

1 S.143

2 Introduced by Senators Cummings and Doyle

3 Referred to Committee on

4 Date:

5 Subject: Health; dental insurance; fees

6 Statement of purpose of bill as introduced: This bill proposes to prohibit  
7 dental insurance plans from imposing fee schedules on dentists for services  
8 that are not covered under the plan.

9 An act relating to fee schedules for noncovered dental services

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. REDESIGNATION

12 8 V.S.A. chapter 107, subchapter 13 (tobacco cessation) is redesignated as  
13 8 V.S.A. chapter 107, subchapter 15.

14 Sec. 2. REDESIGNATION

15 8 V.S.A. § 4100j (coverage for tobacco cessation programs) is redesignated  
16 as 8 V.S.A. § 4100l.

17 Sec. 3. 8 V.S.A. § 4100j is added in subchapter 12 to read:

18 § 4100j. FEES FOR NONCOVERED DENTAL SERVICES

19 (a) As used in this chapter:

1           (1) “Dental insurance plan” means a stand-alone dental plan or policy  
2           that provides coverage for dental services apart from a health insurance plan as  
3           defined in section 4088h of this title.

4           (2) “Dental insurer” means any health or dental insurance company,  
5           including a nonprofit dental service corporation, which offers for sale a dental  
6           insurance plan.

7           (3) “Noncovered service” means a dental care service that is not  
8           reimbursable under a subscriber’s dental insurance plan even absent a  
9           contractual limitation such as a deductible, copayment, coinsurance, waiting  
10           period, annual or lifetime maximum, frequency limitation, or alternative  
11           benefit payment.

12           (b) A dental insurance plan, a contract, or a participating provider  
13           agreement with a dentist shall not directly or indirectly require a dentist to  
14           provide noncovered services to a subscriber at a fee set by or subject to the  
15           approval of a dental insurance plan.

16           (c) A dental insurer or third party administrator shall not make available  
17           dentists within its provider network to a dental insurance plan that requires a  
18           dentist to provide noncovered services to a subscriber at a fee set by or subject  
19           to the approval of a dental insurance plan.

20           (d) A violation of this section shall be penalized in accordance with section  
21           4087 of this title.

1       Sec. 4. EFFECTIVE DATE

2       This act shall take effect on July 1, 2013.