

By: Lozano, Hancock

H.B. No. 1776

Substitute the following for H.B. No. 1776:

By: Smithee

C.S.H.B. No. 1776

A BILL TO BE ENTITLED

AN ACT

relating to contracts between dentists and health maintenance organizations or insurers.

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

SECTION 1. Subchapter I, Chapter 843, Insurance Code, is amended by adding Section 843.3115 to read as follows:

Sec. 843.3115. CONTRACTS WITH DENTISTS. (a) In this section, "covered service" means a dental care service for which reimbursement is available under an enrollee's health care plan contract, or for which reimbursement is available subject to a contractual limitation, including:

(1) a deductible;

(2) a copayment;

(3) coinsurance;

(4) a waiting period;

(5) an annual or lifetime maximum limit;

(6) a frequency limitation; or

(7) an alternative benefit payment.

(b) A contract between a health maintenance organization and a dentist may not limit the fee the dentist may charge for a service that is not a covered service.

SECTION 2. Subchapter E, Chapter 1451, Insurance Code, is amended by adding Section 1451.2065 to read as follows:

Sec. 1451.2065. CONTRACTS WITH DENTISTS. (a) In this

1 section, "covered service" means a dental care service for which
2 reimbursement is available under a patient's employee benefit plan
3 or health insurance policy, or for which reimbursement is available
4 subject to a contractual limitation, including:

- 5 (1) a deductible;
- 6 (2) a copayment;
- 7 (3) coinsurance;
- 8 (4) a waiting period;
- 9 (5) an annual or lifetime maximum limit;
- 10 (6) a frequency limitation; or
- 11 (7) an alternative benefit payment.

12 (b) A contract between an insurer and a dentist may not
13 limit the fee the dentist may charge for a service that is not a
14 covered service.

15 SECTION 3. Sections 843.3115 and 1451.2065, Insurance Code,
16 as added by this Act, apply only to a contract entered into or
17 renewed on or after the effective date of this Act. A contract
18 entered into or renewed before the effective date of this Act is
19 governed by the law in effect immediately before the effective date
20 of this Act, and that law is continued in effect for that purpose.

21 SECTION 4. This Act takes effect September 1, 2011.