

1 **DENTAL INSURANCE AMENDMENTS**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Allen M. Christensen**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill regulates certain contract provisions for dental services.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ prohibits a dental insurer from setting fees for dental services that are not covered
- 14 services under the dental insurance; and
- 15 ▶ applies to dental plans entered into or renewed on or after January 1, 2018.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **31A-22-645**, Utah Code Annotated 1953

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **31A-22-645** is enacted to read:

26 **31A-22-645. Dental insurance -- Contract provision for noncovered services.**

27 (1) For purposes of this section:



28 (a) "Covered services" means dental services for which reimbursement is:
29 (i) available under an enrollee's dental plan; and
30 (ii) not merely nominal, for the purpose of avoiding the requirements of this section.

31 (b) "Dental plan" means:
32 (i) a health benefit plan that includes coverage for dental services; and
33 (ii) a policy or certificate that provides coverage solely for dental services.

34 (c) "Dentist" means an individual licensed under Tile 58, Chapter 69, Dentist and
35 Dental Hygienist Practice Act.

36 (2) (a) This section applies to:
37 (i) a dental plan that is entered into or renewed on or after January 1, 2018; and
38 (ii) an administrator providing third-party administration services or a provider
39 network for a dental plan.

40 (b) This section does not apply to a self-insured dental plan that is regulated by federal
41 law.

42 (3) A contract between a dental plan and a dentist to provide contracted services may
43 not:

44 (a) require, directly or indirectly, that a dentist provide dental services to a covered
45 individual at a fee set by, or a fee subject to the approval of, the dental plan unless the dental
46 services are covered services under the dental plan; and

47 (b) prohibit a dentist from offering or providing noncovered dental services to a
48 covered individual at a fee determined by the dentist and the individual who will receive the
49 noncovered services.