

CHAPTER 91
SENATE BILL No. 389*

AN ACT concerning dental benefits under health insurance.

Be it enacted by the Legislature of the State of Kansas:

Section 1. No contract issued or renewed after July 1, 2010 between a health insurer and a dentist who is a participating provider with respect to such health insurer's health benefit plan shall contain any provision which requires the dentist who provides any service to an insured under such health benefit plan at a fee set or prescribed by the health insurer unless such service is a covered service.

Sec. 2. For the purposes of this act:

(a) "Covered service" means a service which is reimbursable under the health benefit plan subject to any deductible, coinsurance, waiting period, frequency limitation, annual or lifetime benefit maximum or other contractual limitation contained in the health benefit plan.

(b) "Health benefit plan" shall have the meaning ascribed to it in K.S.A. 40-4602 and amendments thereto. Health benefit plan shall also include:

(1) Any subscription agreement issued by a nonprofit dental service corporation.

(2) Any policy of health insurance purchased by an individual.

(3) To the extent permitted by law, the health insurance plan for Kansas children established pursuant to K.S.A. 38-2001 et seq. and amendments thereto.

(4) To the extent permitted by law, the state medical assistance program under medicaid established pursuant to K.S.A. 39-708c and amendments thereto.

(c) "Health insurer" shall have the meaning ascribed to it in K.S.A. 40-4602 and amendments thereto. Health insurer shall also include a nonprofit dental service corporation as such term is used in K.S.A. 40-19a01 et seq. and amendments thereto.

(d) "Insured" shall have the meaning ascribed to it in K.S.A. 40-4602 and amendments thereto. Insured shall also include a subscriber to a subscription agreement issued by a nonprofit dental service corporation as such term is used in K.S.A. 40-19a01 et seq. and amendments thereto.

(e) "Participating provider" shall have the meaning ascribed to it in K.S.A. 40-4602 and amendments thereto. Participating provider shall also include any dentist who has entered into a participation agreement with a nonprofit dental service corporation.

(f) "Provider" shall have the meaning ascribed to it in K.S.A. 40-4602 and amendments thereto. Provider shall also include any dentist licensed by the Kansas dental board.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 8, 2010.
