

HOUSE No. 3806

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel R. Carey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to provide equal and fair access to affordable dental care for all patients.

PETITION OF:

NAME:

Daniel R. Carey

DISTRICT/ADDRESS:

2nd Hampshire

HOUSE No. 3806

By Mr. Carey of Easthampton, a petition (accompanied by bill, House, No. 3806) of Daniel R. Carey relative to access to affordable dental care. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to provide equal and fair access to affordable dental care for all patients.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws is hereby amended by inserting after section 53 the
2 following section:-

3 Section 53A. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Dental insurance company”, a dental service corporation organized under chapter 176E
6 or some other company that offers and provides insurance coverage for dental care or services.

7 “Dentist”, an individual licensed pursuant to sections 43 to 53, inclusive, to practice
8 dentistry.

9 “Patient”, an individual contracting for dental care.

10 (b) Dentists may enter into contracts with patients or other entities, including dental
11 insurance companies, without restrictions from: (i) other dental insurance companies; or (ii) the
12 policies or contracts between the dentist and another insurance company.

13 (c) A dental insurance company may not charge a fee or provide a reimbursement to a
14 dentist for dental services rendered to a patient covered by an insurance policy offered by that
15 dental insurance company based on the fees charged and reimbursements provided under a
16 different policy offered by another dental insurance company, MassHealth or some other
17 contract between any individual patient and the dentist. No dentist shall be liable to a dental
18 insurance company for costs resulting from fees charged or reimbursements provided by that
19 dental insurance company to the dentist for dental services rendered if the fees or
20 reimbursements were based on the fees charged and reimbursements provided under a different
21 policy offered by another dental insurance company, MassHealth or some other contract between
22 any individual patient and the dentist.