

SENATE BILL No. 143

By Committee on Financial Institutions and Insurance

2-4

1 AN ACT concerning dental insurance; relating to insurance payments;
2 assignment of benefits; providing certain information to an insured or
3 beneficiary.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) Each health insurer's health benefit plan which provides
7 for dental services and which is delivered, issued for delivery, amended or
8 renewed by a health insurer on or after July 1, 2015, shall:

9 (1) Allow an insured to contract directly with any dentist to receive
10 dental care services without penalty;

11 (2) provide information regarding the insured's or beneficiary's dental
12 benefit coverage with any dentist or dental office designated by the
13 insured;

14 (3) provide that the insured or the beneficiary of the plan or policy
15 may assign the right to the payment or reimbursement of such person's
16 benefits to the dentist who provides the dental care service;

17 (4) make available, to its insureds or beneficiaries, benefit maximum
18 payment schedules; and

19 (5) accept claims formatted or transmitted in any manner authorized
20 by law.

21 (b) The benefit amount paid for receiving dental services shall be the
22 same whether or not the insured's dentist providing such dental services is
23 a participating provider and belongs to such health insurer's provider
24 network. The payment required by this subsection shall not adversely
25 affect the insured's deductible or copayment under such health benefit
26 plan.

27 (c) A health insurer shall not reduce an insured's benefit payment
28 amount as a result of any other insured's benefit error or transaction by the
29 administrator or provider of the health benefit plan.

30 (d) After receiving an assignment of benefits, direct payment of the
31 insured's benefit to the designated assignee satisfies the plan
32 administrator's benefit payment obligation.

33 (e) Any dentist licensed by the Kansas dental board and who
34 maintains professional liability insurance in accordance with K.S.A. 65-
35 1468, and amendments thereto, is eligible for in-network contract status
36 with the insured's health benefit plan.

1 (f) For the purposes of this section:

2 (1) "Health benefit plan" has the meaning ascribed to it in K.S.A. 40-
3 4602, and amendments thereto. "Health benefit plan" also includes any
4 subscription agreement issued by a nonprofit dental service corporation.

5 (2) "Health insurer" has the meaning ascribed to it in K.S.A. 40-4602,
6 and amendments thereto. "Health insurer" also includes a nonprofit dental
7 service corporation as such term is used in K.S.A. 40-19a01 et seq., and
8 amendments thereto.

9 (3) "Insured" has the meaning ascribed to it in K.S.A. 40-4602, and
10 amendments thereto. "Insured" also includes a subscriber to a subscription
11 agreement issued by a nonprofit dental service corporation as such term is
12 used in K.S.A. 40-19a01 et seq., and amendments thereto.

13 (4) "Participating provider" has the meaning ascribed to it in K.S.A.
14 40-4602, and amendments thereto. "Participating provider" also includes
15 any dentist who has entered into a participation agreement with a nonprofit
16 dental service corporation.

17 (5) "Provider" has the meaning ascribed to it in K.S.A. 40-4602, and
18 amendments thereto. "Provider" also includes any dentist licensed by the
19 Kansas dental board.

20 Sec. 2. This act shall take effect and be in force from and after its
21 publication in the statute book.