

SENATE No. 506

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 financial services contracts for dental benefits corporations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>3/9/2017</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	<i>2/3/2017</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>2/3/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/3/2017</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/28/2017</i>

SENATE No. 506

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 506) of Harriette L. Chandler, Kathleen O'Connor Ives, Patrick M. O'Connor and Paul K. Frost for legislation relative to financial services contracts for dental benefits corporations. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to financial services contracts for dental benefits corporations.

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 2014
2 Official Edition, is hereby amended by inserting at the end of said section the following
3 sentence:-

4 “No contract for the provision of healthcare services or benefits with a registered dentist
5 shall require that such dentist provide dental services to a covered person at a particular fee
6 unless said dental services are services for which the company provides payment under the
7 applicable group or individual policy of accident, sickness or health insurance. Moreover, no
8 such provision shall be enforced against a dentist outside of the provider agreement with the
9 dentist through changes in the policies and procedures of the company. Fees for covered services
10 shall be set in good faith and not be nominal.”

11 SECTION 2. Section 7 of chapter 176B of the General Laws, as appearing in the 2014
12 Official Edition, is hereby amended by inserting after the second paragraph the following
13 paragraph:-

14 “No such agreement shall require that a dentist provide dental services to subscribers or
15 their covered dependents at a particular fee unless said dental services are services for which the
16 medical services corporation provides reimbursement under the applicable service agreement.
17 Moreover, no such provision shall be enforced against a dentist outside of the provider
18 agreement with the dentist through changes in the policies and procedures of the medical
19 services corporation. Fees for covered services shall be set in good faith and not be nominal.”

20 SECTION 3. Section 7 of chapter 176E of the General Laws, as appearing in the 2014
21 Official Edition, is hereby amended by inserting after the second paragraph the following
22 paragraph:-

23 “No written agreement between a dental service corporation and a participating dentist
24 shall require that the dentist provide dental services to subscribers or their covered dependents at
25 a particular fee unless said dental services are services for which the dental service corporation
26 provides reimbursement under the applicable service agreement. Moreover, no such provision
27 shall be enforced against a dentist outside of the provider agreement with the dentist through
28 changes in the policies and procedures of the dental service corporation. Fees for covered
29 services shall be set in good faith and not be nominal.”

30 SECTION 4. Section 21 of chapter 176G of the General Laws, as appearing in the 2014
31 Official Edition, is hereby amended by inserting after sub-section (d) the following sub-section:-

32 “(e) No contract between a health maintenance organization and a participating provider
33 who is a registered dentist shall require that such dentist provide dental services to a member at a
34 particular fee unless said dental services are services for which the health maintenance
35 organization provides reimbursement under the applicable health maintenance contract.
36 Moreover, no such provision shall be enforced against a dentist outside of the provider
37 agreement with the dentist through changes in the policies and procedures of the health
38 maintenance organization. Fees for covered services shall be set in good faith and not be
39 nominal.”

40 SECTION 5. Section 2 of chapter 176I of the General Laws, as appearing in the 2014
41 Official Edition, is hereby amended by inserting after the first paragraph the following
42 paragraph:-

43 “No preferred provider arrangement with a health care provider who is a registered
44 dentist shall require that such dentist provide dental services to a covered person at a particular
45 fee unless said dental services are services for which the organization provides reimbursement
46 under the applicable preferred provider arrangement. Moreover, no such provision shall be
47 enforced against a dentist outside of the preferred provider contract with the dentist through the
48 changes in policies and procedures of the organization. Fees for covered services shall be set in
49 good faith and not be nominal.”