

Regular Session, 2012

SENATE BILL NO. 345

BY SENATOR MORRISH

HEALTH/ACC INSURANCE. To provide with respect to dental service contractors.
(8/1/12)

1 AN ACT
2 To amend and reenact R.S. 22:1155, relative to the denial of dental benefit claims; to require
3 certain information to be included in such denials or any written communications
4 related thereto; and to provide for related matters.
5 Be it enacted by the Legislature of Louisiana:
6 Section 1. R.S. 22:1155 is hereby amended and reenacted to read as follows:
7 §1155. Denial of claims
8 A dental service contractor or a contract of dental insurance shall establish
9 and maintain appeal procedures for any claim by a dentist or a subscriber that is
10 denied based upon lack of medical necessity. Any such denial shall be based upon
11 a determination by a dentist who holds a nonrestricted license **issued in the United**
12 **States** in the same or an appropriate specialty that typically manages the dental
13 condition, procedure, or treatment under review. Subsequent to an initial denial, the
14 **licensed** dentist making the adverse determination shall not be an employee of the
15 dental service contractor or dental insurer. **Any written communication to an**
16 **insured or a dentist that includes or pertains to a denial of benefits for all or**
17 **part of a claim on the basis of a lack of medical necessity shall include the name,**

1 **applicable speciality designation, license number together with state of issuance,**
2 **and the direct telephone number of the licensed dentist making the adverse**
3 **determination.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Horne.

DIGEST

Present law requires a dental service contractor or a contract of dental insurance to establish and maintain appeal procedures for any claim by a dentist or a subscriber that is denied based on lack of medical necessity. Requires any such denial be based upon a determination by a dentist who holds a nonrestricted license in the same or an appropriate speciality that typically manages the dental procedure or treatment under review.

Proposed law retains present law and requires that the dentist hold a nonrestricted license issued in the United States. Further requires the licensed dentist making the adverse determination include, in any written communication to an insured or dentist, his name, applicable specialty designation, license number with state of issuance, and his direct phone number.

Effective August 1, 2012.

(Amends R.S. 22:1155)