

September 17, 2025

Chair Michael "Sarge" Pollock
Vice-Chair Justin Boyd
Health Insurance and Long-Term Care Issues Committee
National Council of Insurance Legislators

Sent Via Email

RE: Transparency in Dental Benefits Contracting Model Act – Support for Boyd/Gandolfo Amendments

Dear Chair Pollock, Vice-Chair Boyd and members of the Committee,

On behalf of the undersigned members of the Organized Dentistry Coalition, we urge NCOIL's Health Insurance & Long-Term Care Issues Committee (Committee) to approve the amendments proposed to the *Transparency in Dental Benefits Contracting Model Act* (the Model Act) which is now up for reauthorization. These pro-patient and pro-provider amendments are sponsored by Sen. Justin Boyd (AR) and Asm. Jarett Gandolfo (NY) and reflect common sense updates to the 2020 Model Act.

Amending existing laws is the primary business of legislators. Once laws are passed and the market reacts, it is common for legislatures to revisit laws to make improvements once market reactions have revealed themselves. NCOIL's five-year sunset renewal process provides an opportunity to review the 2020 Model Act and to make adjustments necessary to enforce the legislative intent behind the Model Act.

The amendments in the Model Act under NCOIL's sunset review concern the *Fair and Transparent Network Contracting Act* and *Virtual Credit Card – Claim Payment/Transaction Fees Options Act*:

Fair and Transparent Network Contracting Act Amendments

- *Change dentist response to lease offer from opt-out to opt-in*
- *Change target modality of transparency communication to written communication*
- *Remove the status of "affiliate" from list of corporate relationships exempt from lease regulations*

Virtual Credit Card – Claim Payment/Transaction Fees Options Act Amendments

- *Change dentist option for payment via Virtual Credit Card from opt-out to opt-in*
- *Include all forms of claim payment that include a fee*
- *Clarifies that a dentist's election must be transparent and clear*
- *Ensures that a dentist's election on payment modality remains effective/does not default back to unapproved modality.*

We appreciate the Health Insurance & Long-Term Care Issues Committee considering the revisions to the Model Act over the last year, and we thank the sponsors for their work to support the improvements to the Model Act. Updating the leasing and virtual credit card sections of the Model Act will result in more efficient practice operations that will translate into greater investment by practices into patient care. Dentists become health care experts to care for patients' needs, not to navigate layers of insurer contractual relationships that often hinder care delivery while bolstering the insurers' bottom line. The amendments to the Model Act serve to support provider and patient choice when it comes to networks and forms of payment, and maximize a dentist's ability to spend time with patients and not behind a desk sifting through insurer legalese.

Adopting the amended version of the Model Act enhances its mission to reduce complications inherent in the dental insurance coverage process for patients and dentists and results in improved care delivery. Over time, patient and dentist' engagement with insurers involves more and more complications that shift

costs away from insurers and ultimately to patients, both financially and an inability to access needed care.

We appreciate the Committee's recognition of the value in establishing greater accountability to enrollees through the components of the revised Model Act, helping to ensure patients get the most out of their dental insurance. We ask for your favorable action on the Model Act as amended.

Sincerely,

American Dental Association
American Association of Oral and Maxillofacial Surgeons
American Association of Endodontists
Academy of General Dentistry
American Association of Orthodontists
American Academy of Periodontology
American Academy of Pediatric Dentistry
American Society of Dentist Anesthesiologists
American Academy of Oral and Maxillofacial Pathology

Cc: William Melofchik, NCOIL
Anne Kennedy, NCOIL