An Act

ENROLLED SENATE
BILL NO. 1377

By: Griffin, Pittman, Dossett, Sparks and Silk of the Senate

and

Cox, Moore, Griffith, Proctor and Newell of the House

An Act relating to dental insurance; defining terms; prohibiting certain acts related to dental services; requiring identification of certain third party entities; requiring contracting entities to maintain means of communication for providers; requiring certain contractual terms; requiring third party entities' compliance with provider contracts; establishing terms of compliance with this act; providing for codification; and providing an effective date.

SUBJECT: Dental insurance

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7302 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Contracting entity" means 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 plans to other dental care entities;

2. "Identify" means providing in writing, by email or otherwise, to the participating provider the name, address and telephone number, to the extent possible, for any third party to which the contracting entity has granted access to the dental services of the participating provider;

3. "Network plan" means dental plans 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" means 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, copayments or deductibles, directly or indirectly, from the contracting entity; and

5. "Provider" means any person licensed by the Board of Dentistry pursuant to the provisions of Section 328.21 of Title 59 of the Oklahoma Statutes.

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

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

D. A contracting entity that sells, assigns or otherwise grants access to the dental services of a participating provider shall

maintain an Internet website or a toll-free telephone number through which the participating provider may obtain information which identifies the insurance carrier to be used to reimburse the participating provider for the covered dental services.

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

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

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

SECTION 2. This act shall become effective November 1, 2016.

Passed the Senate the 10th day of March, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2016.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 14th

day of April, 2016, at 2:37 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 20th

day of April, 2016, at 4:17 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20 _____, at _____ o'clock _____ M.

By: _____