

By: Senator(s) Dearing

To: Insurance

SENATE BILL NO. 2566

1 AN ACT TO AMEND SECTION 83-51-5, MISSISSIPPI CODE OF 1972, TO
2 DELETE THE PROVISION WHICH REQUIRES HEALTH INSURANCE POLICIES OR
3 EMPLOYEE BENEFIT PLANS TO REIMBURSE A NONCONTRACTING PROVIDER
4 DENTIST THE SAME AS A CONTRACTING PROVIDER DENTIST; TO AMEND
5 SECTION 83-51-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO;
6 AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 83-51-5, Mississippi Code of 1972, is
9 amended as follows:

10 83-51-5. Any health insurance policy or employee benefit
11 plan which is delivered, renewed, issued for delivery or otherwise
12 contracted for in this state shall, to the extent that it provides
13 benefits for dental care expenses:

14 (a) Disclose, if applicable, that the benefit offered
15 is limited to the least costly treatment;

16 (b) Define and explain the standard upon which the
17 payment of benefits or reimbursement for the cost of dental care
18 services is based, such as "usual and customary," "reasonable and
19 customary," "usual, customary and reasonable," or fees or words of
20 similar import, or it shall specify in dollars and cents the
21 amount of the payment or reimbursement for dental care services to
22 be provided. * * *

23 **SECTION 2.** Section 83-51-11, Mississippi Code of 1972, is
24 amended as follows:

25 83-51-11. Notwithstanding any other provision of this
26 chapter:

27 (a) A dentist may contract directly with a patient for
28 the furnishing of dental care services to such patient as may be
29 otherwise authorized by law;

30 (b) Any person providing a health insurance policy or
31 employee benefit plan, or an employer, or an employee organization
32 may:

33 (i) Make available to its insureds, beneficiaries,
34 participants, employees or members information relating to dental
35 care services by distributing factually accurate information
36 regarding dental care services, rates, fees, location and hours of
37 service, provided such distribution is made upon the request of
38 any dentist licensed by the state; or

39 (ii) Establish an administrative mechanism which
40 facilitates payment for dental care services by insureds,
41 beneficiaries, participants, employees or members to the dentist
42 of their choice; or

43 (iii) Pay or reimburse * * * its insureds,
44 beneficiaries, participants, employees or members for the cost of
45 dental care services rendered by the dentist of their choice.

46 **SECTION 3.** This act shall take effect and be in force from
47 and after July 1, 2005.