

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 161

S.P. 67

In Senate, January 13, 2005

An Act To Assist Dental Hygienists

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PERRY of Penobscot.
Cosponsored by Representative PINGREE of North Haven and
Senators: MARTIN of Aroostook, SULLIVAN of York, Representative: WEBSTER of
Freeport.

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24 MRSA §2317-B, sub-§12-B is enacted to read:

12-B. Title 24-A, sections 2761 and 2847-L. Coverage for services provided by dental hygienists, Title 24-A, sections 2761 and 2847-L;

Sec. 2. 24-A MRSA §2761 is enacted to read:

§2761. Coverage for services provided by dental hygienist

1. Services provided by dental hygienist. An insurer that issues individual health insurance contracts shall provide coverage for dental services provided by a dental hygienist within the scope of that dental hygienist's license regardless of the facility or setting in which the services are rendered if those same dental services would be covered when provided by a dental hygienist in a dental office.

2. Limits; coinsurance; deductibles. A contract that provides coverage for the services required by this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

3. Coordination of benefits with dental insurance. If an enrollee eligible for coverage under this section is also eligible for coverage for general anesthesia and associated facility charges under a dental insurance policy or contract, the nonprofit health care service organization or insurer providing dental insurance is the primary payer responsible for those charges and the insurer providing individual health insurance is the secondary payer.

4. Application. The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 3. 24-A MRSA §2847-L is enacted to read:

§2847-L. Coverage for services provided by dental hygienist

1. Services provided by dental hygienist. An insurer that issues group health insurance contracts shall provide coverage for dental services provided by a dental hygienist within the scope of that dental hygienist's license regardless of the

2 facility or setting in which the services are rendered if those
3 same dental services would be covered when provided by a dental
4 hygienist in a dental office.

6 2. Limits; coinsurance; deductibles. A contract that
7 provides coverage for the services required by this section may
8 contain provisions for maximum benefits and coinsurance and
9 reasonable limitations, deductibles and exclusions to the extent
10 that these provisions are not inconsistent with the requirements
11 of this section.

13 3. Coordination of benefits with dental insurance. If an
14 enrollee eligible for coverage under this section is also
15 eligible for coverage for general anesthesia and associated
16 facility charges under a dental insurance policy or contract, the
17 nonprofit health care service organization or insurer providing
18 dental insurance is the primary payer responsible for those
19 charges and the insurer providing individual health insurance is
20 the secondary payer.

22 4. Application. The requirements of this section apply to
23 all policies, contracts and certificates executed, delivered,
24 issued for delivery, continued or renewed in this State. For
25 purposes of this section, all contracts are deemed to be renewed
26 no later than the next yearly anniversary of the contract date.

28 Sec. 4. 24-A MRSA §4252 is enacted to read:

30 **§4252. Coverage for services provided by dental hygienist**

32 1. Services provided by dental hygienist. All individual
33 and group health maintenance organization contracts must provide
34 coverage for dental services provided by a dental hygienist
35 within the scope of that dental hygienist's license regardless of
36 the facility or setting in which the services are rendered if
37 those same dental services would be covered when provided by a
38 dental hygienist in a dental office.

40 2. Limits; coinsurance; deductibles. A contract that
41 provides coverage for the services required by this section may
42 contain provisions for maximum benefits and coinsurance and
43 reasonable limitations, deductibles and exclusions to the extent
44 that these provisions are not inconsistent with the requirements
45 of this section.

46 3. Coordination of benefits with dental insurance. If an
47 enrollee eligible for coverage under this section is also
48 eligible for coverage for general anesthesia and associated
49 facility charges under a dental insurance policy or contract, the
50 nonprofit health care service organization or insurer providing

2 dental insurance is the primary payer responsible for those
3 charges and the insurer providing individual health insurance is
4 the secondary payer.

5 **4. Application.** The requirements of this section apply to
6 all policies, contracts and certificates executed, delivered,
7 issued for delivery, continued or renewed in this State. For
8 purposes of this section, all contracts are deemed to be renewed
9 no later than the next yearly anniversary of the contract date.

10 **Sec. 5. Applicability.** This Act applies to all policies,
11 contracts and certificates executed, delivered, issued for
12 delivery, continued or renewed in this State on or after January
13 1, 2006. For purposes of this Act, all contracts are deemed to be
14 renewed no later than the next yearly anniversary of the contract
15 date.

18 SUMMARY

19
20 This bill requires health insurers and health maintenance
21 organizations to provide coverage for services provided by a
22 dental hygienist regardless of the setting in which the services
23 are delivered if those services would be covered if delivered in
24 a dental office.

25
26 The bill applies to all policies, contracts and certificates
27 issued or renewed on or after January 1, 2006.
28