

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 05-23037-CIV-JORDAN/O’SULLIVAN**

**FLORIDA PEDIATRIC SOCIETY/THE  
FLORIDA CHAPTER OF THE AMERICAN  
ACADEMY OF PEDIATRICS; FLORIDA  
ACADEMY OF PEDIATRIC DENTISTRY,  
INC., et al.,**

**Plaintiffs,**

**vs.**

**ELIZABETH DUDEK, in her  
official capacity as the Secretary for the  
STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,  
et al.,**

**Defendants.**

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**ERRATA SHEET/ADDENDUM TO MEDICAID SETTLEMENT AGREEMENT**

- 1. Part II.A.2.B (page 8) of the Settlement Agreement is amended to insert commas to clarify that Obstetricians are not “Providers”:**

FFS Rate (“MMA Plan Incentive Proposals”). At a minimum, the MMA Plan Incentive Proposals must provide a reasonable opportunity for all Providers that are Board Certified Pediatricians, and Obstetricians, to earn the Medicare FFS Rate for the 2016 Contract Year through Rate Incentives while ensuring Actuarially Sound Capitation Rates.

- 2. The header to part II.B (page 9) of the Settlement Agreement is amended to delete the erroneous header and replace it with the correct header:**

**B. [Metrics to Evaluate ImprovementsImplementation of Incentive Program:](#)**

- 3. The Dental metrics identified in Part III.6-7 (pages 13-14) of the Settlement Agreement are amended as follows:**

6. The following metrics shall be used to evaluate the improvements in the provision of dental services under the Florida SMMC MMA Program, which shall be achieved on or before September 30, 2021:

A. Meeting or exceeding a statewide weighted average of all MMA Plans that is equal to or exceeds the 2014 national Medicaid mean for the HEDIS Annual Dental Visit measure (HEDIS ADV);

B. Meeting or exceeding the 2014 national average for the child Core Set PDENT measure (CMS-416 Report Line 12b divided by line 1b, excluding children less than 1 year); and

C. Meeting or exceeding the 2014 national average for the Agency’s CMS-416 Report Dental Treatment Service measure (CMS-416 Report Line 12c divided by Line 1b, excluding children less than 1 year).

7. The following interim benchmarks shall be used to evaluate the progress of the improvements in the provision of dental services under the Florida SMMC MMA Program:



Year the Measurement is Reported<sup>4</sup>

|  | 2017              | 2018              | 2019              | 2020              | 2021              |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|
| Preventive Dental (CMS 416, Line 12b divided by line 1b, <u>excluding children less than 1 year; Child Core Set PDENT</u> )                | <del>3035</del> % | <del>3237</del> % | <del>3539</del> % | <del>3841</del> % | <del>4244</del> % |
| Dental Treatment Services ( <del>Agency-defined</del> , CMS 416, Line 12c <u>divided by Line 1b, excluding children less than 1 year</u> ) | <del>1415</del> % | <del>1617</del> % | <del>1820</del> % | <del>2021</del> % | <del>232</del> %  |
| Annual Dental Visit (HEDIS ADV)  | 45%               | 46%               | 47%               | 48%               | 49%               |