



5141S03.01F

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives
that the Senate has taken up and passed

SS HB 1361 _____ entitled:

AN ACT

To repeal sections 384.015, 384.017, 384.021, and 384.023, RSMo, and to enact in lieu thereof five new sections relating to domestic surplus lines insurers.

With SA 1

In which the concurrence of the House is respectfully requested.

Respectfully,

Terry L. Spieler
Secretary of the Senate

APR 23 2014

SENATE AMENDMENT NO. 1Offered by Wallingford of 27Amend SS/House Bill No. 1361, Page 1, Section Title, Line 4

2 of said title, by striking the following: "domestic surplus lines
3 insurers" and inserting in lieu thereof the word "insurance"; and

4 Further amend said bill and page, section A, line 4 of said
5 page, by inserting after all of said line the following:

6 "376.1060. 1. As used in this section, the following terms
7 shall mean:

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

12 (2) "Identify", providing in writing, by email or
13 otherwise, to the participating provider the name, address, and
14 telephone number, to the extent possible, for any third party to
15 which the contracting entity has granted access to the health
16 care services of the participating provider;

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

Offered 4/23/14
Adopted 4/23/14

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

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

7 2. A contracting entity shall not sell, assign, or
8 otherwise grant access to the dental services of a participating
9 provider under a health care contract unless expressly authorized
10 by the health care contract. The health care contract shall
11 specifically provide that one purpose of the contract is the
12 selling, assigning, or giving the contracting entity rights to
13 the services of the participating provider, including network
14 plans.

15 3. Upon entering a contract with a participating provider
16 and upon request by a participating provider, a contracting
17 entity shall properly identify any third party that has been
18 granted access to the dental services of the participating
19 provider.

20 4. A contracting entity that sells, assigns, or otherwise
21 grants access to the dental services of a participating provider
22 shall maintain an internet website or a toll-free telephone
23 number through which the participating provider may obtain a
24 listing, updated at least every ninety days, of the third parties
25 that have been granted access to the participating provider's
26 dental services.

27 5. A contracting entity that sells, assigns, or otherwise
28 grants access to a participating provider's dental services shall
29 ensure that an explanation of benefits or remittance advice

1 furnished to the participating provider that delivers dental
2 services under the health care contract identifies the
3 contractual source of any applicable discount.

4 6. All third parties that have contracted with a
5 contracting entity to purchase, be assigned, or otherwise be
6 granted access to the participating provider's discounted rate
7 shall comply with the participating provider's contract,
8 including all requirements to encourage access to the
9 participating provider, and pay the participating provider
10 pursuant to the rates of payment and methodology set forth in
11 that contract, unless otherwise agreed to by a participating
12 provider.

13 7. A contracting entity is deemed in compliance with this
14 section when the insured's identification card provides
15 information which identifies the insurance carrier to be used to
16 reimburse the participating provider for the covered dental
17 services."; and

18 Further amend the title and enacting clause accordingly.

