

**HOUSE . . . . . No.**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Angelo J. Puppolo, Jr.*

*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 patient choice through assignment of benefits.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>11/25/2019</i>

**HOUSE . . . . . No.**

---

By Mr. Puppolo of Springfield, a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., relative to insurance coverage for certain dental benefits. Financial Services.

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act relative to increasing patient choice through assignment of benefits.

*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 2018  
2 Official Edition, is hereby amended by inserting at the end of said section the following new  
3 paragraph:-

4           Every carrier shall permit, as a provision in a group or individual policy, contract or  
5 health plan for coverage of dental services, a covered person to direct in writing that  
6 reimbursable benefits for covered dental services be paid directly to the treating dentist  
7 irrespective of whether the dentist has contracted with the carrier to provide dental services to  
8 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly  
9 executed by the covered person, shall have the right to review the records of the dentist receiving  
10 such payment that relate exclusively to that particular covered person and service provided  
11 pursuant to the claim for payment to determine that the service in question is rendered. The  
12 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or  
13 fee than a dentist who has contracted with the carrier for the same services rendered.

14 SECTION 2: Section 7 of chapter 176B of the General Laws, as appearing in the 2018  
15 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

16 Every carrier, including but not limited to medical service corporations, shall permit, as a  
17 provision in a group or individual policy, contract or health plan for coverage of dental services,  
18 a covered person, including subscribers and covered dependents, to direct in writing that  
19 reimbursable benefits for covered dental services be paid directly to the treating dentist  
20 irrespective of whether the dentist has contracted with the carrier to provide dental services to  
21 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly  
22 executed by the covered person, shall have the right to review the records of the dentist receiving  
23 such payment that relate exclusively to that particular covered person and service provided  
24 pursuant to the claim for payment to determine that the service in question is rendered. The  
25 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or  
26 fee than a dentist who has contracted with the carrier for the same services rendered.

27 SECTION 3: Section 7 of chapter 176E of the General Laws, as appearing in the 2018  
28 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

29 Every carrier, including but not limited to dental service corporations, shall permit, as a  
30 provision in a group or individual policy, contract or health plan for coverage of dental services,  
31 a covered person, including subscribers and covered dependents, to direct in writing that  
32 reimbursable benefits for covered dental services be paid directly to the treating dentist  
33 irrespective of whether the dentist has contracted with the carrier to provide dental services to  
34 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly  
35 executed by the covered person, shall have the right to review the records of the dentist receiving

36 such payment that relate exclusively to that particular covered person and service provided  
37 pursuant to the claim for payment to determine that the service in question is rendered. The  
38 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or  
39 fee than a dentist who has contracted with the carrier for the same services rendered.

40 SECTION 4: Section 21 of chapter 176G of the General Laws, as appearing in the 2018  
41 Official Edition, is hereby amended by inserting after sub-section (d) the following sub-section:-

42 (e) Every carrier, including but not limited to health maintenance organizations, shall  
43 permit, as a provision in a group or individual policy, contract or health plan for coverage of  
44 dental services, a covered person, including members and enrolled members, to direct in writing  
45 that reimbursable benefits for covered dental services be paid directly to the treating dentist  
46 irrespective of whether the dentist has contracted with the carrier to provide dental services to  
47 covered persons of the carrier. The carrier paying the dentist, pursuant to a direction to pay duly  
48 executed by the covered person, shall have the right to review the records of the dentist receiving  
49 such payment that relate exclusively to that particular covered person and service provided  
50 pursuant to the claim for payment to determine that the service in question is rendered. The  
51 paying carrier shall not pay the dentist who has not contracted with the carrier a different rate or  
52 fee than a dentist who has contracted with the carrier for the same services rendered.

53 SECTION 5: Section 2 of chapter 176I of the General Laws, as appearing in the 2018  
54 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-

55 Every carrier, including but not limited to organizations, shall permit, as a provision in a  
56 group or individual policy, contract or health plan for coverage of dental services, a covered  
57 person to direct in writing that reimbursable benefits for covered dental services be paid directly

58 to the treating dentist irrespective of whether the dentist has contracted with the carrier to  
59 provide dental services to covered persons of the carrier. The carrier paying the dentist, pursuant  
60 to a direction to pay duly executed by the covered person, shall have the right to review the  
61 records of the dentist receiving such payment that relate exclusively to that particular covered  
62 person and service provided pursuant to the claim for payment to determine that the service in  
63 question is rendered. The paying carrier shall not pay the dentist who has not contracted with the  
64 carrier a different rate or fee than a dentist who has contracted with the carrier for the same  
65 services rendered.