

SECOND REGULAR SESSION

HOUSE BILL NO. 2172

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANKLIN.

6426H.011

D. ADAM CRUMBLISS, Chief Clerk

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

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

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

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

2. A contracting entity shall not sell, assign, or otherwise grant access to the dental services of a participating provider under a health care contract unless expressly

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 authorized by the health care contract. The health care contract shall specifically provide
19 that one purpose of the contract is the selling, assigning, or giving the contracting entity
20 rights to the services of the participating provider, including network plans.

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

24 4. Any contracts entered into or renewed on or after the effective date of this
25 section shall require that at any time a contracting entity sells, assigns, or otherwise grants
26 access to the dental services of a participating provider, it shall allow the participating
27 provider the option to refuse to continue to provide services to third party entities which
28 have purchased, been assigned, or otherwise been granted access to the dental services of
29 a participating provider by the contracting entity.

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

35 6. Any third party entity within thirty days of purchasing, being assigned, or
36 otherwise accessing the dental services of a participating provider shall provide to such
37 participating provider a listing of the one hundred most frequently reimbursed American
38 Dental Association Current Dental Terminology codes by such third party entity and the
39 amount by which such third party entity reimburses a participating provider.

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

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

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

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