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# A BILL FOR AN ACT

RELATING TO DENTAL SERVICES.

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

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

4           "§431:10A- Contracts with providers for dental services.

5 No contract between an accident and health or sickness insurer  
6 and a dentist for the provision of dental services to patients  
7 may require that a dentist provide dental services to  
8 subscribers at a fee set by the accident and health or sickness  
9 insurer unless the dental services are covered services under  
10 the applicable subscriber agreement.

11           "Covered services" means services reimbursable under the  
12 applicable subscriber agreement, subject to any contractual  
13 limitations on subscriber benefits as may apply, including  
14 deductibles, waiting periods, or frequency limitations."

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



1           "§432:1-       Contracts with providers for dental services.  
2 No contract between a mutual benefit society and a dentist for  
3 the provision of dental services to patients may require that a  
4 dentist provide dental services to subscribers at a fee set by  
5 the mutual benefit society unless the dental services are  
6 covered services under the applicable subscriber agreement.

7           "Covered services" means services reimbursable under the  
8 applicable subscriber agreement, subject to such contractual  
9 limitations on subscriber benefits as may apply, including  
10 deductibles, waiting periods, or frequency limitations."

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

14           "§432D-       Contracts with providers for dental services.  
15 No contract between a health maintenance organization and a  
16 dentist for the provision of dental services to patients may  
17 require that a dentist provide dental services to subscribers at  
18 a fee set by the health maintenance organization unless the  
19 dental services are covered services under the applicable  
20 subscriber agreement.

21           "Covered services" means services reimbursable under the  
22 applicable subscriber agreement, subject to such contractual



1 limitations on subscriber benefits as may apply, including  
2 deductibles, waiting periods, or frequency limitations."

3 SECTION 4. Chapter 448D, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§448D- Contracts with providers for dental services.  
7 No contract between a dental service organization and a dentist  
8 for the provision of dental services to patients may require  
9 that a dentist provide dental services to subscribers at a fee  
10 set by the dental service organization unless the dental  
11 services are covered services under the applicable subscriber  
12 agreement.

13 "Covered services" means services reimbursable under the  
14 applicable subscriber agreement, subject to such contractual  
15 limitations on subscriber benefits as may apply, including  
16 deductibles, waiting periods, or frequency limitations."

17 SECTION 5. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.

20 SECTION 6. New statutory material is underscored.



# H.B. NO. 413

1 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY:

Calvin H. Boy

JAN 21 2011



**Report Title:**

Dental Services; Contracts

**Description:**

Prohibits an accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization from requiring a dentist who provides services to its subscribers to accept a fee set by the accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization unless the services are covered under the applicable subscriber agreement.

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