

## Chapter 702

(House Bill 804)

AN ACT concerning

### **Health Insurance – Dental Provider Panels – Provider Contracts**

FOR the purpose of prohibiting a provider contract from containing a provision that requires a participating dental provider, as a condition of ~~participating~~ continued participation in certain dental provider panels, to accept ~~a new~~ an added, revised, or amended fee schedule that contains a lower fee; providing for the application of this Act; and generally relating to dental provider panels and provider contracts.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–112.2(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 15–112.2(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

### **Article – Insurance**

15–112.2.

(a) (1) In this section the following words have the meanings indicated.

(2) “Capitated dental provider panel” means a provider panel for one or more dental plan organizations offering contracts only for dental services reimbursed on a capitated basis for certain services.

(3) “Carrier” means:

(i) an insurer;

(ii) a nonprofit health service plan;

(iii) a health maintenance organization; or

(iv) a dental plan organization.

(4) “Fee-for-service dental provider panel” means a provider panel for one or more dental plan organizations, insurers, or nonprofit health service plans offering contracts only for dental services reimbursed on a full or discounted fee-for-service basis.

(5) “Enrollee” means a person entitled to health care benefits from a carrier.

(6) “HMO provider panel” means a provider panel for one or more health maintenance organizations.

(7) “Managed care organization” has the meaning stated in § 15-101 of the Health – General Article.

(8) “Non-HMO provider panel” means a provider panel for one or more nonprofit health service plans or insurers.

(9) “Provider” has the meaning stated in § 19-701 of the Health – General Article.

(10) “Provider contract” means a contract:

(i) between a provider and a carrier, an affiliate of a carrier, or an entity that contracts with a provider to serve a carrier; and

(ii) under which the provider agrees to provide health care services to enrollees.

(11) “Provider panel” means the providers that contract either directly or through a subcontracting entity with a carrier to provide health care services to enrollees.

**(F) A PROVIDER CONTRACT MAY NOT CONTAIN A PROVISION THAT REQUIRES A PARTICIPATING DENTAL PROVIDER, AS A CONDITION OF ~~PARTICIPATING~~ CONTINUED PARTICIPATION IN A CAPITATED DENTAL PROVIDER PANEL OR A FEE-FOR-SERVICE DENTAL PROVIDER PANEL, TO ACCEPT AN ADDED, REVISED, OR AMENDED FEE SCHEDULE THAT CONTAINS A LOWER FEE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all dental provider contracts issued, renewed, or amended in the State on or after October 1, 2010.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.

**Approved by the Governor, May 20, 2010.**