

## 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.

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 Sec. 2. K.S.A. 2018 Supp. 40-2,186 is hereby amended to read as  
20 follows: 40-2,186. For the purposes of ~~this act~~ K.S.A. 40-2,185 and 40-  
21 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~~ or lifetime  
25 benefit maximum or other contractual limitation contained in the health  
26 benefit plan. "Covered service" does not include any service or material  
27 that is covered or provided at a nominal or de minimis rate or any service  
28 or material that is not covered because of maximum coverage limitations.

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

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

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

35 (3) To the extent permitted by law, the health insurance plan for  
36 Kansas children established pursuant to K.S.A. 38-2001 et seq., and

1 amendments thereto.

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

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

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

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

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

23 Sec. 3. K.S.A. 2018 Supp. 40-2,185 and 40-2,186 are hereby  
24 repealed.

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