

1 ENGROSSED SENATE
2 BILL NO. 1377

By: Griffin, Pittman and
Dossett of the Senate

3 and

4 Cox, Moore and Griffith of
5 the House

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

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

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

22 A. As used in this section:

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

1 2. "Identify" means providing in writing, by email or
2 otherwise, to the participating provider the name, address and
3 telephone number, to the extent possible, for any third party to
4 which the contracting entity has granted access to the dental
5 services of the participating provider;

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

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

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

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

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

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

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

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

1 methodology set forth in that contract, unless otherwise agreed to
2 by a participating provider.

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

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

8 Passed the Senate the 10th day of March, 2016.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2016.

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Presiding Officer of the House
of Representatives

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