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**SUBSTITUTE HOUSE BILL 2502**

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**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Caldier, Cody, Manweller, DeBolt, Jinkins, and Muri)

READ FIRST TIME 01/26/18.

1 AN ACT Relating to explanation of benefits for stand-alone dental  
2 plans; and adding a new section to chapter 48.43 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43  
5 RCW to read as follows:

6 (1) Beginning July 1, 2018, and annually thereafter, a health  
7 carrier offering a dental only plan shall annually submit to the  
8 commissioner the explanation of benefits form the carrier plans to  
9 use for the dental only plan for the subsequent plan year. The  
10 submission must also include a list of standard definitions and terms  
11 the carrier will use on the form and an example of a completed form.

12 (2) Using the forms it receives under subsection (1) of this  
13 section in 2018, the commissioner shall adopt rules setting minimum  
14 standards for the format, terms, and definitions for explanation of  
15 benefits forms used for dental only plans. The rules must also  
16 include a model explanation of benefits form, model terms, and model  
17 definitions. The commissioner must adopt the rules required under  
18 this subsection no later than April 1, 2019.

19 (3) Beginning with submissions received for plan year 2020:

20 (a) The commissioner may disapprove of an explanation of benefits  
21 form, or the standard definitions or terms used on that form,

1 submitted under subsection (1) of this section if the commissioner  
2 finds the form, definitions, or terms are confusing, inconsistent, or  
3 misleading;

4 (b) The commissioner may not disapprove of a form, terms, or  
5 definitions if they are substantially identical to the model form,  
6 terms, and definitions adopted under subsection (2) of this section;  
7 and

8 (c) A health carrier offering a dental only plan may not use an  
9 explanation of benefits form, or standard definitions or terms for  
10 use on that form, if the commissioner has disapproved of the form,  
11 definitions, or terms.

12 (4) For purposes of this section, "health carrier," in addition  
13 to the definition in RCW 48.43.005, also includes health care service  
14 contractors, limited health care service contractors, and disability  
15 insurers offering dental only coverage.

16 (5) This section does not apply to a fully capitated dental plan.

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