

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 616

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1
2 RELATING TO INSURANCE; AMENDING SECTION 41-1849, IDAHO CODE, TO REVISE
3 PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES; AND
4 AMENDING SECTION 41-3444, IDAHO CODE, TO REVISE PROVISIONS REGARDING
5 CONTRACTS WITH PROVIDERS OF DENTAL SERVICES.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 41-1849, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 41-1849. CONTRACTS WITH PROVIDERS OF DENTAL SERVICES. (1) No person
10 contracting with dentists to provide coverage or reimbursement for den-
11 tal services rendered by the dentist to covered persons may require, as an
12 element of any dental care provider participation contract, that ~~any~~ the
13 provider agree to adopt fees set by the person for dental care services that
14 are not covered services under the contract.

15 (2) "Covered services" as used in this section means dental care
16 services under the applicable dental plan, dental plan contract or plan
17 benefits ~~subject to such contractual limitations on benefits of the dental~~
18 ~~plan, dental plan contracts or plan benefits as may apply for which payment~~
19 ~~is available to the covered person or dentist under the covered person's~~
20 ~~plan or contract, or for which payment to the covered person or to the den-~~
21 ~~tist would be available but for the application of contractual limitations~~
22 ~~on reimbursement, such as deductibles, copayments, coinsurance, waiting~~
23 ~~periods, annual or lifetime maximums, frequency limitations, alternative~~
24 ~~benefit payments or other similar contractual limitations.~~

25 ~~(2) This section shall apply to any contract with providers for dental~~
26 ~~services that is issued after January 1, 2011. Contracts that are in exis-~~
27 ~~tence on January 1, 2011, shall be brought into compliance on the next an-~~
28 ~~niversary date, renewal date, or the expiration date of the applicable col-~~
29 ~~lective bargaining contract, if any, whichever date is latest.~~

30 SECTION 2. That Section 41-3444, Idaho Code, be, and the same is hereby
31 amended to read as follows:

32 41-3444. CONTRACTS WITH PROVIDERS OF DENTAL SERVICES. (1) No ~~person~~
33 ~~contracting with dentists to provide coverage or reimbursement for dental~~
34 ~~services~~ professional service corporation providing dental health care ser-
35 VICES to subscribers through participating licensed dentists may require,
36 as an element of any dental care provider participation contract, that ~~any~~
37 ~~provider agree to adopt fees set by the person for services that are not cov-~~
38 ~~ered services under the contract~~ the service agreement between the profes-
39 sional service corporation and the participating licensed dentist, that the
40 participating licensed dentist agree to be compensated in accordance with a

1 formula or fee schedule adopted by the professional service corporation for
2 services rendered to the subscriber that are not covered services pursuant
3 to the subscriber's contract or certificate.

4 (2) "Covered services" as used in this section means dental care ser-
5 vices under the applicable dental plan, dental plan contract or plan bene-
6 fits subject to such contractual limitations on benefits of the dental plan,
7 dental plan contracts or plan benefits as may apply for which compensation
8 by the professional service corporation to the subscriber or to the partic-
9 ipating licensed dentist is available under a covered person's plan or con-
10 tract, or for which compensation by the professional service corporation to
11 the subscriber or to the participating licensed dentist would be available
12 but for the application of contractual limitations on compensation, such as
13 deductibles, copayments, coinsurance, waiting periods, annual or lifetime
14 maximums, frequency limitations, alternative benefit payments or other sim-
15 ilar contractual limitations.

16 (2) This section shall apply to any contract with providers for dental
17 services that is issued after January 1, 2011. Contracts that are in exis-
18 tence on January 1, 2011, shall be brought into compliance on the next an-
19 niversary date, renewal date, or the expiration date of the applicable col-
20 lective bargaining contract, if any, whichever date is latest.