

**Amendment No. 760**

Assembly Amendment to Senate Bill No. 137 First Reprint (BDR 57-575)

**Proposed by:** Assembly Committee on Commerce and Labor

**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

RAE/JRS



Date: 5/15/2015

S.B. No. 137—Enacts provisions governing stand-alone dental benefits and policies of health care. (BDR 57-575)



## SENATE BILL NO. 137—SENATOR HARDY

FEBRUARY 11, 2015

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Enacts provisions governing stand-alone dental benefits and policies of health care. (BDR 57-575)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to insurance; designating a stand-alone dental benefit as the primary policy for certain dental care; prohibiting a health insurer from denying certain claims on the basis that another health insurer has liability to pay the claim; ~~prohibiting a health insurer from requiring that a claim be submitted directly to a secondary health insurer under certain circumstances; requiring~~ **authorizing** the Commissioner of Insurance to adopt certain regulations; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Certain procedures performed by ~~(dentist)~~ **an oral and maxillofacial surgeon** may be covered by both stand-alone dental benefits and policies of health insurance. Existing law regulates policies of health insurance and stand-alone dental benefits separately, but provides for no coordination of claims between the two. (Chapters 686C, 689A, 689B, 689C, 695A, 695B, 695C and 695D of NRS) This bill defines a “stand-alone dental benefit” to mean any policy of insurance which only pays for or reimburses the costs of certain dental care and which is ~~not embedded in or included as part of~~ **offered or issued separately from** any other policy of health insurance. This bill also requires that for an insurance claim for a procedure provided by ~~(a dentist)~~ **an oral and maxillofacial surgeon** which may be covered by both the patient’s stand-alone dental benefit and policy of health insurance, the stand-alone dental benefit must provide primary coverage. This bill also prohibits a health insurer from ~~(1) denying certain claims for which it has liability on the basis that another health insurer has liability. (1) or (2) requiring a separate claim be filed with the other health insurer.~~ Finally, this bill ~~requires~~ **authorizes** the Commissioner of Insurance to adopt regulations necessary to carry out the provisions of this bill.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 686A of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The following provisions apply to a claim for payment submitted for services provided by ~~to a dentist~~ an oral and maxillofacial surgeon which may be covered, in whole or in part, by a stand-alone dental benefit and a policy of health insurance:*

*(a) If a claimant is covered by a stand-alone dental benefit and a policy of health insurance, the stand-alone dental benefit is the primary policy and the claim must be first submitted to the health insurer that issued the stand-alone dental benefit. The issuer of the secondary policy may not reduce benefits based upon payments under the primary policy, except to avoid overpayment to the ~~dentist~~ oral and maxillofacial surgeon.*

*(b) Except as otherwise provided in paragraph (a), a health insurer may not deny a claim for which it has liability solely on the basis that another health insurer has liability to pay the claim.*

*~~[(c) A health insurer with partial liability for paying a claim may not require the claimant to file a separate claim directly with a secondary health insurer.]~~*

*2. The Commissioner ~~shall~~ may adopt regulations necessary to carry out the provisions of this section.*

*3. As used in this section:*

*(a) ~~["Health insurer" means a person who is the holder of a certificate of authority issued pursuant to chapter 680A, 695C, 695D or 695F of NRS or a corporation that is the holder of a certificate of authority issued pursuant to chapter 695B of NRS.]~~ "Oral and maxillofacial surgeon" means a dentist who has been issued a specialist's license to practice oral and maxillofacial surgery pursuant to NRS 631.250 and who provides any of the services described in paragraph (c) of subsection 1 of NRS 631.215.*

*(b) "Stand-alone dental benefit" means any policy which only pays for or reimburses any part of the cost of dental care, as defined in NRS 695D.030. ~~The term does not include such coverage embedded in or included as part of any other~~, and is offered or issued separately from any policy of health insurance.*

*Sec. 2. (Deleted by amendment.)*

*Sec. 3. (Deleted by amendment.)*

*Sec. 3.5. ~~[The Commissioner of Insurance shall, on or before January 1, 2016, adopt regulations to carry out the amendatory provisions of this act.]~~ (Deleted by amendment.)*

*Sec. 4. This act becomes effective:*

*1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and*

*2. On January 1, 2016, for all other purposes.*