

SENATE FILE NO. SF0115

Dental insurance-payment for services.

Sponsored by: Senator(s) Cooper, Dockstader, Landen and  
Nethercott and Representative(s) Walters

A BILL

for

1 AN ACT relating to the insurance code; providing for  
2 dentists to bill and collect payment from insureds for  
3 services performed as specified; prohibiting bundling of  
4 dental procedures for billing purposes; prohibiting  
5 downcoding of dental procedures for billing purposes;  
6 providing definitions; making conforming amendments;  
7 specifying applicability; and providing for an effective  
8 date.

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10 *Be It Enacted by the Legislature of the State of Wyoming:*

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12 **Section 1.** W.S. 26-22-505(a), (b), by creating a new  
13 subsection (c) and by renumbering (c) as (d) is amended to  
14 read:

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1           26-22-505. Dental insurance; limitation on fee  
2 schedules for covered and noncovered services; billing for  
3 services; definition; applicability.

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5           (a) No person, ~~or~~ entity or insurer contracting with  
6 dentists to provide coverage or reimbursement for dental  
7 services shall require a dentist to provide services at a  
8 fee set by the contract, a policy or a certificate unless  
9 the services are covered services by the terms of the  
10 contract, policy or certificate.

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12           (b) For purposes of this section:7

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14           (i) "Bundling" means the practice of combining  
15 separate dental procedures into one (1) procedure for  
16 billing purposes;

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18           (ii) "Covered services" means services  
19 reimbursable under the contract, policy or certificate,  
20 subject to customary contractual limitations on benefits  
21 including such items as deductibles, waiting periods,  
22 frequency limitations or charges over the benefit maximum;

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1           (iii) "Downcoding" means the adjustment of a  
2 claim for a dental procedure submitted to an insurer to a  
3 less complex or lower cost procedure.

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5           (c) No person, entity or insurer contracting with  
6 dentists to provide coverage or reimbursement for dental  
7 services under the terms of a contract, a policy or a  
8 certificate shall:

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10           (i) Prohibit a dentist from billing and  
11 collecting payment from an insured for a service the  
12 dentist performs that may not be a covered service by the  
13 contract, policy or certificate, if the dentist:

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15           (A) Notifies the insured that the dentist  
16 may not receive full reimbursement or payment from the  
17 contracting person, entity or insurer;

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19           (B) Informs the insured that the insured is  
20 responsible for payment of the service or any remaining  
21 balance after all insurance payments;

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1                   (C) Obtains the insured's written consent  
2 to perform the service; and

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4                   (D) Provides a copy of the insured's  
5 written consent to perform the service to the contracting  
6 person, entity or insurer upon request.

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8                   (ii) Use bundling in a manner where a procedure  
9 that normally would be billed to the insured would not be  
10 billed to the insured unless, under generally accepted  
11 medical and dental guidelines, the procedure may be  
12 provided in conjunction with another procedure;

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14                   (iii) Use downcoding in a manner that prevents a  
15 dentist from billing for the actual service performed and  
16 collecting payment from the insurer, the insured or both.

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18           ~~(e)~~(d) This section shall apply to contracts,  
19 policies or certificates issued, renewed, delivered or  
20 issued for delivery in this state on or after July 1, 2011.

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