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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES --
HEALTH CARE ACCESSIBILITY AND QUALITY ASSURANCE ACT

Introduced By: Senator Louis P. DiPalma

Date Introduced: April 05, 2024

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-56 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-56. Prohibition against dentists being required to indemnify provider.**

4 (a) No accident and sickness insurance provider may contract to require that a dentist
5 indemnify or hold harmless the accident and sickness insurance provider for any expenses and
6 liabilities, including, without limitation, judgments, settlements, attorneys' fees, court costs, and
7 any associated charges, incurred in connection with any claim or action brought against the accident
8 and sickness insurance provider based on the accident and sickness insurance provider's
9 management decisions or utilization review provisions for any patient.

10 (b) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed
11 by standards governed by the general laws of Rhode Island. Provided, for minors, coverage shall
12 also extend to dental services and treatment rendered in outpatient surgery centers.

13 SECTION 2. Section 27-18.8-4 of the General Laws in Chapter 27-18.8 entitled "Health
14 Care Accessibility and Quality Assurance Act" is hereby amended to read as follows:

15 **27-18.8-4. Contracts with providers for dental services.**

16 (a) No contract between a dental plan of a healthcare entity and a dentist for the provision
17 of services to beneficiaries may require that a dentist provide services to its patients at a fee set by
18 the healthcare entity unless said services are covered services under the applicable subscriber

1 agreement. "Covered services," as used herein, means services reimbursable under the applicable
2 beneficiary agreement, subject to such contractual limitations on beneficiary benefits as may apply,
3 including, for example, deductibles, waiting period, or frequency limitations.

4 [\(b\) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed](#)
5 [by standards governed by the general laws of Rhode Island. Provided, for minors, coverage shall](#)
6 [also extend to dental services and treatment rendered in outpatient surgery centers.](#)

7 SECTION 3. Section 27-19-54 of the General Laws in Chapter 27-19 entitled "Nonprofit
8 Hospital Service Corporations" is hereby amended to read as follows:

9 **27-19-54. Dental insurance assignment of benefits.**

10 (a) Every entity providing a contract of insurance subject to this chapter shall allow, as a
11 provision in a group or individual policy, contract, or health benefit plan for coverage of dental
12 services, any person insured by the entity to direct, in writing, that benefits from a health benefit
13 plan, policy, or contract be paid directly to a dental care provider who has not contracted with the
14 entity to provide dental services to persons covered by the entity but otherwise meets the
15 credentialing criteria of the entity and has not previously been terminated by the entity as a
16 participating provider. If written direction to pay is executed and written notice of the direction to
17 pay is provided to the 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 direction
21 to pay duly executed by the subscriber, shall have the right to review the records of the dentist
22 receiving the payment that relate exclusively to that particular subscriber/patient to determine that
23 the service in question was rendered.

24 [\(b\) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed](#)
25 [by standards governed by the general laws of Rhode Island. Provided, for minors, coverage shall](#)
26 [also extend to dental services and treatment rendered in outpatient surgery centers.](#)

27 SECTION 4. Section 27-20-49 of the General Laws in Chapter 27-20 entitled "Nonprofit
28 Medical Service Corporations" is hereby amended to read as follows:

29 **~~27-20-49. Dental insurance assignment of benefits.~~ Dental insurance.**

30 (a) Every entity providing a contract of insurance as defined in this chapter shall allow, as
31 a provision in a group or individual policy, contract, or health benefit plan for coverage of dental
32 services, any person insured by the entity to direct, in writing, that benefits from a health benefit
33 plan, policy, or contract, be paid directly to a dental care provider who has not contracted with the
34 entity to provide dental services to persons covered by the entity but otherwise meets the

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

10 [\(b\) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed](#)
11 [by standards governed by the general laws of Rhode Island. Provided, for minors, coverage shall](#)
12 [also extend to dental services and treatment rendered in outpatient surgery centers.](#)

13 SECTION 5. Section 27-20.1-3 of the General Laws in Chapter 27-20.1 entitled "Nonprofit
14 Dental Service Corporations" is hereby amended to read as follows:

15 **27-20.1-3. Contracts.**

16 (a) Each nonprofit dental service corporation may contract with its subscribers for a dental
17 service as may be provided under any nonprofit dental service plan adopted by the corporation.

18 (b) The rates charged by the nonprofit dental service corporation to its subscribers shall be
19 consistent with the proper conduct of its business and the interests of the public and shall at all
20 times be subject to the approval of the director of business regulation.

21 (c) Nothing contained in this chapter or in any nonprofit dental service plan shall affect the
22 ordinary professional relationship between the person rendering dental services under the plan and
23 the subscriber to whom the services are rendered; and no action based upon or arising out of the
24 relationship or relating to dental services rendered pursuant to a nonprofit dental service plan shall
25 be maintained against the nonprofit dental service corporation operating the plan.

26 (d) No contract between a nonprofit dental service corporation and a dentist for the
27 provisions of services to patients may require that the dentist indemnify or hold harmless the
28 nonprofit dental service corporation for any expenses and liabilities, including, without limitation:
29 judgments, settlements, attorneys' fee, court costs, and any associated charges, incurred in
30 connection with any claim or action brought against the nonprofit dental service corporation based
31 on the nonprofit dental service corporation's management decisions, or utilization review
32 provisions for any patient.

33 [\(e\) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed](#)
34 [by standards governed by the general laws of Rhode Island. Provided, for minors, coverage shall](#)

1 [also extend to dental services and treatment rendered in outpatient surgery centers.](#)

2 SECTION 6. Section 27-41-66 of the General Laws in Chapter 27-41 entitled "Health
3 Maintenance Organizations" is hereby amended to read as follows:

4 **27-41-66. Dental insurance assignment of benefits.**

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

18 (b) [Dental services and treatment rendered to patients in Rhode Island shall be reimbursed](#)
19 [by standards governed by the general laws of Rhode Island. Provided, for minors, coverage shall](#)
20 [also extend to dental services and treatment rendered in outpatient surgery centers.](#)

21 SECTION 7. This act shall take effect on January 1, 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES --
HEALTH CARE ACCESSIBILITY AND QUALITY ASSURANCE ACT

1 This act would provide that dental services and treatment rendered to patients in Rhode
2 Island would be reimbursed by standards governed by the general laws of Rhode Island. For minors,
3 coverage would also extend to dental services and treatment rendered in outpatient surgery centers.

4 This act would take effect on January 1, 2025.

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