

SECTION 10

LEGISLATIVE ACTION

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Legislative Process

The Massachusetts state legislature operates in two-year cycles. These two-year legislative sessions begin in January of odd-numbered years.

We are currently in the first year of the 194th Massachusetts General Court, consisting of the Massachusetts State Senate and the Massachusetts House of Representatives. This session convened on January 1, 2025 and will continue until December 31, 2026.

At the onset of the legislative session, thousands of pieces of legislation (called dockets) are introduced and assigned to various subject matter committees. These committees are comprised of both senators and representatives from differing political parties.

During this phase, the committee will assign the bill number that will remain with the legislation during its lifetime and hold hearings. Hearings are typically comprised of many bills of similar subject matter. From here, the committee decides if legislation should proceed forward, typically a bill will be reviewed and heard by several different committees before reaching the full House or Senate respectively.

During its lifetime, a bill may be amended, edited, or even combined with legislation of a similar nature into one larger bill (omnibus bill). It can often take an entire legislative session for a bill to be brought to a vote. Bills which are not passed must be re-filed each legislative session.

Communicating with Legislators

During the entire legislative process, MDS staff and MDS contracted lobbyists meet with legislators to ensure that they understand the organization's position on issues that impact the dental profession or the oral health of the residents of the Commonwealth. At the same time, the MDS utilizes online tools to make it easier for MDS members to contact their individual legislators quickly and confidently regarding these issues.

Throughout the legislative session, the MDS may send emails to members asking them to act on the issues the MDS is advocating for or against. District leaders can play a significant role in getting the message out to their colleagues about taking action. Visit massdental.org/advocacy to learn more about what is happening during the legislative session.

Grassroots Meetings

Additionally, the MDS assists members in hosting informal meetings between local dentists and their legislators. These meetings provide dentists and area legislators with an informal opportunity to discuss issues regarding oral health and the profession of dentistry. This process allows dentists to build relationships with their legislators, helping to further the legislative initiatives of the MDS. Additionally, MDS members may be invited to join the MDS director of government affairs and dental practice, in meeting with legislators at the State House to help convey our message. It is vitally important for every lawmaker to be aware of the issues important to dentistry. These meetings are another step in the

continuing effort to communicate our concerns to our elected officials by providing the basis from which both sides can develop a stronger working relationship. To schedule a meeting with your legislator, please contact Daniel DiTullio, MDS director of government affairs and dental practice, at 508.449.6021, or dditullio@massdental.org.

MDS-PAC

The MDS Political Action Committee (MDS-PAC) is an independent, non-partisan, political organization solely dedicated to the advancement of the dental profession. The MDS-PAC can support candidates for elected office, attend fundraisers, and build relationships with political candidates. This connection helps ensure that the candidates with oral health interests are elected. Only the MDS-PAC, not the MDS, is allowed to participate in the election process. Legally, the MDS is prohibited from using member dues to support political candidates. Learn more at massdental.org/PAC.

Beacon Hill Day 2025

MDS members used their collective voice to advocate at the 2025 MDS Beacon Hill Day on Wednesday, June 4, 2025. Nearly 100 members gathered at the State House in Boston to talk to legislators about oral health initiatives relating to patients and the dental profession. The day started with speeches from State Representative Angelo Puppolo, State Senator John Cronin, and Speaker of the House of Representatives Ron Mariano who all thanked the MDS for bringing awareness.

Apart from Legislators, attendees also heard from MDS President Dr. Able Abdul, MDS Government Affairs Committee Chair Dr. Fran Clairmont, and ADA President-Elect and Massachusetts native Dr. Rich Rosato.

Following the morning presentation, members hit the halls of the State House meeting with legislators to discuss the current MDS legislative agenda. Sixty-five meetings were held in just 90 minutes! Members were then treated to lunch, followed by a presentation from Representative Tackey Chan, who sponsored both of our successful pieces of legislation in 2024. The afternoon was closed out with an appearance from Lieutenant Governor Kim Driscoll. In her speech to attendees, she addressed the current disruption in MassHealth payments and the commitment of the Healey Administration's to resolve the situation.

Future Beacon Hill Days

Moving forward, MDS Beacon Hill Day will take place in the first year of the legislative calendar (2025, 2027, 2029). However, be assured that even with this alternating-year plan the Government Affairs Committee will continue to work year-round to advocate and keep our members informed.

2024 Legislative Wins:

[Dental Hygienist Reciprocal Licensure](#)—SIGNED INTO LAW JANUARY 2025

An Act relative to dental hygienist reciprocal licensure | H.4842 (formerly H.3880)

This bill was signed by the Governor of Massachusetts on January 10, 2025. This law provides a responsible and safe pathway for foreign-trained dentists to practice dental hygiene in Massachusetts. It's a solution that protects access to care, ensures practices are adequately staffed, and extends opportunity to immigrant communities who are integral to the fabric of our state.

[Dentist Diversion Program](#)—SIGNED INTO LAW DECEMBER 2024

Governor Maura Healey signed into law H.5143, An Act Relative to Treatments and Coverage for Substance Use Disorder and Recovery Coach Licensure (which included language from bill H.300).

This landmark legislation includes provisions to establish a dental diversion program within the Bureau of Health Professionals Licensure (BHPL), which oversees both the Massachusetts Board of Registration in Dentistry (BORID) and the Unified Recovery and Monitoring Program (URAMP) a key initiative first introduced through House Bill 300.

PLEASE NOTE: Although the passage of these laws is a “win” for dentists and patients in Massachusetts, the work is not over. The bills instructed the State what to do; however, the State still needs to promulgate the rules and regulations that will put the new laws into use. A law does not take effect until this sometimes lengthy process has been completed. In the meantime, we ask that people refrain from contacting the Board of Registration in Dentistry (BORID) regarding these pending laws, as they cannot provide any assistance until the final regulations are in place. The MDS will closely monitor the process and provide input to the State when appropriate. We will keep members informed as the process progresses.

2025-2026 Legislative Agenda

Legislation sponsored by the MDS

- **Virtual Credit Cards. S.704:** Act relative to the use of virtual credit cards by dental insurance providers (Sponsored by Senator John Cronin) Joint Committee on Financial Services
 - Virtual Credit Cards (VCC) are digital credit cards that function like physical credit cards. These cards are often used by insurance companies to simplify payment processes between themselves and dental practices. However, VCCs add to the financial challenges that dentists already face. including but not limited to merchant and transaction fees.
 - This bill would require that a dentist (provider) opt-in to receive payment via virtual credit cards once all associated fees have been disclosed. An insurance carrier can ONLY pay a provider in this manner once they have opted in and agreed to receive said payments in this form.
- **Patients First Act. H.1291:** An Act further clarifying the delivery of health care (Sponsored by Representative Angelo Puppolo) Joint Committee on Financial Services
 - This legislation, a refile of house Bill 1123 (2023-2024), clarifies that the 2022 Patients First Act requiring advance disclosure of the cost of medical procedures—with \$2,500/incident fines by the DPH—“shall not apply to any provider licensed to practice dentistry.” The Patients First Act was passed in 2020, and unlike the federal No Surprise Billing Act, is being applied to dental care. It is the opinion of the Massachusetts Dental Society that this inclusion was an unintended consequence of the original legislation. As of January 1, 2025, the Patients First Act implementation was delayed until January 1, 2027.
 - Apart from legislative action, the Government Affairs Director has been working closely with the Executive Office of Health and Human Services regarding the questions and concerns our members have raised about this law.
- **Non-Covered Services. H.1292** An Act relative to financial services contracts for dental benefits corporations (Sponsored by Rep. Angelo Puppolo) Joint Committee on Financial Services

- o This legislation is a redraft of House Bill 1122 (2023-2024). Under current Massachusetts law, dental benefits companies can fix reimbursement fees, even for services that dental benefits companies do not actually reimburse (i.e., tooth whitening, veneers, and/or other cosmetic procedures). This price cap is unfair, unjustified, and unduly forces dentists to shift costs to private-pay patients who are, disproportionately, young people, seniors, and working families whose employers don't offer dental plans.
- o The 2025 version of this bill reflects "non-covered services" language that has been adopted in more than 30 other states, has been approved by the National Association of Insurance Legislators (NCOIL), and is in line with the American Dental Association (ADA) policy on covered services.

Legislation supported by the MDS

- **Healthcare Reform Inclusion Opposition.** H.2382 An Act relative to office-based surgical centers (Sponsored by Representative Tackey Chan) Joint Committee on Public Health
 - o This bill was filed by the Massachusetts Society of Oral and Maxillofacial Surgeons (MSOMS) with support from the Massachusetts Dental Society (MDS). In late 2024, the Massachusetts legislature passed a sweeping healthcare reform bill in response to recent issues surrounding Steward Healthcare in Massachusetts. This bill has an unintended consequence of creating an additional layer bureaucracy with the review by the Massachusetts Health Policy Commission of reporting and fees already handled by the Board of Registration in Dentistry. Filed by the Massachusetts Society for Oral and Maxillofacial Surgeons (MSOMS).
- **H.1258: An Act requiring coverage of medically necessary, oral and dental care for head and neck cancer survivors and H.1257: An Act relative to ensuring treatment for genetic craniofacial conditions.**
 - o The Massachusetts Dental Society is once again supporting these two important bills which seek to expand insurance coverage for cancer survivors and patents seeking treatment for certain genetic conditions. These bills would require insurance policies in Massachusetts to offer comprehensive coverage for medically necessary functional repairs or restorations of craniofacial disorders resulting from congenital diseases or anomalies as well both dental and rehabilitative care associated with head and neck cancer within the state. (Filed by Representative Paul McMurty) Joint Committee on Financial Services

Legislation opposed by the MDS

- **H.1262 An Act relative to dental insurance** (Sponsored by Rep. Paul McMurty) Joint Committee on Financial Services
 - o This bill proposes several significant changes to Chapter 176X of the General Laws (Dental Loss Ratio Law, achieved through ballot initiative in 2022). The changes outlined in this legislation completely undermine the original intent of the ballot question and the regulations approved by the Division of Insurance in response to the ballot measure.
- **H.2548 An Act banning artificial fluoridation schemes** (Sponsored by Rep. Justin Thurber) Joint Committee on Public Health

- o This bill proposes an amendment to Chapter 111 of the General Laws by revamping Section 8C. The primary focus of this legislative change is to prohibit the Commonwealth of Massachusetts from augmenting fluoride levels in municipal water systems through the application of fluoridation water additives. If this bill is enacted, no municipal water supply in Massachusetts would be permitted to alter its natural fluoride concentration using external fluoridation substances.

Medical Loss Ratio Ballot Initiative

In November 2022, Massachusetts became the first state in the nation to pass Dental Loss Ratio (DLR) legislation, also known as Medical Loss Ratio (MLR). This regulation requires that dental insurance companies spend at least 83% of patient premium dollars on patient care.

The Division of Insurance also conducted a special examination in 2023 for the purpose of understanding the market for dental insurance in Massachusetts. The report from this examination summarizes dental coverage as of 2022 and compares it to the results of a prior examination which presented information as of 2012.

Since the passage of the ballot initiative the following steps have been taken.

- On April 4, 2024 the Division of Insurance (DOI) released the regulation to implement [M.G.L. c. 176X, created under Chapter 287 of the Acts of 2022](#) (Question 2)
- The regulation was filed with the Massachusetts Secretary of State and officially published on April 12, 2024, making it law. Dental insurers were required to begin reporting in January 2025.
- Summer 2024, dental insurance companies provided the Massachusetts Department of Insurance (DOI) with their plan to meet the 83% ratio spending on patient care for 2025
- Summer 2025, dental insurers will have access to customer rebate forms and DLR reporting templates for 2026
- Summer 2025, dental insurers will submit to the DOI their plan to meet the 83% ratio for 2026 patient care
- 2026 (month TBD), dental insurers will submit rebates and reporting forms to the DOI for 2025 patient care

We're proud that the Massachusetts landslide victory created a wave of change across the country. The American Dental Association recently reported that twenty-three states have taken steps to implement a version of dental loss ratio regulation (DLR) since 2023. North Dakota has become the most recent state to pass DLR regulations, and many others are considering moving forward with similar legislation. Each one of these victories puts patient care at the forefront!

Close of 2023/2024 Legislative Session:

On August 1, 2024, at approximately 10:00 am, the Massachusetts legislature adjourned the current legislative cycle after a nearly 24-hour closing session. With the cycle ending, and because it is an election year, their business has essentially concluded until 2025.

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In the final days of the cycle, the Massachusetts House and Senate had several major bills pending, including several that the Massachusetts Dental Society (MDS) was actively advocating both for and against. Disappointingly, on the morning of August 1, these matters, and MANY more, were left unresolved. However, the legislature has given strong indicators that they will return for a special formal session before the end of the calendar year to address some of these unsolved issues.

Despite the session ending, two of our bills remain active in the process:

- [H.4842 An Act relative to dental hygienist reciprocal licensure](#), was passed by the House and remains with the Senate Committee on Ways and Means
- [H.300 Act establishing a dentist diversion program](#), is currently with the House Committee on Ways and Means.

We are continuing to work with our partners at the Statehouse to advocate for our proposed legislation during any informal sessions held before the end of the calendar year. These informal sessions typically address smaller pieces of legislation that have no opposition.

Also, the MDS was closely monitoring three significant pieces of legislation that had been expected to be finalized by August 1, 2024. We remain hopeful that although the deadline has passed, these bills will be addressed by a special formal session, which could be scheduled before the end of the calendar year. These bills include:

- [Hospital Oversight/Market Review–H.4653/S.2881](#), which includes language that would create redundant regulations for our members. The MDS filed several amendments to exclude dental care providers from this bill.
- [Substance Use Disorder–H.4758/S.2921](#), which contains several measures to combat the ongoing opioid epidemic and expand access to treatment for alcohol or substance use disorders. The MDS successfully added language to support our Dentist Diversion plan as part of this bill. Unfortunately, at the eleventh hour, the Senate and House were unable to come to a consensus on the overall bill.
- [FY'24 Supplemental Budget–H.4799/S.2891](#), an Act making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects. This addendum to the FY24 Budget contained language, filed by our colleagues at the Massachusetts Medical Society to postpone the

implementation of the Patients First Act (until 2027). This delay will give the MDS additional time to address [H.1123](#), which requested the exclusion of dentists from the provisions of the bill.

We will continue to work on these matters, with the goal of having them addressed in informal or special formal sessions over the coming months. Thank you all for your tremendous efforts. We will continue to update you on any changes.

Please do not hesitate to contact MDS Director of Governance [Dan DiTullio](#) with questions.

Medical Loss Ratio Ballot Initiative

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The regulation was filed with the Massachusetts Secretary of State and officially published on April 12, 2024, making it law. Dental insurers are required to begin reporting in January 2025. The final regulations may be found [here](#).

The Division of Insurance also conducted a special examination in 2023 for the purpose of understanding the market for dental insurance in Massachusetts. The report from this examination summarizes dental coverage as of 2022 and compares it to the results of a prior examination which presented information as of 2012. Review the report.