

SENATE BILL No. 386

By Senator Bowers

2-12

1 AN ACT concerning health insurance; relating to covered dental services;
2 insurance payments; assignment of benefits.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Each health insurer's health benefit plan which provides
6 for dental services and which is delivered, issued for delivery, amended or
7 renewed by a health insurer on or after July 1, 2014, shall:

8 (1) Allow an insured to contract directly with any dentist to receive
9 dental care services without penalty;

10 (2) provide information regarding the insured's or beneficiary's dental
11 benefit coverage with any dentist or dental office designated by the
12 insured;

13 (3) provide that the insured or the beneficiary of the plan or policy
14 may assign the right to the payment or reimbursement of such person's
15 benefits to the dentist who provides the dental care service;

16 (4) make available, to its insureds or beneficiaries, benefit maximum
17 payment schedules; and

18 (5) accept claims formatted or transmitted in any manner authorized
19 by law.

20 (b) The benefit amount paid for receiving covered dental services
21 shall be the same whether or not the insured's dentist providing the
22 covered dental services is a participating provider and belongs to such
23 health insurer's provider network. The payment required by this subsection
24 shall not adversely affect the insured's deductible or copayment under such
25 health benefit plan.

26 (c) The insured retains a security interest in such person's benefits
27 upon assignment and the benefit payment shall not be reduced as a result
28 of any other insured's benefit error or transaction by the administrator or
29 provider of the health benefit plan.

30 (d) After receiving an assignment of benefits, direct payment of the
31 insured's benefit to the designated assignee satisfies the plan
32 administrator's benefit payment obligation.

33 (e) Any dentist licensed by the Kansas dental board and who
34 maintains professional liability insurance in accordance with K.S.A. 65-
35 1468, and amendments thereto, is eligible for in-network contract status
36 with the insured's health benefit plan.

1 (f) For the purposes of this section:

2 (1) "Covered dental service" means a service which is reimbursable
3 under the health benefit plan subject to any deductible, coinsurance,
4 waiting period, frequency limitation, annual or lifetime benefit maximum
5 or other contractual limitation contained in the health benefit plan.

6 (2) "Health benefit plan" shall have the meaning ascribed to it in
7 K.S.A. 40-4602, and amendments thereto. "Health benefit plan" also
8 includes any subscription agreement issued by a nonprofit dental service
9 corporation.

10 (3) "Health insurer" shall have the meaning ascribed to it in K.S.A.
11 40-4602, and amendments thereto. "Health insurer" also includes a
12 nonprofit dental service corporation as such term is used in K.S.A. 40-
13 19a01 et seq., and amendments thereto.

14 (4) "Insured" shall have the meaning ascribed to it in K.S.A. 40-4602,
15 and amendments thereto. "Insured" also includes a subscriber to a
16 subscription agreement issued by a nonprofit dental service corporation as
17 such term is used in K.S.A. 40-19a01 et seq., and amendments thereto.

18 (5) "Participating provider" shall have the meaning ascribed to it in
19 K.S.A. 40-4602, and amendments thereto. "Participating provider" also
20 includes any dentist who has entered into a participation agreement with a
21 nonprofit dental service corporation.

22 (6) "Provider" shall have the meaning ascribed to it in K.S.A. 40-
23 4602, and amendments thereto. "Provider" also includes any dentist
24 licensed by the Kansas dental board.

25 Sec. 2. This act shall take effect and be in force from and after its
26 publication in the statute book.