

# 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 electronic originals  
(may include minor formatting differences from printed original)



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

---

Legislative Document

No. 1239

H.P. 930

House of Representatives, March 22, 2011

**An Act To Further Expand Access to Oral Health Care by  
Requiring Insurance Coverage for Services Performed by  
Denturists**

---

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative SHAW of Standish.  
Cosponsored by Senator SNOWE-MELLO of Androscoggin and  
Representatives: CLARK of Millinocket, GILBERT of Jay, Senator: SAVIELLO of Franklin.

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

2 **Sec. 1. 24 MRSA §2317-B, sub-§12-E**, as enacted by PL 2009, c. 307, §1 and  
3 affected by §6, is amended to read:

4 **12-E. Title 24-A, sections 2765 and 2847-Q.** Coverage for services provided by  
5 independent practice dental hygienists or denturists, Title 24-A, sections 2765 and  
6 2847-Q;

7 **Sec. 2. 24-A MRSA §2765**, as enacted by PL 2009, c. 307, §2 and affected by §6,  
8 is amended to read:

9 **§2765. Coverage for services provided by independent practice dental hygienist;**  
10 **denturist**

11 **1. Services provided by independent practice dental hygienist or denturist.** An  
12 insurer that issues individual dental insurance or health insurance that includes coverage  
13 for dental services shall provide coverage for dental services performed by an  
14 independent practice dental hygienist licensed under Title 32, chapter 16, subchapter 3-B  
15 or a denturist licensed under Title 32, chapter 16, subchapter 6 when those services are  
16 covered services under the contract and when they are within the lawful scope of practice  
17 of the independent practice dental hygienist or denturist.

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

22 **3. Coordination of benefits with dental insurance.** If an enrollee eligible for  
23 coverage under this section is eligible for coverage under a dental insurance policy or  
24 contract and a health insurance policy or contract, the insurer providing dental insurance  
25 is the primary payer responsible for charges under subsection 1 and the insurer providing  
26 individual health insurance is the secondary payer.

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

31 **Sec. 3. 24-A MRSA §2847-Q**, as enacted by PL 2009, c. 307, §3 and affected by  
32 §6, is amended to read:

33 **§2847-Q. Coverage for services provided by independent practice dental hygienist;**  
34 **denturist**

35 **1. Services provided by independent practice dental hygienist or denturist.** An  
36 insurer that issues group dental insurance or health insurance that includes coverage for  
37 dental services shall provide coverage for dental services performed by an independent  
38 practice dental hygienist licensed under Title 32, chapter 16, subchapter 3-B or a denturist

1 licensed under Title 32, chapter 16, subchapter 6 when those services are covered  
2 services under the contract and when they are within the lawful scope of practice of the  
3 independent practice dental hygienist or dentist.

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

8 **3. Coordination of benefits with dental insurance.** If an enrollee eligible for  
9 coverage under this section is eligible for coverage under a dental insurance policy or  
10 contract and a health insurance policy or contract, the insurer providing dental insurance  
11 is the primary payer responsible for charges under subsection 1 and the insurer providing  
12 group health insurance is the secondary payer.

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

17 **Sec. 4. 24-A MRSA §4257**, as enacted by PL 2009, c. 307, §4 and affected by §6,  
18 is amended to read:

19 **§4257. Coverage for services provided by independent practice dental hygienist;**  
20 **dentist**

21 **1. Services provided by independent practice dental hygienist or dentist.** All  
22 individual and group health maintenance organization contracts that include coverage for  
23 dental services shall provide coverage for dental services performed by an independent  
24 practice dental hygienist licensed under Title 32, chapter 16, subchapter 3-B or a dentist  
25 licensed under Title 32, chapter 16, subchapter 6 when those services are covered  
26 services under the contract and when they are within the lawful scope of practice of the  
27 independent practice dental hygienist or dentist.

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

32 **3. Coordination of benefits with dental insurance.** If an enrollee eligible for  
33 coverage under this section is eligible for coverage under a dental insurance policy or  
34 contract and a health maintenance organization policy or contract, the insurer providing  
35 dental insurance is the primary payer responsible for charges under subsection 1 and the  
36 health maintenance organization providing health coverage is the secondary payer.

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

