

SENATE BILL NO. 341—SENATORS SMITH, FORD, SPEARMAN,
PARKS; ATKINSON, DENIS, KIHUEN AND WOODHOUSE

MARCH 16, 2015

JOINT SPONSOR: ASSEMBLYWOMAN JOINER

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to plans for dental care.
(BDR 57-261)

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 plans for dental care; revising provisions relating to organizations for dental care; establishing requirements relating to the use of a network of dentists by a third party; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a person who wishes to provide coverage for dental care may obtain a certificate of authority from the Commissioner of Insurance and may contract with dentists to provide dental care. (NRS 695D.110, 695D.225) This bill requires that a notice containing certain information be provided to a dentist relating to agreements between an organization for dental care and a third party to provide access to dentists. This bill requires such a third party to: (1) comply with any applicable provisions in the contract between an organization for dental care and a dentist as if the third party were the organization for dental care; (2) furnish certain information to dentists; and (3) maintain a website or toll-free telephone number for dentists to obtain contact information for the person used by the third party to reimburse the dentist for covered services. This bill also allows a dentist to decline to provide services pursuant to a plan for dental care operated by a third party if the dentist does not have the capacity to care for the additional patients.



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

Section 1. Chapter 695D of NRS is hereby amended by adding thereto a new section to read as follows:

1. At the time an organization for dental care enters into a contract with a dentist and upon request by a dentist with whom an organization for dental care has entered into such a contract, the organization for dental care shall provide the dentist with a notice relating to agreements with third parties to provide access to dentists within the network of dentists maintained by the organization for dental care. The organization for dental care may only offer the services of the dentist within a network of dentists or to a third party if the contract with the dentist expressly authorizes the organization for dental care to do so.

2. The notice required pursuant to subsection 1 must be in bold type and written in plain terms and include, without limitation:

(a) The name of each network of dentists or plan for dental care, including any plans for dental care offered by a third party, in which the dentist would be included;

(b) Information about each plan for dental care offered by a third party, including, without limitation, contact information for the third party, the procedure for submitting claims for payment to the third party and an explanation of the benefits offered under the plan for dental care; and

(c) The approximate number of members in each network of dentists or plan for dental care, including any plans for dental care operated by a third party. If the actual number of members in a network of dentists or a plan for dental care is not available, the organization for dental care or third party, as appropriate, shall estimate the number to the best of its ability.

3. For the purpose of the contract between an organization for dental care and a dentist, a third party who enters into an agreement with an organization for dental care to access dentists within a network of dentists maintained by the organization for dental care shall be deemed to be the organization for dental care and shall comply with all applicable provisions of the contract, including, without limitation, all requirements to encourage access to the dentist and to pay the dentist according to the rates and methodology set forth in the contract unless the dentist separately agrees to different terms. The third party shall furnish the dentist with an explanation of benefits and information on how to submit claims for payment and shall identify the contractual source of any discount.



1 4. A third party who enters into an agreement with an
2 organization for dental care to access dentists within a network of
3 dentists maintained by the organization for dental care shall
4 maintain a website or a toll-free telephone number through which
5 the dentist may obtain the name, address and telephone number of
6 the person used by the third party to reimburse the dentist for
7 covered services.

8 5. Within 30 days after receiving a notice pursuant to
9 subsection 1, a dentist may, for the reason of a lack of capacity to
10 care for additional patients, notify the organization for dental care
11 that he or she will not provide services pursuant to any plan for
12 dental care operated by a third party. The unrelated provisions of
13 the contract between a dentist who opts out of providing services
14 pursuant to a plan for dental care operated by a third party and an
15 organization for dental care are unaffected by the decision of a
16 dentist pursuant to this subsection.

17 6. As used in this section, “covered service” has the meaning
18 ascribed to it in NRS 695D.227.

