

As Amended by House Committee

Session of 2019

HOUSE BILL No. 2307

By Committee on Health and Human Services

2-13

1 AN ACT concerning insurance; relating to dental benefits; covered  
2 services and non-covered services; limitations on plan changes;  
3 amending K.S.A. 2018 Supp. ~~40-2,185 and 40-2,186~~ and repealing the  
4 existing sections **section**.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. ~~K.S.A. 2018 Supp. 40-2,185 is hereby amended to read as~~  
8 ~~follows: 40-2,185. (a) No contract issued or renewed after July 1, 2010,~~  
9 ~~between a health insurer and a dentist who is a participating provider with~~  
10 ~~respect to such health insurer's health benefit plan shall contain any~~  
11 ~~provision which that requires the dentist who provides any service to an~~  
12 ~~insured under such health benefit plan at a fee set or prescribed by the~~  
13 ~~health insurer unless such service is a covered service.~~

14 ~~(b) No contract issued or renewed after July 1, 2019, between a~~  
15 ~~health insurer and a dentist who is a participating provider with respect to~~  
16 ~~such health insurer's health benefit plan shall change the terms, discounts~~  
17 ~~or rates provided therein without the concurrence and agreement at the~~  
18 ~~time of such change by the dentist.~~

19 ~~See-2. Section 1.~~ K.S.A. 2018 Supp. 40-2,186 is hereby amended to  
20 read as follows: 40-2,186. For the purposes of ~~this act~~ *K.S.A. 40-2,185 and*  
21 *40-2,186, and amendments thereto:*

22 (a) "Covered service" means a service ~~which~~ *or material that is*  
23 *reimbursable under the health benefit plan subject to any deductible,*  
24 *coinsurance, waiting period, frequency limitation, ~~annual,~~ annual or*  
25 *lifetime benefit maximum or other contractual limitation contained in the*  
26 *health benefit plan. "Covered service" does not include any service or*  
27 *material that is covered or provided at a nominal or de minimis rate ~~or~~*  
28 *any service or material that is not covered because of maximum coverage*  
29 *limitations.*

30 (b) "Health benefit plan" ~~shall have the meaning ascribed to it~~ *means*  
31 *the same as defined in K.S.A. 40-4602, and amendments thereto. Health*  
32 *benefit plan shall also include includes:*

33 (1) Any subscription agreement issued by a nonprofit dental service  
34 corporation.

35 (2) Any policy of health insurance purchased by an individual.

36 (3) To the extent permitted by law, the health insurance plan for

1 Kansas children established pursuant to K.S.A. 38-2001 et seq., and  
2 amendments thereto.

3 (4) To the extent permitted by law, the state medical assistance  
4 program under medicaid established pursuant to K.S.A. 39-708c, and  
5 amendments thereto.

6 (c) "Health insurer" ~~shall have the meaning ascribed to it~~ *means the*  
7 *same as defined* in K.S.A. 40-4602, and amendments thereto. ~~Health~~  
8 ~~insurer shall, and also include~~ *includes* a nonprofit dental service  
9 corporation as such term is used in K.S.A. 40-19a01 et seq., and  
10 amendments thereto.

11 (d) "Insured" ~~shall have the meaning ascribed to it~~ *means the same as*  
12 *defined* in K.S.A. 40-4602, and amendments thereto. ~~Insured shall, and~~  
13 ~~also include~~ *includes* a subscriber to a subscription agreement issued by a  
14 nonprofit dental service corporation as such term is used in K.S.A. 40-  
15 19a01 et seq., and amendments thereto.

16 (e) "Participating provider" ~~shall have the meaning ascribed to it~~ *means the same as defined in*  
17 *in* K.S.A. 40-4602, and amendments thereto. ~~Participating provider shall, and also include~~ *includes*  
18 any dentist who has  
19 entered into a participation agreement with a nonprofit dental service  
20 corporation.

21 (f) "Provider" ~~shall have the meaning ascribed to it~~ *means the same*  
22 *as defined* in K.S.A. 40-4602, and amendments thereto. ~~Provider shall,~~  
23 ~~and also include~~ *includes* any dentist licensed by the Kansas dental board.

24 ~~Sec. 3. 2.~~ K.S.A. 2018 Supp. ~~40-2,185 and 40-2,186~~ ~~are~~ **is** hereby  
25 repealed.

26 ~~Sec. 4. 3.~~ This act shall take effect and be in force from and after its  
27 publication in the statute book.