

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO INSURANCE -- HEALTH CARE ACCESSIBILITY AND QUALITY
ASSURANCE ACT

Introduced By: Representatives Kennedy, Azzinaro, and Diaz

Date Introduced: March 02, 2022

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18.8-4 of the General Laws in Chapter 27-18.8 entitled "Health
2 Care Accessibility and Quality Assurance Act" is hereby amended to read as follows:

3 **27-18.8-4. Contracts with providers for dental services.**

4 (a) No contract between a dental plan of a healthcare entity and a dentist for the provision
5 of services to beneficiaries may require that a dentist provide services to its patients at a fee set by
6 the healthcare entity unless said services are covered services under the applicable subscriber
7 agreement. "Covered services," as used herein, means services reimbursable under the applicable
8 beneficiary agreement, subject to such contractual limitations on beneficiary benefits as may apply,
9 including, for example, deductibles, waiting period, or frequency limitations.

10 (b) Dental services rendered to patients in Rhode Island shall be governed by the general
11 laws of Rhode Island.

12 SECTION 2. Section 27-18-56 of the General Laws in Chapter 27-18 entitled "Accident
13 and Sickness Insurance Policies" is hereby amended to read as follows:

14 **27-18-56. Prohibition against dentists being required to indemnify provider.**

15 (a) No accident and sickness insurance provider may contract to require that a dentist
16 indemnify or hold harmless the accident and sickness insurance provider for any expenses and
17 liabilities, including, without limitation, judgments, settlements, attorneys' fees, court costs, and
18 any associated charges, incurred in connection with any claim or action brought against the accident

1 and sickness insurance provider based on the accident and sickness insurance provider's
2 management decisions or utilization review provisions for any patient.

3 [\(b\) Dental services rendered to patients in Rhode Island shall be governed by the general](#)
4 [laws of Rhode Island.](#)

5 SECTION 3. Section 27-20-49 of the General Laws in Chapter 27-20 entitled "Nonprofit
6 Medical Service Corporations" is hereby amended to read as follows:

7 **27-20-49. ~~Dental insurance assignment of benefits.~~ Dental insurance.**

8 [\(a\)](#) Every entity providing a contract of insurance as defined in this chapter shall allow, as
9 a provision in a group or individual policy, contract or health benefit plan for coverage of dental
10 services, any person insured by such entity to direct, in writing, that benefits from a health benefit
11 plan, policy or contract, be paid directly to a dental care provider who has not contracted with the
12 entity to provide dental services to persons covered by the entity but otherwise meets the
13 credentialing criteria of the entity and has not previously been terminated by such entity as a
14 participating provider. If written direction to pay is executed and written notice of the direction to
15 pay is provided to such entity, the insuring entity shall pay the benefits directly to the dental care
16 provider. Any efforts to modify the amount of benefits paid directly to the dental care provider
17 under this section may include a reduction in benefits paid of no more than five percent (5%) less
18 than the benefits paid to participating dentists. The entity paying the dentist, pursuant to a direction
19 to pay duly executed by the subscriber, shall have the right to review the records of the dentist
20 receiving such payment that relate exclusively to that particular subscriber/patient to determine that
21 the service in question was rendered.

22 [\(b\) Dental services rendered to patients in Rhode Island shall be governed by the general](#)
23 [laws of Rhode Island.](#)

24 SECTION 4. Section 27-20.1-3 of the General Laws in Chapter 27-20.1 entitled "Nonprofit
25 Dental Service Corporations" is hereby amended to read as follows:

26 **27-20.1-3. Contracts.**

27 (a) Each nonprofit dental service corporation may contract with its subscribers for a dental
28 service as may be provided under any nonprofit dental service plan adopted by the corporation.

29 (b) The rates charged by the nonprofit dental service corporation to its subscribers shall be
30 consistent with the proper conduct of its business and the interests of the public and shall at all
31 times be subject to the approval of the director of business regulation.

32 (c) Nothing contained in this chapter or in any nonprofit dental service plan shall affect the
33 ordinary professional relationship between the person rendering dental services under the plan and
34 the subscriber to whom the services are rendered; and no action based upon or arising out of the

1 relationship or relating to dental services rendered pursuant to a nonprofit dental service plan shall
2 be maintained against the nonprofit dental service corporation operating the plan.

3 (d) No contract between a nonprofit dental service corporation and a dentist for the
4 provisions of services to patients may require that the dentist indemnify or hold harmless the
5 nonprofit dental service corporation for any expenses and liabilities, including without limitation,
6 judgments, settlements, attorneys' fee, court costs, and any associated charges, incurred in
7 connection with any claim or action brought against the nonprofit dental service corporation based
8 on the nonprofit dental service corporation's management decisions, or utilization review
9 provisions for any patient.

10 [\(e\) Dental services rendered to patients in Rhode Island shall be governed by the general](#)
11 [laws of Rhode Island.](#)

12 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO INSURANCE -- HEALTH CARE ACCESSIBILITY AND QUALITY
ASSURANCE ACT

- 1 This act would provide that dental services rendered to patients in Rhode Island would be
- 2 governed by the general laws of Rhode Island.
- 3 This act would take effect upon passage.

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