

2017 -- S 0580

LC001874

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO INSURANCE - DENTAL HEALTH COVERAGE

Introduced By: Senators Coyne, Miller, Nesselbush, Calkin, and Lombardo

Date Introduced: March 15, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-63 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-63. Dental insurance assignment of benefits.**

4 Every entity providing a policy of accident and sickness insurance as defined in this
5 chapter shall allow, as a provision in a group or individual policy, contract or health benefit plan
6 for coverage of dental services, any person insured by such entity to receive benefits no more
7 than five percent (5%) less than the benefits paid to participating dentists or dental specialists if
8 the service is provided by a dental care provider who has not contracted with the entity to provide
9 dental services to persons covered by the entity but otherwise meets the credentialing criteria of
10 the entity and has not previously been terminated by such entity as a participating provider, and
11 shall allow any person insured by such entity to direct, in writing, that those benefits from a
12 health benefit plan, policy or contract, be paid directly to ~~a~~ that dental care provider ~~who has not~~
13 ~~contracted with the entity to provide dental services to persons covered by the entity but~~
14 ~~otherwise meets the credentialing criteria of the entity and has not previously been terminated by~~
15 ~~such entity as a participating provider~~. If written direction to pay is executed and written notice of
16 the direction to pay is provided to such entity, the insuring entity shall pay the benefits directly to
17 the dental care provider. ~~Any efforts to modify the amount of benefits paid directly to the dental~~
18 ~~care provider under this section may include a reduction in benefits paid of no more than five~~
19 ~~percent (5%) less than the benefits paid to participating dentists.~~ The entity paying the dentist,

1 pursuant to a direction to pay duly executed by the subscriber, shall have the right to review the
2 records of the dentist receiving such payment that relate exclusively to that particular
3 subscriber/patient to determine that the service in question was rendered. Provided, however, this
4 section shall not apply to insurance coverage providing benefits for:

- 5 (1) Hospital confinement indemnity;
- 6 (2) Disability income;
- 7 (3) Accident only;
- 8 (4) Long-term care;
- 9 (5) Medicare supplement;
- 10 (6) Limited benefit health;
- 11 (7) Specified disease indemnity;
- 12 (8) Sickness or bodily injury or death by accident or both; and
- 13 (9) Other limited benefit policies.

14 SECTION 2. Section 27-19-54 of the General Laws in Chapter 27-19 entitled "Nonprofit
15 Hospital Service Corporations" is hereby amended to read as follows:

16 **27-19-54. Dental insurance assignment of benefits.**

17 Every entity providing a contract of insurance subject to this chapter shall allow, as a
18 provision in a group or individual policy, contract or health benefit plan for coverage of dental
19 services, any person insured by such entity to receive benefits no more than five percent (5%) less
20 than the benefits paid to participating dentists or dental specialists if the service is provided by a
21 dental care provider who has not contracted with the entity to provide dental services to persons
22 covered by the entity but otherwise meets the credentialing criteria of the entity and has not
23 previously been terminated by such entity as a participating provider, and shall allow any person
24 insured by such entity to direct, in writing, that those benefits from a health benefit plan, policy or
25 contract, be paid directly to a that dental care provider ~~who has not contracted with the entity to~~
26 ~~provide dental services to persons covered by the entity but otherwise meets the credentialing~~
27 ~~criteria of the entity and has not previously been terminated by such entity as a participating~~
28 ~~provider~~. If written direction to pay is executed and written notice of the direction to pay is
29 provided to such entity, the insuring entity shall pay the benefits directly to the dental care
30 provider. ~~Any efforts to modify the amount of benefits paid directly to the dental care provider~~
31 ~~under this section may include a reduction in benefits paid of no more than five percent (5%) less~~
32 ~~than the benefits paid to participating dentists~~. The entity paying the dentist, pursuant to a
33 direction to pay duly executed by the subscriber, shall have the right to review the records of the
34 dentist receiving such payment that relate exclusively to that particular subscriber/patient to

1 determine that the service in question was rendered.

2 SECTION 3. Section 27-20-49 of the General Laws in Chapter 27-20 entitled "Nonprofit
3 Medical Service Corporations" is hereby amended to read as follows:

4 **27-20-49. Dental insurance assignment of benefits.**

5 Every entity providing a contract of insurance as defined in this chapter shall allow, as a
6 provision in a group or individual policy, contract or health benefit plan for coverage of dental
7 services, any person insured by such entity to receive benefits no more than five percent (5%) less
8 than the benefits paid to participating dentists or dental specialists if the service is provided by a
9 dental care provider who has not contracted with the entity to provide dental services to persons
10 covered by the entity but otherwise meets the credentialing criteria of the entity and has not
11 previously been terminated by such entity as a participating provider, and shall allow any person
12 insured by such entity to direct, in writing, that those benefits from ~~a~~ that health benefit plan,
13 policy or contract, be paid directly to a dental care provider ~~who has not contracted with the entity~~
14 ~~to provide dental services to persons covered by the entity but otherwise meets the credentialing~~
15 ~~criteria of the entity and has not previously been terminated by such entity as a participating~~
16 ~~provider~~. If written direction to pay is executed and written notice of the direction to pay is
17 provided to such entity, the insuring entity shall pay the benefits directly to the dental care
18 provider. ~~Any efforts to modify the amount of benefits paid directly to the dental care provider~~
19 ~~under this section may include a reduction in benefits paid of no more than five percent (5%) less~~
20 ~~than the benefits paid to participating dentists~~. The entity paying the dentist, pursuant to a
21 direction to pay duly executed by the subscriber, shall have the right to review the records of the
22 dentist receiving such payment that relate exclusively to that particular subscriber/patient to
23 determine that the service in question was rendered.

24 SECTION 4. Section 27-20.1-18 of the General Laws in Chapter 27-20.1 entitled
25 "Nonprofit Dental Service Corporations" is hereby amended to read as follows:

26 **27-20.1-18. Dental insurance assignment of benefits.**

27 Every entity providing nonprofit dental service plan as defined in this chapter shall allow,
28 as a provision in a group or individual policy, contract or health benefit plan for coverage of
29 dental services, any person insured by such entity to receive benefits no more than five percent
30 (5%) less than the benefits paid to participating dentists or dental specialists if the service is
31 provided by a dental care provider who has not contracted with the entity to provide dental
32 services to persons covered by the entity but otherwise meets the credentialing criteria of the
33 entity and has not previously been terminated by such entity as a participating provider, and shall
34 allow any person insured by such entity to direct, in writing, ~~that~~ those benefits from a health

1 benefit plan, policy or contract, be paid directly to a that dental care provider ~~who has not~~
2 ~~contracted with the entity to provide dental services to persons covered by the entity but~~
3 ~~otherwise meets the credentialing criteria of the entity and has not previously been terminated by~~
4 ~~such entity as a participating provider~~. If written direction to pay is executed and written notice of
5 the direction to pay is provided to such entity, the insuring entity shall pay the benefits directly to
6 the dental care provider. ~~Any efforts to modify the amount of benefits paid directly to the dental~~
7 ~~care provider under this section may include a reduction in benefits paid of no more than five~~
8 ~~percent (5%) less than the benefits paid to participating dentists~~. The entity paying the dentist,
9 pursuant to a direction to pay duly executed by the subscriber, shall have the right to review the
10 records of the dentist receiving such payment that relate exclusively to that particular
11 subscriber/patient to determine that the service in question was rendered.

12 SECTION 5. Section 27-41-66 of the General Laws in Chapter 27-41 entitled "Health
13 Maintenance Organizations" is hereby amended to read as follows:

14 **27-41-66. Dental insurance assignment of benefits.**

15 Every entity licensed under this chapter shall allow, as a provision of any evidence of
16 coverage of dental services, any person covered by such entity to receive benefits no more than
17 five percent (5%) less than the benefits paid to participating dentists or dental specialists if the
18 service is provided by a dental care provider who has not contracted with the entity to provide
19 dental services to persons covered by the entity but otherwise meets the credentialing criteria of
20 the entity and has not previously been terminated by such entity as a participating provider, and
21 shall allow any person insured by such entity to direct, in writing, ~~that~~ those benefits from a
22 health benefit plan, policy or contract, be paid directly to a that dental care provider ~~who has not~~
23 ~~contracted with the entity to provide dental services to persons covered by the entity but~~
24 ~~otherwise meets the credentialing criteria of the entity and has not previously been terminated by~~
25 ~~such entity as a participating provider~~. If written direction to pay is executed and written notice of
26 the direction to pay is provided to such entity, the insuring entity shall pay the benefits directly to
27 the dental care provider. ~~Any efforts to modify the amount of benefits paid directly to the dental~~
28 ~~care provider under this section may include a reduction in benefits paid of no more than five~~
29 ~~percent (5%) less than the benefits paid to participating dentists~~. The entity paying the dentist,
30 pursuant to a direction to pay duly executed by the subscriber, shall have the right to review the
31 records of the dentist receiving such payment that relate exclusively to that particular
32 subscriber/patient to determine that the service in question was rendered.

1 SECTION 6. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would permit dental patients of health care providers to assign their dental
2 benefits to a dentist of their choice.

3 This act would take effect upon passage.

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