

SENATE BILL 705

C3
SB 665/10 – FIN

11r2013

By: **Senators Klausmeier, Astle, ~~and Pipkin~~ Pipkin, Garagiola, Kittleman, Mathias, and Pugh**

Introduced and read first time: February 4, 2011

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 2011

CHAPTER _____

1 AN ACT concerning

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

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

8 BY repealing and reenacting, without amendments,
9 Article – Insurance
10 Section 15–112.2(a)
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 (2) "Capitated dental provider panel" means a provider panel for one
4 or more dental plan organizations offering contracts only for dental services
5 reimbursed on a capitated basis for certain services.

6 (3) "Carrier" means:

7 (i) an insurer;

8 (ii) a nonprofit health service plan;

9 (iii) a health maintenance organization; or

10 (iv) a dental plan organization.

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

13 (5) "Fee-for-service dental provider panel" means a provider panel for
14 one or more dental plan organizations, insurers, or nonprofit health service plans
15 offering contracts only for dental services reimbursed on a full or discounted
16 fee-for-service basis.

17 (6) "HMO provider panel" means a provider panel for one or more
18 health maintenance organizations.

19 (7) "Managed care organization" has the meaning stated in § 15-101
20 of the Health – General Article.

21 (8) "Non-HMO provider panel" means a provider panel for one or
22 more nonprofit health service plans or insurers.

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

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

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

28 (ii) under which the provider agrees to provide health care
29 services to enrollees.

1 (11) "Provider panel" means the providers that contract either directly
2 or through a subcontracting entity with a carrier to provide health care services to
3 enrollees.

4 (G) (1) IN THIS SUBSECTION, "~~COVERED SERVICE SERVICES~~" MEANS
5 ~~A HEALTH CARE SERVICE THAT IS~~ HEALTH CARE SERVICES THAT ARE
6 REIMBURSABLE UNDER A POLICY OR CONTRACT FOR DENTAL SERVICES
7 BETWEEN AN ENROLLEE AND A CARRIER, SUBJECT TO ANY CONTRACTUAL
8 LIMITATIONS ON BENEFITS, INCLUDING DEDUCTIBLES, COPAYMENTS, OR
9 FREQUENCY LIMITATIONS.

10 (2) A CARRIER MAY NOT INCLUDE IN A DENTAL PROVIDER
11 CONTRACT A PROVISION THAT REQUIRES A DENTAL PROVIDER TO PROVIDE
12 HEALTH CARE SERVICES THAT ARE NOT COVERED SERVICES AT A FEE SET BY
13 THE CARRIER.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
15 dental provider contracts issued, renewed, or amended in the State on or after October
16 1, 2011.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.