

SENATE FILE NO. SF0158

Virtual credit cards and network leasing-dental services.

Sponsored by: Senator(s) Jones, Barlow, Cooper and Crago
and Representative(s) Brown, L, Larson, JT
and Wylie

A BILL

for

1 AN ACT relating to the insurance code; specifying
2 requirements for third party access to dental network
3 contracts; providing requirements for the use of virtual
4 credit card payments and other methods of payments for
5 dental services; providing contractual requirements;
6 providing definitions; specifying applicability; requiring
7 rulemaking; and providing for effective dates.

8

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

10

11 **Section 1.** W.S. 26-22-506 is created to read:

12

13 **26-22-506. Third party access to network contracts;**
14 **dental care service plans; waiver prohibited; definitions.**

15

1 (a) As used in this section:

2

3 (i) "Contracting entity" means any person that
4 enters into a contract with a dental care provider for the
5 delivery of dental care services;

6

7 (ii) "Covered person" means a policyholder,
8 subscriber, enrollee or other person participating in a
9 dental care service plan that provides for dental care
10 services;

11

12 (iii) "Dental care provider" means any person
13 licensed to practice dentistry in Wyoming and who provides
14 dental care services pursuant to a dental care service
15 plan;

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17 (iv) "Dental care service plan" means a policy,
18 contract, plan, certificate or agreement that provides for
19 third party payment or prepayment of dental care services
20 and that is delivered or issued for delivery by or through
21 a dental carrier on a standalone basis;

22

1 (v) "Dental care services" means diagnostic,
2 preventative, maintenance and therapeutic dental care.

3 "Dental care services" shall not include services that are
4 billed as medical expenses under a health benefit plan;

5

6 (vi) "Dental carrier" means a person subject to
7 the insurance laws and regulations of this state, or
8 subject to the jurisdiction of the commissioner, including
9 an insurance company offering dental care service plans or
10 any other person that provides a dental care service plan;

11

12 (vii) "Dentist agent" means a person that
13 contracts with a dental care provider to establish an
14 agency relationship for purposes of processing bills for
15 services provided by the dental care provider under the
16 terms and conditions of a contract between the dentist
17 agent and a dental care provider. A contract between a
18 dentist agent and a dental care provider may permit the
19 dentist agent to submit bills, request reconsideration and
20 receive reimbursement;

21

22 (viii) "Network contract" means a contract
23 between a contracting entity and a dental care provider

1 that specifies the rights and responsibilities of the
2 contracting entity and provides for the delivery and
3 payment of dental care services to a covered person;

4

5 (ix) "Third party" means a person, not including
6 a covered person, who enters into a contract with a
7 contracting entity to access the dental care services or
8 contractual discounts of a network contract. "Third party"
9 shall not include an employer or other group for whom the
10 dental carrier or contracting entity provides
11 administrative services;

12

13 (x) "Virtual credit card payment" means an
14 electronic funds transfer where a dental care service plan,
15 or a contracted vendor, issues a single-use series of
16 numbers associated with the payment of dental care services
17 performed by a dental care provider and chargeable up to a
18 predetermined dollar amount, where the dental care provider
19 is responsible for processing the payment by a credit card
20 terminal or internal port. "Virtual credit card payment"
21 includes only electronic or virtual credit card payments
22 where no physical card is used and the single use
23 electronic credit card expires upon payment processing.

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2 (b) A contracting entity may grant a third party
3 access to a network contract, or to a dental care
4 provider's dental care service prices or contractual
5 discounts provided pursuant to a network contract, if all
6 of the following requirements are met:

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8 (i) At the time the network contract is entered
9 into, renewed or material modifications relevant to
10 granting access to a third party are made, the dental
11 carrier allows any dental care provider that is part of the
12 dental carrier's provider network to choose to not
13 participate in third-party access to the dental care
14 provider's service prices and discounted rates;

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16 (ii) The contracting entity allows the dental
17 care provider to enter into a contract directly with the
18 third party;

19

20 (iii) The network contract specifically states
21 that the contracting entity may enter into an agreement
22 with a third party to allow the third party to obtain the
23 contracting entity's rights and responsibilities under the

1 network contract as if the third party were the contracting
2 entity. If the contracting entity is a dental carrier, the
3 network contract shall specifically state that the dental
4 care provider may choose not to participate in third-party
5 access to the network contract and that the dental care
6 provider chose to participate in third-party access at the
7 time the network contract was entered into or renewed;

8

9 (iv) The third party accessing the network
10 contract agrees to comply with all of the network
11 contract's terms and conditions;

12

13 (v) The contracting entity identifies to the
14 dental care provider, in writing, all third parties
15 participating in the network contract as of the date the
16 network contract is entered into or renewed;

17

18 (vi) The contracting entity provides a list of
19 all third parties participating in the network contract on
20 the contracting entity's website. The contracting entity
21 shall update and provide an updated list of third parties
22 on its website not less than every ninety (90) days;

23

1 (vii) The contracting entity notifies a dental
2 care provider under the network contract at least thirty
3 (30) days prior to a new third party leasing or purchasing
4 the network contract;

5
6 (viii) The contracting entity requires a third
7 party to identify, for all remittance advice or
8 explanations of payments under which a discount applies,
9 the source of the discount. This paragraph shall not apply
10 to an electronic transaction mandated by the federal Health
11 Insurance Portability and Accountability Act of 1996, P.L.
12 104-191;

13
14 (ix) A third party's right to a dental care
15 provider's discounted rate is terminated as of the
16 termination date of the network contract;

17
18 (x) In the adjudication of any claim under the
19 network contract, the contracting entity makes available to
20 the dental care provider a copy of the network contract not
21 later than thirty (30) days after a request for the network
22 contract is received.

23

1 (c) A contracting entity shall not cancel or
2 terminate a contractual relationship with, or refuse to
3 contract with, a dental care provider on the grounds that
4 the dental care provider refuses to allow access by a third
5 party to the dental care services and discounted rates of
6 the dental care provider.

7

8 (d) This section shall not apply if access to a
9 provider network contract is granted to a dental carrier or
10 an entity operating in accordance with the same brand
11 licensee program as the contracting entity or to an entity
12 that is an affiliate of the contracting entity. A list of
13 the contracting entity's affiliates shall be made available
14 to a provider on the contracting entity's website.

15

16 (e) No dental care provider shall be bound by, or
17 required to perform, dental care services under a network
18 contract for which access has been granted to a third party
19 in violation of this section.

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21 (f) A dental care service plan shall not require
22 payments to be made to dental care providers solely by
23 virtual credit card payments.

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2 (g) A dental care service plan, when initiating
3 payments to a dental care provider through a virtual credit
4 card payment or when changing to virtual credit card
5 payments if the dental care provider consents, shall do all
6 of the following:

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8 (i) Notify the dental care provider of any fees
9 associated with each payment method available from the
10 dental care service plan;

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12 (ii) Inform the dental care provider of the
13 available options for methods of payment and provide clear
14 instructions to the dental care provider for the selection
15 of an alternative payment method that does not impose fees.

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17 (h) If a dental care provider opts out of a method of
18 payment that is offered by a dental care service plan, that
19 decision remains in effect unless the dental care provider
20 opts back into the prior method of payment or a new
21 contract is executed.

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1 (j) A dental care service plan that transmits
2 payments to a dental care provider in accordance with the
3 standards of 45 C.F.R. §§ 162.1601 and 162.1602 shall not
4 charge a fee solely for the transmission of the payment to
5 the dental care provider unless the dental care provider
6 has consented to payment of the fee. When transmitting a
7 national automated clearinghouse payment, a dentist agent
8 may charge a reasonable fee related to bank transmittal,
9 transaction management, data management, portal services
10 and other value added services associated with the
11 transmission of the payment.

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13 (k) The requirements of this section shall not be
14 waived unless knowingly and voluntarily waived by the party
15 bound by the contract.

16

17 **Section 2.** This act applies to contracts entered into
18 on or after July 1, 2025 and nothing in this act is
19 construed to impair any existing contracts entered into
20 before July 1, 2025.

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22 **Section 3.** The department of insurance shall
23 promulgate all rules necessary to implement this act.

1

2 **Section 4.**

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4 (a) Except as provided by subsection (b) of this
5 section, this act is effective July 1, 2025.

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7 (b) Sections 3 and 4 of this act are effective
8 immediately upon completion of all acts necessary for a
9 bill to become law as provided by Article 4, Section 8 of
10 the Wyoming Constitution.

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(END)