



State of Tennessee
PUBLIC CHAPTER NO. 240

SENATE BILL NO. 1464

By Overbey

Substituted for: House Bill No. 1779

By Curtiss, Ramsey, Pitts, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 7, Part 10, relative to dental services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 10, is amended by adding the following language as a new, appropriately designated section:

56-7-10__.

(a) As used in this section:

(1) "Participating provider" means a dentist licensed to practice dentistry in this state, who provides dental services to an enrollee at a fee set by or at a fee subject to the approval of an insurer, dental services plan, third party administrator or any other party that contracts to provide dental services; and

(2) "Covered services" means dental care for which a reimbursement is available under the enrollee's plan contract, or for which a reimbursement would be available but for the application of contractual limitations such as deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, frequency limitations, alternative benefits payments, or any other limitation.

(b) No contract offered by any insurer, dental service plan, third party administrator or other party that covers any dental services, and no contract or participating provider agreement with a dentist may require, directly or indirectly, that a dentist who is a participating provider, provide services to an enrollee at a fee set by, or at a fee subject to the approval of the dental service plan, insurer, third party administrator or other party that covers any dental plan services unless the dental services are covered services.

(c) No contract offered by any insurer, dental service plan, third party administrator or other party with a participating provider that covers any covered services may provide nominal or de minimis coverage for covered services under the contract for the sole purpose of avoiding the requirements of this section.

(d) Nothing in this section shall apply to the TennCare program and any medical assistance provided pursuant to Title 71, Chapter 5, or to the State Children's Health Insurance Program established under Title XXI of the Social Security Act, Subchapter XXI, Chapter 7 of Title 42, United States Code.

SECTION 2. This act shall take effect upon becoming a law and shall apply only to contracts entered into or renewed on or after the effective date of this act.

SENATE BILL NO. 1464

PASSED: May 9, 2011



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 23rd day of May 2011



BILL HASLAM, GOVERNOR