

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:

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3           (i) "Commissioner" means the insurance  
4 commissioner;

5

6           (ii) "Contracting entity" means any person that  
7 enters into a contract with a dental care provider for the  
8 delivery of dental care services;

9

10           (iii) "Covered person" means a policyholder,  
11 subscriber, enrollee or other person participating in a  
12 dental care service plan that provides for dental care  
13 services;

14

15           (iv) "Dental care provider" means any person  
16 licensed to practice dentistry in Wyoming and who provides  
17 dental care services pursuant to a dental care service  
18 plan;

19

20           (v) "Dental care service plan" means a policy,  
21 contract, plan, certificate or agreement that provides for  
22 third party payment or prepayment of dental care services

1 and that is delivered or issued for delivery by or through  
2 a dental carrier on a standalone basis;

3

4 (vi) "Dental care services" means diagnostic,  
5 preventative, maintenance and therapeutic dental care.  
6 "Dental care services" shall not include services that are  
7 billed as medical expenses under a health benefit plan;

8

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

14

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

1

2           (ix) "Network contract" means a contract between  
3 a contracting entity and a dental care provider that  
4 specifies the rights and responsibilities of the  
5 contracting entity and provides for the delivery and  
6 payment of dental care services to a covered person;

7

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

15

16           (xi) "Virtual credit card payment" means an  
17 electronic funds transfer where a dental care service plan,  
18 or a contracted vendor, issues a single-use series of  
19 numbers associated with the payment of dental care services  
20 performed by a dental care provider and chargeable up to a  
21 predetermined dollar amount, where the dental care provider  
22 is responsible for processing the payment by a credit card  
23 terminal or internal port. "Virtual credit card payment"

1 includes only electronic or virtual credit card payments  
2 where no physical card is used and the single use  
3 electronic credit card expires upon payment processing.  
4

5 (b) A contracting entity may grant a third party  
6 access to a network contract, or to a dental care  
7 provider's dental care service prices or contractual  
8 discounts provided pursuant to a network contract, if all  
9 of the following requirements are met:  
10

11 (i) The contracting entity is a dental carrier  
12 at the time the network contract is entered into, renewed  
13 or material modifications relevant to granting access to a  
14 third party are made, and the dental care provider that is  
15 part of the contracting entity's network contract chooses  
16 to allow the third party to access the dental care  
17 provider's service prices and discounted rates;  
18

19 (ii) The contracting entity allows the dental  
20 care provider to enter into a contract directly with the  
21 third party;  
22

1           (iii) The network contract specifically states  
2 that the contracting entity may enter into an agreement  
3 with a third party to allow the third party to obtain the  
4 contracting entity's rights and responsibilities under the  
5 network contract as if the third party were the contracting  
6 entity. If the contracting entity is a dental carrier, the  
7 network contract shall specifically state that the dental  
8 care provider may choose not to participate in third-party  
9 access to the network contract and that the dental care  
10 provider chose to participate in third-party access at the  
11 time the network contract was entered into or renewed;

12

13           (iv) The third party accessing the network  
14 contract agrees to comply with all of the network  
15 contract's terms and conditions;

16

17           (v) The contracting entity identifies to the  
18 dental care provider, in writing, all third parties  
19 participating in the network contract as of the date the  
20 network contract is entered into or renewed;

21

22           (vi) The contracting entity provides a list of  
23 all third parties participating in the network contract on

1 the contracting entity's website. The contracting entity  
2 shall update and provide an updated list of third parties  
3 on its website not less than every ninety (90) days;

4

5 (vii) The contracting entity notifies a dental  
6 care provider under the network contract at least thirty  
7 (30) days prior to a new third party leasing or purchasing  
8 the network contract;

9

10 (viii) The contracting entity requires a third  
11 party to identify, for all remittance advice or  
12 explanations of payments under which a discount applies,  
13 the source of the discount. This paragraph shall not apply  
14 to an electronic transaction mandated by the federal Health  
15 Insurance Portability and Accountability Act of 1996, P.L.  
16 104-191;

17

18 (ix) A third party's right to a dental care  
19 provider's discounted rate is terminated as of the  
20 termination date of the network contract;

21

22 (x) In the adjudication of any claim under the  
23 network contract, the contracting entity makes available to

1 the dental care provider a copy of the network contract not  
2 later than thirty (30) days after a request for the network  
3 contract is received.

4

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

11

12 (d) This section shall not apply to access of a  
13 network contract provided to a third party that is  
14 operating under the same brand licensing as the contracting  
15 entity. A contracting entity shall provide a list of all  
16 those operating under the same brand licensing as the  
17 contracting entity on the contracting entity's website.

18

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

23



1           (f) A dental care service plan shall not require  
2 payments to be made to dental care providers solely by  
3 virtual credit card payments.

4

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

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11                 (i) Notify the dental care provider of any fees  
12 associated with each payment method available from the  
13 dental care service plan;

14

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

19

20           (h) If a dental care provider opts out of a method of  
21 payment that is offered by a dental care service plan, that  
22 decision remains in effect unless the dental care provider

1 opts back into the prior method of payment or a new  
2 contract is executed.

3

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

15

16 (k) The requirements of this section shall not be  
17 waived unless knowingly and voluntarily waived by the party  
18 bound by the contract.

19

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

1

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

4

5       **Section 4.**

6

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

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

14

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(END)