SENATE DOCKET, NO. 664 FILED ON: 1/17/2013

SENATE . . . . . No. 423

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 increase choice for dental patients.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harriette L. Chandler	*First Worcester*
John W. Scibak	*2nd Hampshire*
Jennifer L. Flanagan	*Worcester and Middlesex*
Gale D. Candaras	*First Hampden and Hampshire*

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SENATE . . . . . No. 423

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 423) of Harriette L. Chandler, John W. Scibak, Jennifer L. Flanagan and Gale D. Candaras for legislation relative to increase choice for dental patients. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to increase 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:

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

"Every entity providing any policy of accident and sickness insurance issued in the commonwealth or in any contract for the provision of health care, services or benefits issued by any health, medical or other service corporation or company existing under and by virtue of any laws of the commonwealth 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 dentist 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 is provided to such entity, the insuring entity shall pay the benefits directly to the dentist. 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."

SECTION 2. Section 7 of chapter 176B of the General Laws, as appearing in the 2008 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."