

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1377

By: Griffin

4
5
6 AS INTRODUCED

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

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

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

21 A. As used in this section:

22 1. "Contracting entity" means any person or entity that is
23 engaged in the act of contracting with providers for the delivery of
24 dental services or the selling or assigning of dental plans to other
25 dental care entities;

26 2. "Identify" means providing in writing, by email or
27 otherwise, to the participating provider the name, address and

1 telephone number, to the extent possible, for any third party to
2 which the contracting entity has granted access to the dental
3 services of the participating provider;

4 3. "Network plan" means dental plans offered by a health
5 insurance issuer under which the financing and delivery of dental
6 services are provided in whole or in part through a defined set of
7 participating providers under contract with the health insurance
8 issuer;

9 4. "Participating provider" means a provider who, under a
10 contract with a contracting entity, has agreed to provide dental
11 services with an expectation of receiving payment, other than
12 coinsurance, copayments or deductibles, directly or indirectly, from
13 the contracting entity; and

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

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

24

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

5 D. A contracting entity that sells, assigns or otherwise grants
6 access to the dental services of a participating provider shall
7 maintain an Internet website or a toll-free telephone number through
8 which the participating provider may obtain information which
9 identifies the insurance carrier to be used to reimburse the
10 participating provider for the covered dental services.

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

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

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

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

6
7 55-2-2593 CB 1/21/2016 7:38:20 PM

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24