

TDA TODAY

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Modernizing Medicaid Oversight in Chapter 32



Improvements are coming to Medicaid oversight that aim to better support providers and strengthen program integrity. With the passage of Senate Bill 1038 during the 89th Texas Legislative Session, Chapter 32 of the Human Resources Code has been updated to better align with today's health care environment.

The purpose of this article is to help Medicaid dental providers understand what's changing, why it matters, and how the updates promote fairness, clarity, and consistency. These changes reflect a shared commitment to high-quality care and responsible stewardship of Medicaid resources.

Why was it needed?

Medicaid has changed significantly over the past few decades with the rise of managed care, digital health records, and evolving health care delivery models. These significant changes required that the law governing Medicaid fraud and abuse evolve as well.

Chapter 32 had not been substantively revised in nearly 40 years. SB 1038 addressed the need to reflect the realities of health care today by aligning Chapter 32 with the violations outlined in Human Resources Code Chapter 36 and the Penal Code Chapter 35A, enabling consistent pursuit of misconduct across criminal, civil and administrative domains. SB 1038 also provided additional clarity to the administrative remedies available to the OIG under Chapter 32.

What's new in Chapter 32?

The updated law includes several improvements and clarifications:

- **Clearer definitions.** Terms such as "claim," "material," and "knowingly" have been updated to better reflect current legal and health care standards, helping providers understand what constitutes a violation and creating greater consistency across the criminal, civil and administrative domains.
- **Modernized enforcement tools.** The law now clarifies impermissible activities, such as submitting false claims, failing to disclose material facts or obstructing an OIG investigation, and ensures OIG's authority applies across different healthcare delivery systems to include managed care.
- **Stronger penalties to deter misconduct.** Updates clarify that penalties can include up to three times the amount improperly paid by Medicaid – including any benefits received directly, indirectly or to a third party. For violations involving elderly individuals, persons with disabilities, or individuals under age 18, the cap on the additional penalty amount is raised from \$15,000 to the federal maximum under the False Claims Act if that amount exceeds \$15,000. Ongoing violations may also result in daily penalties.

What this means for dental providers

For the vast majority of dental providers—those who follow the rules and serve their Medicaid patients with compassion, care, and integrity—the updates to Chapter 32 ensure that the rules are applied consistently across all providers, reinforcing the high standards that most dental providers already meet.

The law adds clarity with respect to particular administrative violations to improve compliance. It also protects the reputation of honest providers by equipping the OIG with a tool to hold bad actors accountable. The provisions in Chapter 32 are intended for providers who knowingly violated, or who should have known they were violating Medicaid rules, unlike errors or good faith differences of interpretation, which will continue to fall under other statutes.

Looking ahead

SB 1038 will go into effect on September 1, 2025. It is a much-needed amendment that protects the integrity of the Medicaid program. By modernizing Chapter 32, the law ensures consistent and fair enforcement, deters fraudulent behavior and supports providers who are committed to doing things the right way.

To help providers stay informed, the OIG offers a variety of online resources. We encourage all Medicaid dental providers to visit the OIG website for provider resources such as an overview video for Medicaid providers, dental solicitation one-pager and the self-disclosure protocol.

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Rider 39: A Milestone in Medicaid Dental Fee Increases

The Texas Dental Association (TDA) secured a historic win for Medicaid dental care through Rider 39, which delivers the first Medicaid dental fee increase since the 2007 Frew settlement. This achievement, only made possible by TDA's strong advocacy during the 89th Legislative Session, represents approximately \$146 million in new state and federal funding.

What Rider 39 Achieves

Rider 39 is specific to the state's Fee-For-Service (FFS) Medicaid dental program. The Dental Maintenance Organizations (DMOs) are not required to match the HHSC FFS "floor" rates, though they often choose to do so—and in some cases may even pay more per code. Under Rider 39, HHSC reset specific procedure codes and applied a uniform rate increase to 48 critical "Frew Codes." These adjustments improve reimbursement for diagnostic, preventive, restorative, and surgical services—strengthening the foundation for fairer rates and expanding access to care for Medicaid patients, particularly children.

The Texas Medicaid & Healthcare Partnership published a notice about the rate adjustment on September 11, 2025. You may find it at: **Reimbursement Updates for Dental Rate Reallocation and Medical Surgical Supplies Procedure Codes.**

Addressing Concerns

While some procedure codes saw modest gains, Rider 39 is a deliberate first step in a longer-term strategy to make Medicaid rates sustainable across all dental services. Importantly, the First Dental Home (FDH) program did not lose value. In fact, when unbundled, it now reimburses more than before, ensuring young patients continue to benefit from comprehensive early dental care.

A Path Forward

This milestone reflects the unified efforts of TDA, the Council on Public Health and Access to Care, the Texas Academy of Pediatric Dentistry, and other partners. Rider 39 lays the groundwork for continued advocacy, and TDA is already working with the Texas Health and Human Services Commission and legislators to ensure implementation follows legislative intent and momentum continues toward broader reforms.

Why It Matters

Rider 39 proves that progress is possible when dentists actively participate in Medicaid and lend their voices to the advocacy process. While challenges remain, this victory signals the beginning of a longer journey—one that will shape a stronger Medicaid dental program for Texans.

15th Delegation's First Caucus Meeting

Members of Texas's ADA 15th District delegation met in Grapevine on Saturday, September 20. During the meeting, led by the 15th District Trustee Dr Rita Cammarata, the delegates heard from ADA president-elect candidates, Dr Jim Boyle from the 3rd District and Dr Michele Tulak-Gorecki from the 9th District. The delegates also reviewed resolutions that will come before the ADA House in October.



ADA 15th District Trustee Dr Rita Cammarata and Dr Duc "Duke" M. Ho address the delegation.



Members of the delegation enjoy fellowship at a local BBQ restaurant in Grapevine.



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COMPONENT CORNER

Each month, we aim to spotlight a state component society and the events happening in the area. For more information or to let us know what is happening in your TDA component society, please email Managing Editor Nicole Scott, nscott@tda.org.

SPOTLIGHT: Dallas County Dental Society

DCDS New Dentists Happy Hour

On September 11, 2025, the Dallas County Dental Society and The Rustic in Dallas welcomed a lively crowd of new dentists for the annual New Dentist Happy Hour, sponsored by Dental Space Advisors, MedTech, and Bank of America. Attendees enjoyed complimentary appetizers and beverages while making meaningful connections with peers who are just a few years into their dental careers. The event offered a refreshing midweek break from the daily grind, giving over 50 new dentists an energizing opportunity to chance to build relationships and explore potential collaborations.



Dr Macey Cartrite and Dr Carlotta Fantin-Yusta talk as DCDS New Dentists gather at The Rustic in Dallas for happy hour.



L-R: Dr Mohammed Almumaiz, Dr Jemma Hanson, Dr Cecile Nguyen, Dr Lee Goodloe, Dr Fengming Wang.

SPOTLIGHT: Greater Houston Dental Society

Greater Houston Dental Society

More than 100 attendees participated in the Greater Houston Dental Society's (GHDS) networking event, Connecting Beyond the Chair, on September 21 at Kim Son in Bellaire.

GHDS representatives and other dental organization members attended the event. 🇺🇸



TDA Perks Program's Board Meets in Austin

TDA Financial Services, Inc. board of directors, which manages TDA Perks Program, met on Aug. 1 in Austin for its quarterly meeting. Highlights of the meeting included presentations from companies seeking an endorsement and officer elections.

Three AI-first companies made presentations. GroupUps helps independent and small group dental practices reduce equipment costs by using AI, data analysis, and negotiation to secure better prices for dentists than they could achieve on their own.

Overjet AI uses FDA-cleared AI to provide disease detection and improved patient communication, and to enable consistent treatment planning.

Pearl also uses FDA-cleared AI to increase the quality of dental diagnostics and efficiency of practice intelligence.

After serving 5 years as president, Dr Bill Gerlach stepped down from the role to complete his second term as a director. Under his leadership, the highly successful TDA Dental Concierge app was conceived, executed, and launched; and the TDA Financial Services Insurance Program was brought in-house to become a member-owned agency. Both programs are delivering invaluable benefits directly to TDA members and indirectly by creating ongoing revenue to TDA.

Dr Chad Allen was elected president of the Board, Dr Robert Neal was re-elected vice president, and Dr Ronald Lee was re-elected secretary/treasurer.

The Board also welcomed 2 new members: Dr Austin Lee of San Antonio and TDA's new executive director, Dr Greta Zeimet, DBA, CAE, SHRM-SCP. Dr Lee has served as an adjunct professor at Tufts, Boston University, Harvard University School of Dental Medicine, and Harvard Medical School; and Dr Zeimet has over 20 years of experience leading multimillion-dollar organizations. 🇺🇸

TDA Remembers Former President Dr Joe Christina

Former TDA President Dr Joe Weldon Christina died on August 22, and a celebration of life service will be held 11 AM on October 4 at First Baptist Church in Corpus Christi.

Dr Christina was born in Beaumont on October 16, 1932, and he spent his formative years in Corpus Christi.

He attended Del Mar Junior College and The University of Texas in Austin and graduated from the Baylor University School of Dentistry with a Doctor of Dental Surgery degree in 1962.

He married Carolyn Kay Collier in 1955 and enjoyed almost 70 years of marriage. According to his obituary, Dr Christina began his practice of general dentistry in Corpus Christi in 1962 and retired in 2006. He served as president of the Nueces Valley District Dental Society and the Texas Dental Association (1991-92) and was an American Dental Association delegate, fellow of the American College of Dentists and the International College of Dentists, and president of the Baylor Dental College Alumni Association.

He is survived by his wife Carolyn, 3 children, 7 grandchildren, 5 great grandchildren, a sister, and many nieces and nephews.

In lieu of flowers, donations may be made to First Baptist Church in Corpus Christi or the charity of one's choice. To view the obituary, please visit <https://tinyurl.com/ChristinaObit>. 🇺🇸



Former TDA President Dr Joe Christina

Texas A&M University College of Dentistry Hosts White Coat Ceremony

One hundred thirty-five new students of Texas A&M University College of Dentistry in Dallas donned white coats on August 8, marking their entry into the clinical phase of dental education and assuming the responsibilities associated with patient care.

“We expect each of you, as either a dental hygienist or dentist, to guard your responsibilities in providing competent, compassionate, and skilled oral health care as your lifelong aspiration,” Dr Lily T. García, dean, told the students. “Having you wear the white coat as you enter this field of study is a reminder of the significance of your choice as you enter our profession today.”

The 30 dental hygiene students are in the college’s 2-year bachelor’s program and represent the Class of 2027. The 105 dental students are in the program for 4 years and are the Class of 2029.

The dental college’s 120th anniversary is October 3. 🏢



Dr Lily García, dean of Texas A&M University College of Dentistry in Dallas, congratulates dental student Helen Bekele.



Drs Alicia Spence, clinical assistant professor and director of recruitment and admissions at Texas A&M University College of Dentistry, and Douglas Gould, associate dean of academic affairs, with dental student Brandon Awuah.



Drs Alicia Spence, clinical assistant professor and director of recruitment and admissions at Texas A&M University College of Dentistry, and Douglas Gould, associate dean of academic affairs, help dental student Nicolas Oster with his white coat.



Amal A. K. Nouredin, BDS, MSD, MS, PHD

Texas A&M University College of Dentistry Professor Earns Double Honors

Dr Amal Nouredin, clinical professor in public health sciences at Texas A&M University College of Dentistry in Dallas, will assume the vice presidency of the cariology research section of the International Association for Dental, Oral, and Craniofacial Research in June. She also was elected to serve on the American Academy of Cariology’s board of directors.

In her vice president role, Dr Nouredin, who also is director of cariology and prevention at the dental college, will promote research into better ways to prevent and treat tooth decay. Her 3-year term starts at the end of the organization’s 2025 IADR Pan European Regional Congress general session and exhibition in Barcelona, Spain.

She is expected to assume the section’s presidency the next term. The IADR, formed in 1920, has more than 8,500 members worldwide focused on dental, oral and craniofacial research. 🏢



García named to *Dallas Business Journal’s* Annual Women in Business List

Dr Lily T. García, dean of Texas A&M University College of Dentistry in Dallas, was celebrated August 21 as one of *Dallas Business Journal’s* Women in Business honorees this year. García, who’s also a prosthodontist, was among 30 North Texas women chosen from more than 280 nominees.

DBJ selected the winners with the assistance of a judging panel of past recipients. The women were selected based on their contributions to their organizations and the community.

“I am honored to have Texas A&M University College of Dentistry recognized through this award among so many amazing organizations and businesses in Dallas,” García said. “The recognition is based on our staff and faculty who work diligently to educate the next generation of health professionals, many of whom will contribute as business owners in the North Texas Region.”

García became the 17th dean in October 2022 and recently received recognition on behalf of the College of Dentistry’s growth in research initiatives, including the most recent agreement with Shear Kershman Laboratories and Innovative MedTech Inc. to study the treatment of oral thrush, a fungal infection, in cancer patients. 🏢



As a spouse and daughter-in-law of dentists, and as a past Dallas County president, I am especially proud to help celebrate ATDA’s 95th year. For nearly a century, our state Alliance members have been shining examples of leadership and dedication in the dental community. Our light continues to shine brightly through the work we do: awarding scholarships to every dental college in Texas, providing grants to dental families in times of crisis and volunteering at Texas Mission of Mercy events to deliver charitable care to those in need.

Our theme this year, Stars Shine Bright for Texas Dentistry, reminds us that together we are shining, brightly illuminating paths of service, compassion, and hope across every corner of our state. When hearts lead and hands serve, the stars of Texas shine the brightest! With strong purpose and teamwork, we navigate forward, shining our brightest as we serve adults and children, through dental health programs in Texas communities.

My first duty as president will be presiding over the ATDA Fall Board Meeting in Waco on September 30-October 2. See you there!

Nancy Cartwright (Mrs Chris)
95th President of The Alliance of the TDA



Nancy and Chris Cartwright



Pictured at the Southwest Dental Conference at the Hilton Anatole in Dallas in August are DCDS Communications and Foundation Manager Rosemary Martinez, Jeanette Kostohryz (Mrs John), and Nancy Cartwright (Mrs Chris).

ARE YOU PROTECTED?

Whether you are a general dentist or a specialist, politics affect your practice and ability to serve your patients. **If you practice dentistry in Texas, you can’t afford to not be politically engaged.** DENPAC is the advocacy arm of the TDA. DENPAC provides a powerful, united voice to advocate for organized dentistry at the Texas Capitol.

Invest in DENPAC. It’s investing in you.

VISIT DENPAC.ORG TO JOIN NOW

Contributions or gifts to political action committees are not deductible as charitable contributions for federal tax purposes. Contributions to the Texas Dental Association Political Action Committee are voluntary and may be used to support state candidates and office holders. You may refuse to contribute without reprisal, and the Texas Dental Association and its local component societies will neither favor nor disadvantage anyone based on the amount or failure to make contributions. According to Texas state law, political action committees may only accept contributions from individuals, professional corporations, and professional associations. State law requires political action committees to request and make best efforts to report the name, mailing address, occupation, and employer for each individual whose contributions aggregate in excess of \$100 in a calendar year.



TSBDE Rule Update

This recurring section is designed to help TDA members keep up with important Texas State Board of Dental Examiners (TSBDE) rules, other regulations, and state law affecting their practices.

TSBDE Rule Development Post 89th Regular Legislative Session

HB 1700 (Teledentistry Recordkeeping)

The Texas State Board of Dental Examiners (TSBDE) proposed amendments to Rule 108.16 clarifying the informed consent documentation required for teledentistry services. Published in the Texas Register on September 12, 2025, the proposal is open for a 30-day public comment period. The amendment outlines the specific consent documentation that licensees must obtain when providing teledentistry care.

HB 4070 (Sale, Design, and Manufacture of Orthodontic Devices)

The TSBDE does not plan to introduce new rules, choosing instead to rely on the statutory language of HB 4070. The Board maintains that its existing teledentistry rule (22 TAC §108.16) already fulfills the intent of HB 4070.

Additional Possible Rules

At its November meeting, the TSBDE will propose rules to implement HB 5629 and SB 1818, which address licensing for military service members, veterans, and their spouses. The Dental Board will also present a rule proposal for SB 912, establishing continuing education (CE) tracking systems to verify health care practitioners' compliance with CE requirements

Adopted Rules

The following TSBDE rule adoptions were published on August 22, 2025, in the Texas Register with an effective date of August 28, 2025.

22 Texas Administrative Code (TAC) §101.1, General Qualifications for Licensure

The amended rule requires dentist licensure applicants to submit a National Practitioner Data Bank self-query report upon initial licensure. Initial applicants currently submit this report to the Board as part of the licensing application process. This amendment is adopted to reflect the Board's current process.

22 TAC §101.2, Licensure by Examination

The amended rule reflects the merger of Central Regional Dental Testing Service (CRDTS) with the States Resources for Testing and Assessments (SRTA). The adopted amendment also changes the remediation requirements by (1) allowing dentist licensure applicants to take a remediation course before or after passing an examination to give applicants flexibility on when to take the course, and (2) allowing Board staff to approve the remediation course.

22 TAC §103.1, General Qualifications for Licensure (Dental Hygiene)

The adopted amendment requires dental hygiene licensure applicants to submit a National Practitioner Data Bank self-query report upon initial licensure. Initial applicants currently submit this report to the Board as part of the licensing application process. This amendment is adopted to reflect the Board's current process.

22 TAC §103.2, Licensure by Examination (Dental Hygiene)

The adopted amendment reflects the merger of CRDTS with SRTA.

22 TAC §104.1, Continuing Education Requirements

The adopted amendment reflects the merger of CRDTS with SRTA.

22 TAC §104.2, Providers

The adopted amendment reflects the merger of CRDTS with the SRTA.

22 TAC §114.6, General Qualifications for Registration or Certification

The adopted amendment requires registered dental assistant applicants to submit a National Practitioner Data Bank self-query report upon initial registration. Initial applicants currently submit this report to the Board as part of the licensing application process. This amendment is adopted to reflect the Board's current process.

22 TAC §117.2, Dental Faculty Licensure

The adopted amendments: (1) require that faculty license holders submit an employment affidavit form upon renewal to show that they are still currently employed by their employer school, and (2) correct a grammatical error.

22 TAC §117.3, Dental Hygiene Faculty Licensure

The adopted amendments: (1) conform the rule to the statutory language in Texas Occupations Code §267.003, (2) require that faculty license holders submit an employment affidavit form upon renewal to show that they are still currently employed by their employer school, and (3) correct grammatical and punctuation errors.

IMPORTANT INFORMATION: Fingerprint Requirement

Following a recent Department of Public Safety audit, the TSBDE identified dentists and dental hygienists who do not have a State Identification Number (SID). Beginning January 1, 2026, all dental and dental hygiene licensees without a SID will be required to submit fingerprints for a criminal history check and SID assignment as part of their license renewal.

Licensees who received their licenses before 2016 may not have a SID on file, which prevents the agency from receiving notifications of criminal history events.

Impacted licensees must wait to begin this process until they receive a unique QR code from the TSBDE. The TSBDE will notify impacted licensees 90 days before license expiration. The notification will be transmitted via the online licensing system.

A Frequently Asked Questions section will be on the TSBDE website by November 2025. The Dental Board requests that licensees avoid reaching out to TSBDE staff to confirm whether their information is included in the database.

TDA first reported on this requirement in the June issue of *TDA Today* and will continue providing updates in future issues and other communications as needed.

For more information on the TSBDE, please contact TDA Senior Policy Manager Diane Rhodes at 512-443-3675 ext. 122, drhodes@tda.org.



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Maybe it's time to
"Ask Diane"



*TDA Members can submit questions via tda.org/askdiane
Look for answers to those questions in future issues
of TDA Today, Texas Dental Journal, and online.*

