

HOUSE BILL 468

C3

1lr1747

By: **Delegate Kach**

Introduced and read first time: February 7, 2011

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 16, 2011

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Dental Provider Contracts – Prohibited Provision**

3 FOR the purpose of prohibiting certain health insurance carriers from including in a
4 dental provider contract a provision that requires a dental provider to provide
5 certain services at a fee set by the carrier; defining a certain term; providing for
6 the application of this Act; and generally relating to dental provider contracts
7 and health insurance carriers.

8 BY repealing and reenacting, without amendments,
9 Article – Insurance
10 Section 15–112.2(a)(1), (3), (4), (9), and (10)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2010 Supplement)

13 BY adding to
14 Article – Insurance
15 Section 15–112.2(g)
16 Annotated Code of Maryland
17 (2006 Replacement Volume and 2010 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Insurance**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 15-112.2.

2 (a) (1) In this section the following words have the meanings indicated.

3 (3) "Carrier" means:

4 (i) an insurer;

5 (ii) a nonprofit health service plan;

6 (iii) a health maintenance organization; or

7 (iv) a dental plan organization.

8 (4) "Enrollee" means a person entitled to health care benefits from a
9 carrier.

10 (9) "Provider" has the meaning stated in § 19-701 of the Health –
11 General Article.

12 (10) "Provider contract" means a contract:

13 (i) between a provider and a carrier, an affiliate of a carrier, or
14 an entity that contracts with a provider to serve a carrier; and

15 (ii) under which the provider agrees to provide health care
16 services to enrollees.

17 **(G) (1) IN THIS SUBSECTION, "COVERED SERVICES" MEANS HEALTH**
18 **CARE SERVICES THAT ARE REIMBURSABLE UNDER A POLICY OR CONTRACT FOR**
19 **DENTAL SERVICES BETWEEN AN ENROLLEE AND A CARRIER, SUBJECT TO ANY**
20 **CONTRACTUAL LIMITATIONS ON BENEFITS, INCLUDING DEDUCTIBLES,**
21 **COPAYMENTS, OR FREQUENCY LIMITATIONS.**

22 **(2) A CARRIER MAY NOT INCLUDE IN A DENTAL PROVIDER**
23 **CONTRACT A PROVISION THAT REQUIRES A DENTAL PROVIDER TO PROVIDE**
24 **HEALTH CARE SERVICES THAT ARE NOT COVERED SERVICES AT A FEE SET BY**
25 **THE CARRIER.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
27 all dental provider contracts issued, renewed, or amended in the State on or after
28 October 1, 2011.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2011.