

Regular Session, 2010

HOUSE BILL NO. 1246

BY REPRESENTATIVES MCVEA AND BALDONE

INSURANCE/HEALTH: Provides relative to contracts with dental providers

1 AN ACT

2 To enact R.S. 22:1157, relative to contracts with dental providers; to provide that no dental
3 plan may require that a dentist provide dental health care services to a covered
4 person at a particular fee unless such services are covered services for which benefits
5 are paid under a contract with such dentist; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1157 is hereby enacted to read as follows:

8 §1157. Dental reimbursement or payments

9 A. As used in this Section, the following definitions shall apply:

10 (1) "Covered person" means any subscriber, enrollee, member, or participant
11 in a dental plan, or his dependent, for whom benefits are payable when that person
12 receives dental health care services rendered or authorized by a licensed dentist.

13 (2) "Covered service" means any dental health care service rendered or
14 authorized by a licensed dentist on a covered person for which the insurer is required
15 to pay benefits to the dentist under a contractual agreement with such dentist.

16 (3) "Dental plan" means any insurance policy, benefit plan, or dental service
17 contract providing for the payment of benefits for dental health care services.

18 B. No dental plan that is delivered, renewed, issued for delivery, or otherwise
19 contracted for in this state may require that a dentist provide dental health care

1 services to a covered person at a particular fee unless such services are covered
 2 services for which benefits are paid under a contract with such dentist.

3 C. The provisions of this Section are subject to such contractual limitations
 4 on benefits for covered persons as may apply, including but not limited to
 5 deductibles, waiting periods, or frequency limitations, but not including a dental
 6 plan's total annual maximum for benefits.

7 Section 2. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

12 Section 3. The provisions of this Act shall not apply to contracts already in existence
 13 until the renewal or extension date of such contracts.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

McVea

HB No. 1246

Abstract: Provides that no dental plan may require that a dentist provide dental health care services to a covered person at a particular fee unless such services are covered services for which benefits are paid under a contract with such dentist.

Proposed law provides that no dental plan that is delivered, renewed, issued for delivery, or otherwise contracted for in this state may require that a dentist provide dental health care services to a covered person at a particular fee unless such services are covered services for which benefits are paid under a contract with such dentist. Makes proposed law subject to such contractual limitations on benefits for covered persons as may apply, including but not limited to deductibles, waiting periods, or frequency limitations, but not including a dental plan's total annual maximum for benefits. Defines terms "dental plan", "covered person", and "covered service".

Proposed law provides that the provisions of proposed law shall not apply to contracts already in existence until the renewal or extension date of such contracts.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 22:1157)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Made a technical change.
2. Added a provision that prohibits the application of proposed law to contracts already in existence until the renewal date of such contracts.

House Floor Amendments to the engrossed bill.

1. Modified the definition of "dental plan" by specifying that it is any insurance policy, benefit plan, or dental service contract providing for the payment of benefits for dental health care services.
2. Specified that the provisions of proposed law are not applicable to contracts already in existence until the extension date of the contract.