

SHB 2686 - S COMM AMD

By Committee on Health & Long-Term Care

ADOPTED 03/02/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 48.20 RCW
4 to read as follows:

5 (1) Notwithstanding any other provisions of law, no disability
6 insurance policy of any disability insurer as provided in this chapter
7 subject to the jurisdiction of the state of Washington that covers any
8 dental services, and no contract or participating provider agreement
9 with a dentist may:

10 (a) Require, directly or indirectly, that a dentist who is a
11 participating provider provide services to a subscriber at a fee set
12 by, or at a fee subject to the approval of, the disability insurer
13 unless the dental services are covered services, including services
14 that would be reimbursable but for the application of contractual
15 limitations such as benefit maximums, deductibles, coinsurance, waiting
16 periods, or frequency limitations, under the applicable disability
17 insurance policy; nor

18 (b) Prohibit, directly or indirectly, a dentist who is a
19 participating provider from offering or providing to a subscriber
20 dental services that are not covered services on any terms or
21 conditions acceptable to the dentist and the subscriber.

22 (2) For the purposes of this section, "covered services" means
23 dental services that are reimbursable under the applicable insurance
24 policy or subscriber agreement or would be reimbursable but for the
25 application of contractual limitations such as benefit maximums,
26 deductibles, coinsurance, waiting periods or frequency limitations.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.21 RCW
28 to read as follows:

29 (1) Notwithstanding any other provisions of law, no group

1 disability insurance contract or blanket disability insurance contract
2 of any disability insurer as provided for in this chapter subject to
3 the jurisdiction of the state of Washington that covers any dental
4 services, and no contract or participating provider agreement with a
5 dentist may:

6 (a) Require, directly or indirectly, that a dentist who is a
7 participating provider provide services to a subscriber at a fee set
8 by, or at a fee subject to the approval of, the disability insurer
9 unless the dental services are covered services, including services
10 that would be reimbursable but for the application of contractual
11 limitations such as benefit maximums, deductibles, coinsurance, waiting
12 periods, or frequency limitations, under the applicable group plan or
13 disability insurance policy; nor

14 (b) Prohibit, directly or indirectly, a dentist who is a
15 participating provider from offering or providing to a subscriber
16 dental services that are not covered services on any terms or
17 conditions acceptable to the dentist and the subscriber.

18 (2) For the purposes of this section, "covered services" means
19 dental services that are reimbursable under the applicable insurance
20 policy, group plan, or subscriber agreement or would be reimbursable
21 but for the application of contractual limitations such as benefit
22 maximums, deductibles, coinsurance, waiting periods or frequency
23 limitations.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.44 RCW
25 to read as follows:

26 (1) Notwithstanding any other provisions of law, no contract of any
27 health care service contractor subject to the jurisdiction of the state
28 of Washington that covers any dental services, and no contract or
29 participating provider agreement with a dentist may:

30 (a) Require, directly or indirectly, that a dentist who is a
31 participating provider provide services to an enrolled participant at
32 a fee set by, or at a fee subject to the approval of, the health care
33 service contractor unless the dental services are covered services,
34 including services that would be reimbursable but for the application
35 of contractual limitations such as benefit maximums, deductibles,
36 coinsurance, waiting periods, or frequency limitations, under the
37 applicable group contract or individual contract; nor

1 (b) Prohibit, directly or indirectly, a dentist who is a
2 participating provider from offering or providing to an enrolled
3 participant dental services that are not covered services on any terms
4 or conditions acceptable to the dentist and the enrolled participant.

5 (2) For the purposes of this section, "covered services" means
6 dental services that are reimbursable under the applicable subscriber
7 agreement or would be reimbursable but for the application of
8 contractual limitations such as benefit maximums, deductibles,
9 coinsurance, waiting periods or frequency limitations."

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10 On page 1, line 3 of the title, after "contracts;" strike the
11 remainder of the title and insert "adding a new section to chapter
12 48.20 RCW; adding a new section to chapter 48.21 RCW; and adding a new
13 section to chapter 48.44 RCW."

EFFECT: Inserts deductibles and coinsurance in the reference to covered services in each section.

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