

By: Representative Moody

To: Insurance

HOUSE BILL NO. 1067  
(As Sent to Governor)

1 AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES AND PLANS  
2 OFFER MEDICAL BENEFITS WHEN DENTAL CARE IS PROVIDED UNDER  
3 PHYSICIAN-SUPERVISED GENERAL ANESTHESIA; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Every hospital, health or medical expenses  
6 insurance policy, hospital or medical service contract, health  
7 maintenance organization and preferred provider organization that  
8 is delivered or issued for delivery in this state and otherwise  
9 provides anesthesia benefits shall offer benefits for anesthesia  
10 and for associated facility charges when the mental or physical  
11 condition of the child or mentally handicapped adult requires  
12 dental treatment to be rendered under physician-supervised general  
13 anesthesia in a hospital setting, surgical center or dental  
14 office. This coverage shall be offered on an optional basis, and  
15 each primary insured must accept or reject such coverage in  
16 writing and accept responsibility for premium payment.

17 An insurer may require prior authorization for the anesthesia  
18 and associated facility charges for dental care procedures in the  
19 same manner that prior authorization is required for treatment of  
20 other medical conditions under general anesthesia. An insurer may  
21 require review for medical necessity and may limit payment of  
22 facility charges to certified facilities in the same manner that  
23 medical review is required and payment of facility charges is  
24 limited for other services. The benefit provided by this coverage  
25 shall be subject to the same annual deductibles or coinsurance  
26 established for all other covered benefits within a given policy,  
27 plan or contract. Private third party payers may not reduce or

28 eliminate coverage due to these requirements.

29         A dentist shall consider the Indications for General  
30 Anesthesia as published in the reference manual of the American  
31 Academy of Pediatric Dentistry as utilization standards for  
32 determining whether performing dental procedures necessary to  
33 treat the particular condition or conditions of the patient under  
34 general anesthesia constitutes appropriate treatment.

35         The provisions of this section shall apply to anesthesia  
36 services provided by oral and maxillofacial surgeons as permitted  
37 by the Mississippi State Board of Dental Examiners.

38         The provisions of this section shall not apply to treatment  
39 rendered for temporal mandibular joint (TMJ) disorders.

40         SECTION 2. This act shall take effect and be in force from  
41 and after July 1, 1999.