

Section 581 through 597, inclusive, to be under the new subtitle "42. Dental Plan Organization Act" Annotated Code of Maryland (1979 Replacement Volume and 1983 Supplement)

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

Article 48A - Insurance Code

42. DENTAL PLAN ORGANIZATION ACT

581.

(A) IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) "DENTAL PLAN" MEANS ANY CONTRACTUAL ARRANGEMENT FOR DENTAL SERVICES PROVIDED, ARRANGED FOR, OR ADMINISTERED DIRECTLY ON A PREPAID, POSTPAID INDIVIDUAL, OR GROUP CAPITATION BASIS.

(C) "DENTAL PLAN ORGANIZATION" MEANS ANY PERSON WHO UNDERTAKES TO PROVIDE DIRECTLY, ARRANGES FOR, OR ADMINISTERS A DENTAL PLAN THAT PROVIDES DENTAL SERVICES.

(D) "DENTAL SERVICES" MEANS ANY SERVICE INCLUDED IN THE PRACTICE OF DENTISTRY AS DEFINED IN THE HEALTH OCCUPATIONS ARTICLE, § 4-101(L).

(E) "ENROLLEE" MEANS AN INDIVIDUAL OR ANY DEPENDENT OF THE INDIVIDUAL WHO IS ENROLLED IN A DENTAL PLAN ORGANIZATION.

(F) "EVIDENCE OF COVERAGE" MEANS ANY CERTIFICATE, AGREEMENT, OR CONTRACT ISSUED TO AN ENROLLEE THAT SETS OUT THE DENTAL SERVICES TO WHICH THE ENROLLEE IS ENTITLED.

582.

(A) THIS SUBTITLE MAY NOT BE CONSTRUED TO INCLUDE OR AFFECT A DENTIST OR PROFESSIONAL DENTAL CORPORATION THAT ACCEPTS PAYMENT ON A FEE-FOR-SERVICE BASIS FOR PROVIDING SPECIFIC DENTAL SERVICES TO INDIVIDUAL PATIENTS FOR WHOM THE SERVICES HAVE BEEN PREDIAGNOSED.

(B) THIS SUBTITLE MAY NOT APPLY TO NONPROFIT HEALTH SERVICE PLANS THAT ARE SUBJECT TO THE PROVISIONS OF SUBTITLE 20 OF THIS ARTICLE, A DULY AUTHORIZED AND CERTIFICATED INSURER WHOSE ACTIVITIES ARE AUTHORIZED AND REGULATED UNDER OTHER PROVISIONS OF THIS ARTICLE, HEALTH MAINTENANCE ORGANIZATIONS THAT ARE AUTHORIZED BY AND SUBJECT TO THE PROVISIONS OF TITLE 19, SUBTITLE 7 OF THE HEALTH - GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND DENTAL PLANS WHOSE REGULATION BY THE STATE IS PREEMPTED BY FEDERAL LAW.