

SENATE No. 631

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 relative to increasing patient choice through assignment of benefits.

PETITION OF:

NAME:

Harriette L. Chandler

DISTRICT/ADDRESS:

First Worcester

SENATE No. 631

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 631) of Harriette L. Chandler for legislation relative to transparency of dental benefits corporations. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 544 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to increasing patient choice through assignment of benefits.

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

1 SECTION 1. Section 108B of Chapter 175 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting at the end of said section the following new
3 paragraph:-

4 Every carrier shall permit, as a provision in a group or individual policy, contract or
5 health plan for coverage of dental services, a covered person to direct in writing that
6 reimbursable benefits for covered dental services be paid directly to the treating dentist
7 irrespective of whether the dentist has contracted with the carrier to provide dental services to
8 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly
9 executed by the covered person, shall have the right to review the records of the dentist receiving
10 such payment that relate exclusively to that particular covered person and service provided

11 pursuant to the claim for payment to determine that the service in question is rendered. The
12 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or
13 fee than a dentist who has contracted with the carrier for the same services rendered.

14 SECTION 2. Section 7 of chapter 176B of the General Laws, as appearing in the 2020
15 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

16 Every carrier, including but not limited to medical service corporations, shall permit, as a
17 provision in a group or individual policy, contract or health plan for coverage of dental services,
18 a covered person, including subscribers and covered dependents, to direct in writing that
19 reimbursable benefits for covered dental services be paid directly to the treating dentist
20 irrespective of whether the dentist has contracted with the carrier to provide dental services to
21 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly
22 executed by the covered person, shall have the right to review the records of the dentist receiving
23 such payment that relate exclusively to that particular covered person and service provided
24 pursuant to the claim for payment to determine that the service in question is rendered. The
25 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or
26 fee than a dentist who has contracted with the carrier for the same services rendered.

27 SECTION 3. Section 7 of chapter 176E of the General Laws, as appearing in the 2020
28 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

29 Every carrier, including but not limited to dental service corporations, shall permit, as a
30 provision in a group or individual policy, contract or health plan for coverage of dental services,
31 a covered person, including subscribers and covered dependents, to direct in writing that
32 reimbursable benefits for covered dental services be paid directly to the treating dentist

33 irrespective of whether the dentist has contracted with the carrier to provide dental services to
34 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly
35 executed by the covered person, shall have the right to review the records of the dentist receiving
36 such payment that relate exclusively to that particular covered person and service provided
37 pursuant to the claim for payment to determine that the service in question is rendered. The
38 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or
39 fee than a dentist who has contracted with the carrier for the same services rendered.

40 SECTION 4. Section 21 of chapter 176G of the General Laws, as appearing in the 2020
41 Official Edition, is hereby amended by inserting after sub-section (d) the following sub-section:-

42 (e) Every carrier, including but not limited to health maintenance organizations, shall
43 permit, as a provision in a group or individual policy, contract or health plan for coverage of
44 dental services, a covered person, including members and enrolled members, to direct in writing
45 that reimbursable benefits for covered dental services be paid directly to the treating dentist
46 irrespective of whether the dentist has contracted with the carrier to provide dental services to
47 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly
48 executed by the covered person, shall have the right to review the records of the dentist receiving
49 such payment that relate exclusively to that particular covered person and service provided
50 pursuant to the claim for payment to determine that the service in question is rendered. The
51 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or
52 fee than a dentist who has contracted with the carrier for the same services rendered.

53 SECTION 5. Section 2 of chapter 176I of the General Laws, as appearing in the 2020
54 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

55 Every carrier, including but not limited to organizations, shall permit, as a provision in a
56 group or individual policy, contract or health plan for coverage of dental services, a covered
57 person to direct in writing that reimbursable benefits for covered dental services be paid directly
58 to the treating dentist irrespective of whether the dentist has contracted with the carrier to
59 provide dental services to covered persons of the carrier. The carrier paying the dentist, pursuant
60 to a direction to pay duly executed by the covered person, shall have the right to review the
61 records of the dentist receiving such payment that relate exclusively to that particular covered
62 person and service provided pursuant to the claim for payment to determine that the service in
63 question is rendered. The paying carrier shall not pay the dentist who has not contracted with the
64 carrier a different rate or fee than a dentist who has contracted with the carrier for the same
65 services rendered.