

By: Keffer of Dallas

H.B. No. 3271

A BILL TO BE ENTITLED

AN ACT

relating to dental care insurance benefit plans.

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

SECTION 1. Section 1451.204 is amended as follows:

SECTION 1451.204 Certain Conduct Permitted

(a) Notwithstanding any other provision of this subchapter, a dentist may contract directly with a patient to provide dental care services to the patient as authorized by law.

(b) Notwithstanding any other provision of this subchapter, a person providing a health insurance policy or employee benefit plan or an employer or an employee organization may:

(1) make information available to its insureds, beneficiaries, participants, employees, or members regarding dental care services through the distribution of factually accurate information about dental care services and the rates, fees, locations, and hours for the services if the information is distributed on the request of a dentist;

(2) establish an administrative mechanism to facilitate payments for dental care services from an insured, beneficiary, participant, employee, or member to a dentist chosen by the insured, beneficiary, participant, employee, or member; or

(3) nondiscriminatorily pay or reimburse its insured, beneficiary, participant, employee, or member for the cost of dental care services provided by a dentist chosen by the insured,

1 beneficiary, participant, employee, or member.

2 (c) An employee benefit plan or health insurance policy may use
3 any of the following terms, or words of similar import, to describe
4 the fact that the employee benefit plan or health insurance policy
5 utilizes contracting provider dentists and noncontracting provider
6 dentists: preferred provider arrangement, preferred provider
7 organization, network arrangement, in-network services,
8 out-of-network services, or participating provider organization.

9 SECTION 2. Amend subchapter E, Chapter 1451, Insurance Code
10 by adding a new Section 1451.208 to read as follows:

11 SECTION 1451.208 Applicability of Other Laws
12 An employee benefit plan or health insurance policy for dental
13 services under this subchapter shall not be subject to Section
14 1503.003, as added by Acts 2003, 78th Leg., ch. 1274 § 3, of this
15 code.

16 SECTION 3. If this Act does not receive the vote necessary
17 for immediate effect, this Act takes effect September 1, 2005 and
18 shall apply to all policies issued or delivered on or after the
19 effective date of this Act.