

WILLIAM DONALD SCHAEFER, Governor

AN ACT concerning

Insurance - Dental Plans

FOR the purpose of requiring that dental plans provide for payments to certain dentists in certain amounts for certain dental services; defining certain terms; providing that a dental plan is not responsible for the quality of care provided by certain persons; providing for the applicability of this Act; and generally relating to dental plans under the insurance law.

BY adding to

Article 48A - Insurance Code
Section 581(g) and (h) and 597A
Annotated Code of Maryland
(1986 Replacement Volume and 1986 Supplement)

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

Article 48A - Insurance Code

581.

(G) "NONPANEL DENTIST" MEANS ANY DENTIST WHO IS ELIGIBLE FOR PAYMENT FOR DENTAL SERVICES RENDERED, BUT WHO HAS NOT ENTERED INTO A CONTRACT WITH A DENTAL PLAN ORGANIZATION TO PROVIDE DENTAL SERVICES UNDER A DENTAL PLAN.

(H) "PANEL DENTIST" MEANS ANY DENTIST WHO HAS ENTERED INTO A CONTRACT WITH A DENTAL PLAN ORGANIZATION TO PROVIDE DENTAL SERVICES UNDER THE TERMS AND CONDITIONS OF A DENTAL PLAN.

597A.

(A) A DENTAL PLAN OFFERED BY A DENTAL PLAN ORGANIZATION UNDER THIS SUBTITLE SHALL PROVIDE FOR PAYMENT OF SERVICES RENDERED BY NONPANEL DENTISTS.

(B) (1) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE ~~TOTAL AMOUNT OF~~ PAYMENTS MADE TO A NONPANEL DENTISTS ~~IN ANY FULL CALENDAR YEAR~~ DENTIST UNDER SUBSECTION (A) OF THIS SECTION, AFTER ALL DEDUCTIBLE AND COPAYMENT PROVISIONS HAVE BEEN APPLIED, ~~ON THE AVERAGE~~ MAY NOT BE LESS THAN 80 PERCENT OF THE ~~TOTAL AMOUNT OF~~ PAYMENTS MADE TO A PANEL DENTISTS ~~IN THAT FULL CALENDAR YEAR~~ DENTIST FOR SIMILAR SERVICES IN THE SAME GEOGRAPHIC AREA.

(2) THE TOTAL AMOUNT OF PAYMENTS MADE TO NONPANEL DENTISTS MAY DIFFER FROM THE AMOUNT SET FORTH IN SUBSECTION