H-4140.1

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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)

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

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

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

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

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

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

(a) The commissioner may disapprove of an explanation of benefits form, or the standard definitions or terms used on that form, submitted under subsection (1) of this section if the commissioner finds the form, definitions, or terms are confusing, inconsistent, or misleading;

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

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

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

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

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