AN ACT

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

Introduced By: Representative Joseph M. McNamara

Date Introduced: February 17, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

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

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

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

(b) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed by standards governed by the general laws of Rhode Island.

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

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

(a) No accident and sickness insurance provider may contract to require that a dentist indemnify or hold harmless the accident and sickness insurance provider for any expenses and liabilities, including, without limitation, judgments, settlements, attorneys' fees, court costs, and any associated charges incurred in connection with any claim or action brought against the accident.
and sickness insurance provider based on the accident and sickness insurance provider’s
management decisions or utilization review provisions for any patient.

(b) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed
by standards governed by the general laws of Rhode Island.

Medical Service Corporations" is hereby amended to read as follows:


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

(b) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed
by standards governed by the general laws of Rhode Island.

Dental Service Corporations" is hereby amended to read as follows:


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

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

(c) Nothing contained in this chapter or in any nonprofit dental service plan shall affect the
ordinary professional relationship between the person rendering dental services under the plan and
the subscriber to whom the services are rendered; and no action based upon or arising out of the
relationship or relating to dental services rendered pursuant to a nonprofit dental service plan shall be maintained against the nonprofit dental service corporation operating the plan.

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

(e) Dental services and treatment rendered to patients in Rhode Island shall be reimbursed by standards governed by the general laws of Rhode Island.

SECTION 5. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE -- HEALTH CARE ACCESSIBILITY AND QUALITY ASSURANCE ACT

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1 This act would provide that dental services and treatment rendered to patients in Rhode Island would be reimbursed by standards governed by the general laws of Rhode Island.

2 This act would take effect upon passage.

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