

SECOND REGULAR SESSION

SENATE BILL NO. 884

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Read 1st time February 18, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

6097S.011

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance for dental services.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be known as section 376.1060, to read as follows:

376.1060. 1. As used in this section, the following terms shall mean:

(1) "Contracting entity", any person or entity that is engaged in the act of contracting with providers for the delivery of dental services or the selling or assigning of dental network plans to other health care entities;

(2) "Dental care services", any service or materials within the scope of practice under chapter 332 and reimbursable according to the provisions of section 332.122;

(3) "Identify", providing in writing by email or otherwise the name, address, telephone number, and website of the party to be identified;

(4) "Network plan", health insurance coverage offered by a health insurance issuer under which the financing and delivery of dental care services are provided in whole or in part through a defined set of participating providers under contract with the health insurance issuer;

(5) "Participating provider", a provider who, under a contract with a contracting entity, has agreed to provide dental care services with an expectation of receiving payment, other than coinsurance, copayments or deductibles, directly or indirectly from the contracting

22 entity;

23 (6) "Provider", any person licensed under chapter 332.

24 2. A contracting entity shall not sell, assign, or otherwise grant
25 access to the dental care services of a participating provider under a
26 health care contract unless expressly authorized by the health care
27 contract. The health care contract shall specifically provide that one
28 purpose of the contract is the selling, assigning, or giving the
29 contracting entity rights to the services of the participating provider,
30 including network plans.

31 3. Upon entering a contract with a participating provider and
32 upon request by a participating provider, a contracting entity shall
33 properly identify any third party that has been granted access to the
34 dental care services of the participating provider.

35 4. Any contracts entered into or renewed on or after the effective
36 date of this section shall require that at any time a contracting entity
37 sells, assigns, or otherwise grants access to the dental care services of
38 a participating provider it shall allow the participating provider the
39 option to refuse to continue to provide services to third party entities
40 which have purchased, been assigned, or otherwise been granted access
41 to the dental care services of a participating provider by the
42 contracting entity.

43 5. A contracting entity that sells, assigns, or otherwise grants
44 access to the dental care services of a participating provider shall
45 maintain an internet website or a toll-free telephone number through
46 which the participating provider may obtain a listing, updated at least
47 every ninety days, of the third parties that have been granted access to
48 the participating provider's dental care services.

49 6. Any third party entity within thirty days of purchasing, being
50 assigned, or otherwise accessing the dental care services of a
51 participating provider shall provide to such participating provider a
52 listing of the one hundred most frequently reimbursed American Dental
53 Association Current Dental Terminology codes by such third party
54 entity and the amount by which such third party entity reimburses a
55 participating provider.

56 7. A contracting entity that sells, assigns, or otherwise grants
57 access to a participating provider's dental care services shall ensure
58 that an explanation of benefits or remittance advice furnished to the

59 participating provider that delivers dental care services under the
60 health care contract identifies the contractual source of any applicable
61 discount.

62 8. All third parties that have contracted with a contracting entity
63 to purchase, be assigned, or otherwise be granted access to the
64 participating provider's discounted rate shall comply with the
65 participating provider's contract, including all requirements to
66 encourage access to the participating provider, and pay the
67 participating provider pursuant to the rates of payment and
68 methodology set forth in that contract, unless otherwise agreed to by
69 a participating provider.

70 9. A contracting entity is deemed in compliance with this section
71 when the insured's identification card provides information which
72 identifies the insurance carrier to be used to reimburse the
73 participating provider for the covered dental care services.

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