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# A BILL FOR AN ACT

RELATING TO DENTAL CARE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 431, article 10A, Hawaii Revised  
2 Statutes, is amended by adding a new section to part II to be  
3 appropriately designated and to read as follows:

4           "§431:10A-    Coordination of dental benefits.   (a) Every  
5 policy of group or blanket disability insurance that provides  
6 coverage for dental services shall adopt coordination of  
7 benefits rules to avoid over insurance and to provide for the  
8 orderly payment of claims. The adoption of coordination of  
9 benefits rules applies when a person is covered by two or more  
10 of the following that cover dental services:

11           (1) Policies, contracts, plans, and agreements with a  
12           dental service corporation authorized by chapter 423;

13           (2) Blanket disability insurance policies or blanket  
14           disability insurance policies regulated under  
15           chapter 431;

16           (3) Individual or group hospital or medical service plans  
17           regulated under chapter 432; and

1       (4) Policies, contracts, plans and agreements regulated  
2               under chapter 432D.

3 The coordination of benefits rules shall be consistent with the  
4 National Association of Insurance Commissioners Coordination of  
5 Benefits Model Regulation relating to order of benefit  
6 determinations.

7       (b) A group or blanket disability insurance policy  
8 covering dental services shall declare its coordination of  
9 dental benefits policy prominently in its evidence of coverage  
10 or contract with the insured. Each employer offering policies,  
11 contracts, plans, or agreements covering dental services shall  
12 inform its employees of any coordination of dental benefits  
13 policy."

14       SECTION 2. Chapter 432, article 1, Hawaii Revised  
15 Statutes, is amended by adding a new section to part VI to be  
16 appropriately designated and to read as follows:

17       "**§432:1- Coordination of dental benefits.** (a) Every  
18 individual or group hospital or medical service plan contract  
19 that provides coverage for dental services shall adopt  
20 coordination of benefits rules to avoid over insurance and to  
21 provide for the orderly payment of claims. The adoption of

1 coordination of benefits rules applies when a person is covered  
2 by two or more of the following that cover dental services:

3 (1) Policies, contracts, plans, and agreements with a  
4 dental service corporation authorized by chapter 423;

5 (2) Blanket disability insurance policies or blanket  
6 disability insurance policies regulated under  
7 chapter 431;

8 (3) Individual or group hospital or medical service plans  
9 regulated under chapter 432; and

10 (4) Policies, contracts, plans and agreements regulated  
11 under chapter 432D.

12 The coordination of benefits rules shall be consistent with the  
13 National Association of Insurance Commissioners Coordination of  
14 Benefits Model Regulation relating to order of benefit  
15 determinations.

16 (b) An individual or group hospital or medical service  
17 plan contract covering dental services shall declare its  
18 coordination of benefits policy prominently in its evidence of  
19 coverage or contract with the subscriber. Each employer  
20 offering group hospital or medical service plan contracts  
21 covering dental services shall inform its employees of any  
22 coordination of dental benefits policy."

1 SECTION 3. Chapter 432D, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§432D- Coordination of dental benefits. (a) Every  
5 policy, contract, plan, or agreement that provides coverage for  
6 dental services shall adopt coordination of benefits rules to  
7 avoid over insurance and to provide for the orderly payment of  
8 claims. The adoption of coordination of benefits rules applies  
9 when a person is covered by two or more of the following that  
10 cover dental services:

- 11 (1) Policies, contracts, plans, and agreements with a  
12 dental service corporation authorized by chapter 423;  
13 (2) Blanket disability insurance policies or blanket  
14 disability insurance policies regulated under  
15 chapter 431;  
16 (3) Individual or group hospital or medical service plans  
17 regulated under chapter 432; and  
18 (4) Policies, contracts, plans and agreements regulated  
19 under chapter 432D.

20 The coordination of benefits rules shall be consistent with the  
21 National Association of Insurance Commissioners Coordination of

1 Benefits Model Regulation relating to order of benefit  
2 determinations.

3 (b) Any policy, contract, plan, or agreement covering  
4 dental services and issued under this chapter shall declare its  
5 coordination of benefits policy prominently in its evidence of  
6 coverage or contract with the contract holder. Each employer  
7 offering policies, contracts, plans, or agreements covering  
8 dental services shall inform its employees of any coordination  
9 of dental benefits policy."

10 SECTION 4. This Act does not affect rights and duties that  
11 matured, penalties that were incurred, and proceedings that were  
12 begun, before its effective date.

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

**Report Title:**

Dental Plans; Dual Coverage

**Description:**

Requires health insurers and like entities who offer dental coverage to declare and execute their coordination of dental benefits policy to insureds and their counterparts. (SD1)