

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 323

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO INSURANCE; AMENDING SECTION 41-1849, IDAHO CODE, TO PROVIDE FOR  
2 A CERTAIN NOTICE; AND AMENDING SECTION 41-3444, IDAHO CODE, TO PROVIDE  
3 FOR A CERTAIN NOTICE.  
4

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

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

8 41-1849. CONTRACTS WITH PROVIDERS OF DENTAL SERVICES. (1) No person  
9 contracting with dentists to provide coverage or reimbursement for dental  
10 services may require, as an element of any dental care provider participa-  
11 tion contract, that any provider agree to adopt fees set by the person for  
12 services that are not covered services under the contract. "Covered ser-  
13 vices" as used in this section means services under the applicable dental  
14 plan, dental plan contract or plan benefits subject to such contractual lim-  
15 itations on benefits of the dental plan, dental plan contracts or plan bene-  
16 fits as may apply.

17 (2) ~~This section shall apply to any contract with providers for den-~~  
18 ~~tal services that is issued after January 1, 2011. Contracts that are in~~  
19 ~~existence on January 1, 2011, shall be brought into compliance on the next~~  
20 ~~anniversary date, renewal date, or the expiration date of the applicable~~  
21 ~~collective bargaining contract, if any, whichever date is latest A carrier~~  
22 ~~shall establish a mechanism by which the participating provider will be no-~~  
23 ~~tified on an ongoing basis of any changes:~~

24 (a) To the carrier's rules and regulations, guidelines, fee schedules,  
25 contract terms, policies or procedures that affect the coverage of or  
26 payment for health care services; or

27 (b) On the specific covered health care services for which the provider  
28 will be responsible, including any limitations or conditions on ser-  
29 vices.

30 (3) A notice required by subsection (2) of this section shall be pro-  
31 vided no later than sixty (60) days prior to the effective date of the  
32 changes.

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

35 41-3444. CONTRACTS WITH PROVIDERS OF DENTAL SERVICES. (1) No person  
36 contracting with dentists to provide coverage or reimbursement for dental  
37 services may require, as an element of any dental care provider participa-  
38 tion contract, that any provider agree to adopt fees set by the person for  
39 services that are not covered services under the contract. "Covered ser-  
40 vices" as used in this section means services under the applicable dental

1 plan, dental plan contract or plan benefits subject to such contractual lim-  
2 itations on benefits of the dental plan, dental plan contracts or plan bene-  
3 fits as may apply.

4 ~~(2) This section shall apply to any contract with providers for den-~~  
5 ~~tal services that is issued after January 1, 2011. Contracts that are in~~  
6 ~~existence on January 1, 2011, shall be brought into compliance on the next~~  
7 ~~anniversary date, renewal date, or the expiration date of the applicable~~  
8 ~~collective bargaining contract, if any, whichever date is latest. A carrier~~  
9 ~~shall establish a mechanism by which the participating provider will be no-~~  
10 ~~tified on an ongoing basis of any changes:~~

11 (a) To the carrier's rules and regulations, guidelines, fee schedules,  
12 contract terms, policies or procedures that affect the coverage of or  
13 payment for health care services; or

14 (b) On the specific covered health care services for which the provider  
15 will be responsible, including any limitations or conditions on ser-  
16 vices.

17 (3) A notice required by subsection (2) of this section shall be pro-  
18 vided no later than sixty (60) days prior to the effective date of the  
19 changes.