

By: Solis

H.B. No. 2398

A BILL TO BE ENTITLED

AN ACT

relating to payment by health benefit plans for certain dental care services.

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

SECTION 1. Subtitle F, Title 8, Insurance Code, as effective April 1, 2005, is amended by adding Chapter 1456 to read as follows:

CHAPTER 1456. PROHIBITED PAYMENTS BY CERTAIN

HEALTH BENEFIT PLANS

Sec. 1456.001. DEFINITIONS. In this chapter:

(1) "Dental care service" means a service provided to a person to prevent, alleviate, cure, or heal a human dental illness or injury.

(2) "Dentist" means a person licensed by the State Board of Dental Examiners to engage in the practice of dentistry under Subtitle D, Title 3, Occupations Code.

(3) "Enrollee" means an individual enrolled in a health benefit plan.

Sec. 1456.002. APPLICABILITY OF CHAPTER. This chapter applies only to a health benefit plan that provides benefits for expenses incurred by an enrollee in this state for dental care services, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar

1 coverage document that is offered by:

2 (1) an insurance company;

3 (2) a group hospital service corporation operating  
4 under Chapter 842;

5 (3) a fraternal benefit society operating under  
6 Chapter 885;

7 (4) a stipulated premium company operating under  
8 Chapter 884;

9 (5) a reciprocal exchange operating under Chapter 942;

10 (6) a health maintenance organization operating under  
11 Chapter 843;

12 (7) a multiple employer welfare arrangement that holds  
13 a certificate of authority under Chapter 846;

14 (8) an approved nonprofit health corporation that  
15 holds a certificate of authority under Chapter 844; or

16 (9) a small employer health benefit plan written under  
17 Chapter 1501.

18 Sec. 1456.003. PAYMENTS PROHIBITED. A health benefit plan  
19 issuer may not pay for, or otherwise reimburse a person for the  
20 provision of, dental care services provided to an enrollee in this  
21 state if the person who provides the dental care services is not a  
22 dentist.

23 SECTION 2. This Act takes effect September 1, 2005.