5:45 pm Quality Management Conference
- 12:00 pm – 1:00 pm Luncheon

▶ FRIDAY PROGRAM:

- 9:00 am – 10:30 am Introduction and History, Case Study 1
- 10:30 am – 11:00 am Break - Visit Exhibits
- 11:00 am – 12:00 pm "Regulatory Outlook: A Joint Discussion"
Moderator: Mary Powers Antoine, Nossaman LLP
Dave Jones, Insurance Commissioner, State of California (invited)
Ed Heidig, Acting Director, Department of Managed Health Care
- 12:00 pm – 1:00 pm Luncheon
- 1:30 pm – 3:00 pm Infection Control *, Facility Lecture and Case Studies
- 3:00 pm – 5:45 pm Proctored Study Hall – question and answer period
- Dinner on own

Saturday, June 4:

- 7:30 am – 8:00 am Continental Breakfast
- 8:00 am – 3:00 pm Quality Management Conference
- 12:00 pm – 1:00 pm Luncheon
- 1:45 pm Certification Examination

▶ SATURDAY PROGRAM:

- 8:00 am – 10:00 am California Dental Practice Act *
- 10:00 am – 12:00 pm Cases 2, 3 and 4
- 12:00 pm – 1:00 pm Luncheon
- 1:00 pm – 1:45 pm Case 5
- 1:45 pm Credentialing Examination

* Required courses for license renewal

Registration Policies

REGISTRATION POLICIES

To qualify for advance registration fees, the CADP administrative office must receive registration form and payment by *Wednesday, May 18, 2011*. Registrations received after that date are subject to late registration fees. Only written cancellations received by May 18 will receive refunds (less a \$50 processing charge). *No refunds will be issued for cancellations after that date.*

To Register: Registration forms must be complete and accompanied by payment. CADP accepts checks, Visa, MasterCard and American Express only. Checks should be made payable to CADP. If payment will be made by credit card, please complete the following information:

MasterCard VISA American Express

Credit Card Number _____ Exp. Date ____ / ____ Security Code _____

Name on Card _____ Zip Code _____

Signature _____

Questions? Call (916) 446-3122, FAX (916) 444-7462 or e-mail: mrice@amgroup.us.

REGISTRATION FEES

ANNUAL CONFERENCE — JUNE 1-4, 2011

Registration Fees:	By May 18	After May 18
CADP member - 1st registrant	\$655	\$755
CADP member - Additional registrant(s), same company	\$555	\$655
AADC member	\$655	\$755
Non-CADP member	\$905	\$980
Non-affiliated spouse/guest (general sessions, luncheons)	\$230	\$255
Thursday Fun Night (spouse/guest) (registrations in first four categories include one ticket for Fun Night)	\$135	\$155

QUALITY MANAGEMENT CONFERENCE — JUNE 3-4, 2011

Registration Fees:	By May 18	After May 18
CADP member	\$555	\$655
AADC member	\$555	\$655
Non-CADP member	\$755	\$855
Thursday evening event (optional)	\$135	\$155

NOTE: Quality Management Conference fees do not include the Thursday Fun Night. Tickets are \$135 and may be purchased separately. Complete the "Thursday Fun Night" portion of the registration form and include payment with the registration fee.

CONFERENCE REGISTRATION

Please type or print clearly. Your badge will reflect the information you give us. Make one copy for each person attending.

NAME _____ TITLE _____

ORGANIZATION _____ E-MAIL _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PHONE _____ FAX _____

SPOUSE/GUEST NAME _____

Annual Conference Registration Fee \$ _____

Quality Management Conference Registration Fee \$ _____

Non-affiliated Spouse/Guest Registration Fee \$ _____

Thursday Evening Event (optional event for Quality Management Conference & Spouse/Guest registrants) \$ _____

TOTAL FEE ENCLOSED \$ _____

For office use only
Amt. paid _____
Amt. due _____
Fwd date _____
Reg date _____
Update _____

Mail or FAX registration form and payment or credit card information to CADP
 One Capitol Mall, Suite 320, Sacramento, CA 95814-3229 FAX: 916.444.7462