



# LAWS OF ALASKA

**2010**

**Source**  
CSSB 258(L&C)

**Chapter No.**  
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## **AN ACT**

Prohibiting health care insurers that provide dental care coverage from setting fees that a dentist may charge under a preferred provider contract for dental services not covered under the insurer's policy, and relating to preferred provider contracts between insurers and dentists.

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**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

THE ACT FOLLOWS ON PAGE 1



## AN ACT

1 Prohibiting health care insurers that provide dental care coverage from setting fees that a  
2 dentist may charge under a preferred provider contract for dental services not covered under  
3 the insurer's policy, and relating to preferred provider contracts between insurers and dentists.

4  
5 \* **Section 1.** AS 21.42.392(c) is amended to read:

6 (c) A health care insurer **that provides coverage for dental care**

7 **(1)** may reimburse a covered person at a different rate because of the  
8 person's choice of a dentist if the dentist is not a part of the covered person's dental  
9 network or preferred provider organization agreement; **the** [. THE] covered expense  
10 for non-network providers may not be less than that allowed to a network provider,  
11 although the covered expense may be reimbursed at a lower percentage or with higher  
12 deductibles than if the service had been provided within the network;

13 **(2)** may not limit a fee set by a dentist for a service unless the

1 service is covered under the insurer's plan or contract; and

2 (3) may offer a dentist the option of entering into a preferred  
3 provider contract with the insurer that provides a fee schedule for covered  
4 services only or a fee schedule for both covered and uncovered services; under  
5 this paragraph,

6 (A) the health care insurer may not

7 (i) take an action against the dentist based on the  
8 dentist's refusal to enter into a contract with an insurer;

9 (ii) fail to list a dentist who does not enter into a  
10 contract with an insurer in the insurer's marketing materials; or

11 (iii) take action against the dentist during the  
12 management or administration of a contract based on the dentist's  
13 choice of contract;

14 (B) the terms or provisions of the contract

15 (i) may not violate AS 45.50.562 - 45.50.566; and

16 (ii) may authorize the insurer to provide information  
17 to the insured describing the dentist's choice of contract and fee  
18 schedules;

19 (C) "covered service" means a health care service for which  
20 a health care insurer pays a benefit for all or part of the service, including  
21 a benefit that is available but limited by deductible, coinsurance, or  
22 frequency terms under the contract between the insurer and the insured.