

# HOUSE BILL REPORT

## HB 1898

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**As Reported by House Committee On:**  
Health Care & Wellness

**Title:** An act relating to health carriers offering dental only coverage.

**Brief Description:** Regulating health carriers offering dental only coverage.

**Sponsors:** Representatives Cody, Caldier, Robinson, Macri, Thai, Tharinger, Doglio, Appleton and Gregerson.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 1/24/20, 1/31/20 [DPS].

**Brief Summary of Substitute Bill**

- Requires health carriers offering dental-only coverage or dental coverage included within a health plan to permit every licensed dental provider to provide covered dental services or care within that provider's scope, subject to certain limitations.
- Requires health carriers offering dental-only coverage or dental coverage included within a health plan to submit wage and contact information for all officers, directors, and trustees.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Chambers, Chopp, Davis, DeBolt, Harris, Maycumber, Riccelli, Robinson, Stonier, Thai and Tharinger.

**Staff:** Kim Weidenaar (786-7120).

**Background:**

Every Category of Provider.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Under Washington's "Every Category of Provider Law," health carriers must permit every category of health care provider to provide health services or care within the provider's scope of practice included in the Basic Essential Health Benefits Benchmark Plan. The federal Affordable Care Act requires non-grandfathered individual and small group market health plans to offer the 10 categories of essential health benefits. States establish the essential health benefits using a supplemental benchmark plan.

The Every Category of Provider Law applies only if the provider agrees to abide by standards relating to:

- the provision, utilization review, and cost containment of health services;
- management and administrative procedures; and
- provision of cost-effective and clinically efficacious health services.

#### Health Carrier Annual Reports.

Health carriers must annually report the names, addresses, wages, and expense reimbursements of all officers, directors, or trustees of the health carrier during the preceding year, unless substantially similar information is filed with the Insurance Commissioner or the National Association of Insurance Commissioners. This requirement does not apply to a foreign or alien insurer that files a supplemental compensation exhibit in its annual statement.

#### Licensed Dental Providers.

Dentists are licensed and disciplined by the Dental Quality Assurance Commission (DQAC). A licensed dentist may perform a variety of services, including diagnosing, treating, and removing stains or concentrations from the teeth; operating or prescribing for any oral disease, pain, injury, deficiency, deformity, or physical condition; and furnishing, supplying, constructing, reproducing, or repairing any prosthetic denture, bridge, appliance, or other structure to be worn in the human mouth.

Washington has a variety of credentialed providers who provide assistance to licensed dentists: dental assistants; dental anesthesia assistants; dental hygienists; and expanded function dental auxiliaries. Dental assistants must register with the DQAC and may perform patient care and laboratory duties as authorized by the DQAC in rule. Licensed dental hygienists may remove deposits and stains from the surfaces of teeth, apply topical preventive or prophylactic agents, polish and smooth restorations, perform root planing and soft tissue curettage, and other operations and services delegated to them by a dentist. Expanded function dental auxiliaries may perform the duties of a dental assistant and may also perform coronal polishing, give fluoride treatments, apply sealants, place dental x-ray film and expose and develop the films, give the patient oral health instruction, place and carve direct restorations, and take final impressions.

Licensed denturists are authorized to make, place, construct, alter, reproduce, or repair dentures and nonorthodontic removable oral devices, and provide teeth whitening services.

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#### **Summary of Substitute Bill:**

Every health carrier offering dental-only coverage or offering dental coverage included within a health plan delivered, issued, or renewed on or after January 1, 2020, must permit every dentist, denturist, dental hygienist, dental assistant, or expanded function dental auxiliary to provide dental services or care within that provider's scope included in the carrier's benefit package to the extent that the providers agree to abide by standards related to:

- the provision, utilization review, and cost containment of dental services;
- management and administrative procedures; and
- provision of cost-effective and clinically efficacious dental services.

These requirements do not apply to a licensed health care profession regulated under Title 18 RCW if the licensing statute for the profession states that such requirements do not apply.

Health carriers offering dental-only coverage must comply with the annual reporting requirements, unless the carrier already files substantially similar information with the Insurance Commissioner or National Association of Insurance Commissioners or the carrier is a foreign or alien insurer that files a supplemental compensation exhibit in its annual statement.

"Health carrier" is defined to include health care service contractors, limited health care service contractors, and disability insurers offering dental only coverage.

**Substitute Bill Compared to Original Bill:**

The substitute bill adds health carriers offering dental coverage included within a health plan so that these carriers must comply with the requirements of the bill.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Many dental-only plans in Washington do not use denturists. There are many very good denturists in Washington and requiring carriers to pay them frees up dentists to provide dental care rather than spending time making dentures. Oftentimes individuals who need dentures will be referred to a denturist by their dentist, but the denturist has to tell the person that their insurance will not cover dentures made by a denturist. People should be able to use their dental benefits.

In other areas of health insurance, there are Every Category of Provider laws; this bill does the same thing for dental providers and dental-only plans.

(Opposed) None.

**Persons Testifying:** Carolyn Logue, Washington Denturist Association; and Carol Carbone, Lilly Denture Clinic and Washington Denturist Association.

**Persons Signed In To Testify But Not Testifying:** None.