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ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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October 2, 2007

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Ms. Susan Tucker
Executive Director
Office of Health Services
Department of Health and Mental Hygiene
201 West Preston St.
Baltimore, Maryland 21201

Dear Mr. Dinesman and Ms. Tucker:

After the death of twelve-year old Deamonte Driver, who died of a brain infection caused by untreated tooth decay, the Domestic Policy Subcommittee began an investigation into the adequacy of access to dental care for Medicaid beneficiaries in the State of Maryland. On May 2nd we held a congressional hearing to examine the circumstances that led to Deamonte's death.

In preparation for the hearing, Majority staff evaluated the adequacy and reliability of United HealthCare Group's ("United") dental provider network in the form that Deamonte's family and their advocates had available to them. Staff found that United's dental provider network available online was virtually useless to parents and guardians. Our investigation showed that of the 24 general dentists in the United dental network in Prince George's County, only 15 of them were unduplicated, 3 would not return phone calls, 2 were fax numbers, 1 was a wrong number, 8 said they did not accept Medicaid, and the 1 dentist on the list who did accept Medicaid was an oral surgeon and not a general dentist.

United disputed the Subcommittee's findings in a Washington Post article in which the Company stated that it had a robust network of 92 dental providers in Prince George's County.¹ A United representative said, "We've got 92 dentists in Prince George's County and in 2006 we paid claims to 78 of them. I don't know where [Congressman Kucinich] is pulling that from."

The Subcommittee requested and evaluated documentation of United's dental network and records of the claims submitted for services rendered to United beneficiary children in 2006. The Majority staff's findings are as follows:

1. Deamonte Driver was one of over 10,780 Medicaid eligible children in Maryland who had not seen a dentist in four or more consecutive years.

At the time of his death, Deamonte Driver had not been seen by a dentist for four consecutive years. Upon reviewing United's records, the Subcommittee discovered a significant problem of chronic underutilization among the company's enrollees. According to United's records, 10,780 Medicaid-eligible children enrolled with United had not seen a dentist in four or more consecutive years. Another 22,110 children had not received dental care in at least two years. The lack of dental visits proved fatal in Deamonte's case. The prevalence of thousands of similarly situated children throughout Maryland is cause for concern.

2. Only 7 dentists provided 55% of total services to United beneficiaries in Prince George's County.

United's encounter data of dental visits made and treatments completed in Prince George's County for the calendar year 2006 revealed that only seven providers represent 55% of all of the 18,085 claims received.

3. Only 3 dentists at a single practice provided 35% of total services to United beneficiaries and received 41% of all payments made by United to dental providers in Prince George's County.

The encounter data also showed that of the seven most active dentists, three provided 35% of total services, or 6,182 claims. Those three dentists share a single practice located in two offices in Prince George's County. The amount paid to their offices represents 41% of all payments made by United to Medicaid dental providers, or \$876,758. The dental practice would have to serve approximately 60 children a day in order to submit 6,182 claims in 2006. The Subcommittee is alarmed that a single dental

¹ Otto, Mary, "Death of Maryland child explores dearth of dental care," Washington Post, May 3, 2007.

practice comprised of 3 dentists, is bearing the weight of Prince George's County dental needs.

4. Nineteen (19) dentists listed in United's dental network provided zero services to eligible children in Prince George's County.

According to United's encounter data of dental services rendered in 2006, 19 of the dentists included in its dental network provided zero services to Medicaid beneficiaries.

5. Twenty-two (22) dentists listed by United provided services to only one child merely a single time and 45 dentists cared for eligible children less than 10 times in Prince George's County.

According to the encounter data provided by United, 22 dentists saw only one United beneficiary a single time the entire year of 2006. In the same year, an additional 23 dentists cared for a United-enrolled beneficiary child more than once and fewer than 10 times.

6. Seven (7) dentists were unreachable by phone.

The Subcommittee called the entire list of Prince George's County dentists provided by United. Seven (7) dentists could not be reached by telephone. They were unreachable for a number of reasons: because the number listed was disconnected; the dentist listed had left the dental office; or the wait time for a representative was abnormally long. Of those listed dentists that answered the telephone, 14 stated that they "never took Medicaid." During a second round of calls, several of the 14 offices indicated that they did indeed accept Medicaid but no longer do so. Some of those dentists who reported that they no longer accept Medicaid continue to offer services to their pre-existing Medicaid patients. One of the offices stated that it not only refuses United's Medicaid but that it also does not accept United's PPO.²

7. Twenty (20) dentists asserted by United to be in the network were later excluded by United in their response to the Committee's inquiry.

² The methodology used to conduct this verification process: the caller first asked, "Does your office accept Medicaid?" Irrespective of the answer, the caller then asked, "Does your office accept AmeriChoice or United HealthCare's Medicaid?" If the response was "yes" the questioning stopped, if the response was "no," the caller asked a final question, "Does your office accept United HealthCare's PPO?" After completing the first round of calls, the caller made a second round of calls to the offices that answered "no" to the first and/or second questions for clarification purposes.

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In response to the Subcommittee's request³ for a complete list of United's dentists in Prince George's County, United amended its assertion made to the Post and indicated that only 72 of the 92 dentists it previously reported are participating in United's Medicaid dental provider network.

8. United changed its web site after Congress began its inquiry.

The Subcommittee majority staff's investigation into United's dental network was originally conducted in April 2007. At that time only one searchable database existed on United's Medicaid dental directory.⁴ Clicking on "Specialty type" and selecting "General Dentistry" in "Prince George's County" yielded the 24 results on which the Subcommittee's findings were based.

Shortly after the Subcommittee's May 2nd hearing, United added another link to its Medicaid dental directory.⁵ This directory belongs to Dental Benefit Providers which is a wholly-owned subsidiary of United. Dental Benefit Providers (DBP) provides private label dental benefits to health plans and insurance companies and presently services fourteen other health plan and/or insurance companies nationally in addition to United.⁶ Despite this progress, the Subcommittee remains concerned that neither United nor the Maryland Department of Health and Mental Hygiene ("DHMH") had addressed that obvious negligence before the hearing.

The Subcommittee staff's investigation into the adequacy of access to dental care for Medicaid eligible children in Maryland raises serious questions about the quality of United's network of providers and the reliability of the lists the company publishes for use by its enrollees. The Subcommittee Majority staff's experience indicates the real difficulties parents and guardians experience in identifying a general dentist to serve Medicaid beneficiary children. Calling the dental offices United listed is a hit-or-miss exercise. Few of its dentists are consistent providers, and finding them is difficult.

The Subcommittee would like to know what United and DHMH plan to do to address each of the issues raised in this letter. Please include a timetable detailing the execution of these plans.

³ Document request sent to United HealthCare dated May 4, 2007.

⁴ See http://www.uhcmedicaid.com/find_doctor/first.jsp?xplan=uhcmed&xtitle=Doctor.

⁵ See <https://www.myuhcdental.com/presence/release/memberfaqs.asp> and https://www.myuhcdental.com/presence/release/MemberLocateDentist.asp?nwgp_id=NG0000000003.

⁶ See https://www.dbp.com/presence/release/aboutdbp_overview.asp.

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The Subcommittee requests your response to these findings and its request for your response plan no later than 5 PM on Friday October 19, 2007.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X.

If you have any question regarding this request, please contact Noura Erakat of the Subcommittee staff at (202) 226-5867.

Sincerely,



Dennis J. Kucinich
Chairman
Subcommittee on Domestic Policy



Elijah E. Cummings
Member of Congress

cc: Darrell Issa
Ranking Minority Member

cc: Dennis Smith
Director, Center for Medicaid and State Operations