

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR

# SENATE BILL NO. 884

97TH GENERAL ASSEMBLY

2014

6097H.05T

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## AN ACT

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

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*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  
2 section, to be known as section 376.1060, to read as follows:

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

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

7       **(2) "Identify", providing in writing, by email or otherwise, to the  
8 participating provider the name, address, and telephone number, to the  
9 extent possible, for any third party to which the contracting entity has  
10 granted access to the health care services of the participating provider;**

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

16       **(4) "Participating provider", a provider who, under a contract  
17 with a contracting entity, has agreed to provide dental services with an  
18 expectation of receiving payment, other than coinsurance, copayments**

19 or deductibles, directly or indirectly from the contracting entity;

20 (5) "Provider", any person licensed under section 332.071.

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

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

32 4. A contracting entity that sells, assigns, or otherwise grants  
33 access to the dental services of a participating provider shall maintain  
34 an internet website or a toll-free telephone number through which the  
35 participating provider may obtain information which identifies the  
36 insurance carrier to be used to reimburse the participating provider  
37 for the covered dental services.

38 5. A contracting entity that sells, assigns, or otherwise grants  
39 access to a participating provider's dental services shall ensure that an  
40 explanation of benefits or remittance advice furnished to the  
41 participating provider that delivers dental services under the health  
42 care contract identifies the contractual source of any applicable  
43 discount.

44 6. All third parties that have contracted with a contracting entity  
45 to purchase, be assigned, or otherwise be granted access to the  
46 participating provider's discounted rate shall comply with the  
47 participating provider's contract, including all requirements to  
48 encourage access to the participating provider, and pay the  
49 participating provider pursuant to the rates of payment and  
50 methodology set forth in that contract, unless otherwise agreed to by  
51 a participating provider.

52 7. A contracting entity is deemed in compliance with this section  
53 when the insured's identification card provides information which  
54 identifies the insurance carrier to be used to reimburse the

55 **participating provider for the covered dental services.**

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