HOUSE DOCKET, NO. 1537 FILED ON: 1/17/2013

HOUSE . . . . . No. 981

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

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 passage of the accompanying:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John W. Scibak	*2nd Hampshire*
Harriette L. Chandler	*First Worcester*
Jason M. Lewis	*31st Middlesex*
Stephen L. DiNatale	*3rd Worcester*
Sean Garballey	*23rd Middlesex*
Theodore C. Speliotis	*13th Essex*
Antonio F. D. Cabral	*13th Bristol*
David T. Vieira	*3rd Barnstable*
John J. Mahoney	*13th Worcester*
John D. Keenan	*7th Essex*

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By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 981) of John W. Scibak and others for legislation relative to financial services contracts for dental benefits corporations. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *323* OF 2011-2012.]

The Commonwealth of Massachusetts

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:

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

SECTION 2. Section 7 of chapter 176B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the second paragraph the following paragraph:- "No such agreement shall require that a dentist provide dental services to subscribers or their covered dependents at a particular fee unless said dental services are services for which the medical services corporation provides reimbursement under the applicable service agreement. Moreover, no such provision shall be enforced against a dentist outside of the provider agreement with the dentist through changes in the policies and procedures of the medical services corporation. Fees for covered services shall be set in good faith and not be nominal."

19 SECTION 3. Section 7 of chapter 176E of the General Laws, as appearing in the 2008
20 Official Edition, is hereby amended by inserting after the second paragraph the following
21 paragraph:- "No written agreement between a dental service corporation and a participating
22 dentist shall require that the dentist provide dental services to subscribers or their covered
23 dependents at a particular fee unless said dental services are services for which the dental service
24 corporation provides reimbursement under the applicable service agreement. Moreover, no such
25 provision shall be enforced against a dentist outside of the provider agreement with the dentist
26 through changes in the policies and procedures of the dental service corporation. Fees for
27 covered services shall be set in good faith and not be nominal."

28 SECTION 4. Section 21 of chapter 176G of the General Laws, as appearing in the 2008
29 Official Edition, is hereby amended by inserting after sub-section (d) the following sub-section:-
30 "(e) No contract between a health maintenance organization and a participating provider who is a
31 registered dentist shall require that such dentist provide dental services to a member at a
32 particular fee unless said dental services are services for which the health maintenance
33 organization provides reimbursement under the applicable health maintenance contract.
34 Moreover, no such provision shall be enforced against a dentist outside of the provider
35 agreement with the dentist through changes in the policies and procedures of the health
36 maintenance organization. Fees for covered services shall be set in good faith and not be
37 nominal."

38 SECTION 5. Section 2 of chapter 176I of the General Laws, as appearing in the 2008
39 Official Edition, is hereby amended by inserting after the first paragraph the following
40 paragraph:- "No preferred provider arrangement with a health care provider who is a registered
41 dentist shall require that such dentist provide dental services to a covered person at a particular
42 fee unless said dental services are services for which the organization provides reimbursement
43 under the applicable preferred provider arrangement. Moreover, no such provision shall be
44 enforced against a dentist outside of the preferred provider contract with the dentist through the
45 changes in policies and procedures of the organization. Fees for covered services shall be set in
46 good faith and not be nominal."