

SENATE BILL 1464

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 56,
Chapter 7, Part 10, relative to dental services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding a new section as follows:

56-7-10__.

(a)

(1) A contract between a dental plan and a dentist for the provision of services to covered individuals under the plan shall not require that a dentist provide services to those covered individuals at a fee set by the dental plan unless such services are covered services under the plan.

(2) No dentist participating in a dental network of a health care service contractor or other person providing third party administrator services shall, based on the dentist's participation in such network, be required to provide services to covered individuals in a plan that sets dental fees for any services unless such services are covered services under the plan.

(b)

(1) For the purposes of this section:

(A) "Covered services" means services reimbursed under the dental plan that pays at least fifty percent (50%) of the dentist's prevailing fee, administered consistently with policies traditionally governing covered services; and

(B) "Dental plan" means any plan which provides for coverage of dental services not in connection with a medical plan that provides for the coverage of medical services.

(2) Nothing in this section shall be construed as limiting the ability of an insurer or a third-party administrator to restrict any of the following as they relate to covered services:

- (A) Balance billing;
- (B) Waiting periods;
- (C) Frequency limitations;
- (D) Deductibles; and
- (E) Maximum annual benefits.

(c) An insurer is prohibited from using a third party administrator to circumvent subdivision (a)(1).

(d) No benefit arrangement may impose a deductible, copayment, coinsurance, or any other requirement in such a way as to provide de minimus reimbursement and avoid the impact of this section.

(e) The commissioner shall investigate all complaints arising from this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.