

# HOUSE . . . . . No. 982

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***John W. Scibak***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to increasing choice for dental patients.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/17/2013</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>1/18/2013</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	
<i>John J. Mahoney</i>	<i>13th Worcester</i>	
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	
<i>Cory Atkins</i>	<i>14th Middlesex</i>	
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	

# HOUSE . . . . . No. 982

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By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 982) of John W. Scibak and others relative to increasing treatment choices in dental insurance policies. Financial Services.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act relative to increasing choice for dental patients.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 108B of Chapter 175 of the General Laws, as appearing in the  
2 2008 Official Edition, is hereby amended by inserting at the end of said section the following  
3 new paragraph:-

4           “Every entity providing any policy of accident and sickness insurance issued in the  
5 commonwealth or in any contract for the provision of health care, services or benefits issued by  
6 any health, medical or other service corporation or company existing under and by virtue of any  
7 laws of the commonwealth shall allow, as a provision in a group or individual policy, contract or  
8 health benefit plan for coverage of dental services, any person insured by such entity to direct, in  
9 writing, that benefits from a health benefit plan, policy or contract, be paid directly to a dentist  
10 who has not contracted with the entity to provide dental services to persons covered by the entity  
11 but otherwise meets the credentialing criteria of the entity and has not previously been  
12 terminated by such entity as a participating provider. If written direction to pay is executed and  
13 written notice of the direction is provided to such entity, the insuring entity shall pay the benefits  
14 directly to the dentist. The entity paying the dentist, pursuant to a direction to pay duly executed  
15 by the subscriber, shall have the right to review the records of the dentist receiving such payment  
16 that relate exclusively to that particular subscriber/patient to determine that the service in  
17 question was rendered.”

18           SECTION 2. Section 7 of chapter 176B of the General Laws, as appearing in the 2008  
19 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

20 “Every medical service corporation providing any policy of accident and sickness  
21 insurance issued in the commonwealth or in any contract for the provision of health care, shall  
22 allow, as a provision in a group or individual policy, contract or health benefit plan for coverage  
23 of dental services, any person insured by such corporation to direct, in writing, that benefits from  
24 a health benefit plan, policy or contract, be paid directly to a dentist who has not contracted with  
25 the corporation to provide dental services to persons covered by the corporation but otherwise  
26 meets the credentialing criteria of the corporation and has not previously been terminated by  
27 such corporation as a participating provider. If written direction to pay is executed and written  
28 notice of the direction is provided to such corporation, the insuring corporation shall pay the  
29 benefits directly to the dentist. The corporation paying the dentist, pursuant to a direction to pay  
30 duly executed by the subscriber, shall have the right to review the records of the dentist receiving  
31 such payment that relate exclusively to that particular subscriber/patient to determine that the  
32 service in question was rendered.”

33 SECTION 3. Section 7 of chapter 176E of the General Laws, as appearing in the 2008  
34 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

35 “The corporation shall allow, as a provision in a group or individual policy, contract or  
36 health benefit plan for coverage of dental services, any person insured by the corporation to  
37 direct, in writing, that benefits from a health benefit plan, policy or contract, be paid directly to a  
38 dentist who has not contracted with the corporation to provide dental services to persons covered  
39 by the corporation but otherwise meets the credentialing criteria of the corporation and has not  
40 previously been terminated by such corporation as a participating provider. If written direction  
41 to pay is executed and written notice of the direction is provided to such corporation, the insuring  
42 corporation shall pay the benefits directly to the dentist. The corporation paying the dentist,  
43 pursuant to a direction to pay duly executed by the subscriber, shall have the right to review the  
44 records of the dentist receiving such payment that relate exclusively to that particular  
45 subscriber/patient to determine that the service in question was rendered.”

46 SECTION 4. Section 21 of chapter 176G of the General Laws, as appearing in the 2008  
47 Official Edition, is hereby amended by inserting after sub-section (d) the following sub-section:-

48 “(e) Every health maintenance organization shall allow, as a provision in a group or  
49 individual policy, contract or health benefit plan for coverage of dental services, any person  
50 insured by the organization to direct, in writing, that benefits from a health benefit plan, policy or  
51 contract, be paid directly to a dentist who has not contracted with the organization to provide  
52 dental services to persons covered by the organization but otherwise meets the credentialing  
53 criteria of the organization and has not previously been terminated by such organization as a  
54 participating provider. If written direction to pay is executed and written notice of the direction  
55 is provided to such organization, the insuring organization shall pay the benefits directly to the  
56 dentist. The health maintenance organization paying the dentist, pursuant to a direction to pay  
57 duly executed by the subscriber, shall have the right to review the records of the dentist receiving

58 such payment that relate exclusively to that particular subscriber/patient to determine that the  
59 service in question was rendered.”

60 SECTION 5. Section 2 of chapter 176I of the General Laws, as appearing in the 2008  
61 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

62 “Every organization shall allow, as a provision in a group or individual policy, contract or  
63 health benefit plan for coverage of dental services, any person insured by the organization to  
64 direct, in writing, that benefits from a health benefit plan, policy or contract, be paid directly to a  
65 dentist who has not contracted with the organization to provide dental services to persons  
66 covered by the organization but otherwise meets the credentialing criteria of the organization and  
67 has not previously been terminated by such organization as a participating provider. If written  
68 direction to pay is executed and written notice of the direction is provided to such organization,  
69 the insuring organization shall pay the benefits directly to the dentist. The organization paying  
70 the dentist, pursuant to a direction to pay duly executed by the subscriber, shall have the right to  
71 review the records of the dentist receiving such payment that relate exclusively to that particular  
72 subscriber/patient to determine that the service in question was rendered.”