

## FOR IMMEDIATE RELEASE

CONTACT:  
Susan Nolan  
Jordan Estey  
NCOIL National Office  
518-687-0178

### NCOIL MODEL BANS CONTROVERSIAL DENTAL FEE SCHEDULES

**Troy, NY, November 24, 2010**—After a year of oft-times contentious debate within its Health, Long-Term Care & Health Retirement Issues Committee, the National Conference of Insurance Legislators (NCOIL) on November 21 adopted a *Model Act Banning Fee Schedules for Uncovered Dental Services*. The model would prohibit dental insurers from mandating fees within their plans for uncovered services. Members of the Executive Committee unanimously approved the model law as part of the November 18 through 21 Annual Meeting in Austin, Texas.

Model sponsor and NCOIL Past President Rep. Brian Kennedy (RI) said, “Upon receiving interested-party input over the last year, legislators have discovered that dental plans have not only been setting fees with dentists in their plans for covered services, but in a controversial practice, they have been mandating prices for uncovered services as well. With almost no bargaining power, dentists are left with little to no choice. They must accept these fees in order to keep their patients, forcing them to shift costs to the uninsured, or stop participating in the insurer’s network and lose their client base.”

As well as banning dental insurance plans from mandating uncovered service fees, the model also restricts any healthcare service contractor or other third party plan administrator from renting or leasing their network to a plan that sets fees for any services except covered services. A most recent amendment to the model—a drafting note proposed by Rep. Charles Curtiss (TN)—warns against possible dental plan strategies to circumvent the model’s intent and impose fee schedules on all services by deeming them “covered” and charging a nominal or de minimis fee.

Sixteen states have addressed the issue in newly enacted legislation in 2009 and 2010, including Alaska, Arizona, California, Idaho, Iowa, Kansas, Louisiana, Mississippi, Nebraska, North Carolina, Oklahoma, Oregon, Rhode Island, South Dakota, Virginia, and Washington.

Representatives of dentists and dental plans were on hand to provide comments, including the American Dental Association (ADA), Delta Dental of Michigan, MetLife, and the Rhode Island Dental Association.

The Annual Meeting took place at the Hilton Austin Downtown.

NCOIL is an organization of state legislators whose main area of public policy interest is insurance legislation and regulation. Most legislators active in NCOIL either chair or are members of the committees responsible for insurance legislation in their respective state houses across the country. More information is available at [www.ncoil.org](http://www.ncoil.org).

For further details, please contact the NCOIL National Office at 518-687-0178, or by email at [jestey@ncoil.org](mailto:jestey@ncoil.org).

# # #

K:/NCOIL/2010documents/2007145a.doc