



March 1, 2021

Via Email

The Honorable Stephen M. Casey
Chair, Committee on Health and Human Services
State House
Providence, RI 02903

Re: H5160

Dear Chairman Casey:

Delta Dental of Rhode Island respectfully opposes H5150 entitled an Act Relating to Insurance – Health Care Accessibility and Quality Assurance Act.

H5150 seeks to modify- in a very substantial way- Rhode Island’s version of “non-covered services” payment protection for dentists. The idea is that dental plans should not be able to hold dentists to their negotiated discounted fees for services that are not covered in any way by the patient’s underlying benefit plan.

The current version of the statute was the result of a lengthy negotiation process between the RIDA and DDRI nearly 20 years ago. DDRI agreed that it is not fair to hold dentists to discounted levels for services that are not reimbursable under the patient’s underlying benefit plan. We were one of the first dental plans in the country to do so. There was some give and take in good faith that resulted in a compromise that was good not just for the dentists but for the patients as well. It was agreed that the patients should get the benefit of the negotiated discounts as to services that are covered under the underlying benefit contract (i.e. payable to the dentist), even if they are only covered subject to a specific contractual limitation, such as a deductible, waiting period, or frequency limitation. But the dentists could always get their full undiscounted fee from the patient for services that are simply never covered by the underlying benefit plan (i.e. teeth whitening, etc.) It was a compromise that resulted in a good law that was later adopted in similar form by the National Association of Insurance Commissioners as Model Legislation, and enacted in substantially the same form in almost every other state in the country.

H5150, as submitted, would unfairly turn the compromise that was reached at that time by the RIDA and DDRI completely on its head and take away the protections consumers have from being balance-billed as to anything that is not actually “reimbursed”, whether or not the service is a service that is covered under the applicable benefit plan.

This change is anti-consumer and would drive up the cost Rhode Islanders have to pay out of pocket for health care services that are indeed covered services- not non-covered services.

Finally, The National Conference of Insurance Legislators ("NCOIL") has taken the position that it is not fair to take away from consumers the negotiated discounts in the manner these modifications seek.

For these reasons Delta Dental of RI opposes H5160.

Sincerely,



Richard A. Fritz

Senior Vice President & CFO