

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 322

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO INSURANCE; AMENDING SECTION 41-1849, IDAHO CODE, TO REVISE  
2 PROVISIONS REGARDING CONTRACTS WITH PROVIDERS OF DENTAL SERVICES; AND  
3 AMENDING SECTION 41-3444, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
4 CONTRACTS WITH PROVIDERS OF DENTAL SERVICES.  
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 41-1849, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 41-1849. CONTRACTS WITH PROVIDERS OF DENTAL SERVICES. (1) No person  
10 contracting with dentists to provide coverage or reimbursement for dental  
11 services may require, as an element of any dental care provider partici-  
12 pation contract, that any provider agree to adopt fees set by the person  
13 for services that are not covered services under the contract. "Covered  
14 services" as used in this section means services and procedures reimbursed  
15 under the applicable dental plan, dental plan contract or plan benefits  
16 subject to such contractual limitations on benefits of the dental plan, den-  
17 tal plan contracts or plan benefits as may apply. When the third-party payer  
18 is no longer liable for paying for an individual service or procedure, in  
19 part or in whole, due to calendar-year limitations or any other contractual  
20 limit, that service or procedure is no longer a covered service.

21 (2) This section shall apply to any contract with providers for dental  
22 services that is issued after January December 31, 2011~~7~~. Contracts that are  
23 in existence on January December 31, 2011~~7~~, shall be brought into compliance  
24 on the next anniversary date, renewal date, or the expiration date of the ap-  
25 plicable collective bargaining contract, if any, whichever date is latest.

26 SECTION 2. That Section 41-3444, Idaho Code, be, and the same is hereby  
27 amended to read as follows:

28 41-3444. CONTRACTS WITH PROVIDERS OF DENTAL SERVICES. (1) No person  
29 contracting with dentists to provide coverage or reimbursement for dental  
30 services may require, as an element of any dental care provider partici-  
31 pation contract, that any provider agree to adopt fees set by the person  
32 for services that are not covered services under the contract. "Covered  
33 services" as used in this section means services and procedures reimbursed  
34 under the applicable dental plan, dental plan contract or plan benefits  
35 subject to such contractual limitations on benefits of the dental plan, den-  
36 tal plan contracts or plan benefits as may apply. When the third-party payer  
37 is no longer liable for paying for an individual service or procedure, in  
38 part or in whole, due to calendar-year limitations or any other contractual  
39 limit, that service or procedure is no longer a covered service.

1           (2) This section shall apply to any contract with providers for dental  
2 services that is issued after ~~January~~ December 31, 2014<sup>7</sup>. Contracts that are  
3 in existence on ~~January~~ December 31, 2014<sup>7</sup>, shall be brought into compliance  
4 on the next anniversary date, renewal date, or the expiration date of the ap-  
5 plicable collective bargaining contract, if any, whichever date is latest.