

**HOUSE BILL NO. 476**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVE G.DAVIS BY REQUEST**

**Introduced: 2/14/94**

**Referred: Labor & Commerce, State Affairs**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to insurance for services performed by a dentist; and providing**  
2 **for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1. AS 21.42 is amended by adding a new section to read:**

5 **Sec. 21.42.390. DENTAL INSURANCE POLICY PROVISIONS. (a) An**  
6 **insurer authorized under AS 21.09 to offer, issue for delivery, deliver, or renew an**  
7 **individual or group disability insurance policy for medical coverage on an expense**  
8 **incurred basis in the state**

9 **(1) may not**

10 **(A) prohibit the policyholder from selecting the dentist of the**  
11 **policyholder's choice if the dentist is licensed under AS 08.36 to perform the**  
12 **dental service;**

13 **(B) deny a dentist the right to participate as a contract provider**  
14 **if the dentist is licensed under AS 08.36 to perform the covered dental service;**

1 (C) authorize a person to regulate, interfere, or intervene in a  
2 dentist's diagnosis or treatment of a patient's dental illness or injury if the  
3 dentist is licensed to perform the diagnosis or treatment under AS 08.36;

4 (D) require that in treating a dental illness or injury the dentist  
5 make or obtain dental x-rays or other diagnostic aids; this paragraph does not  
6 prohibit a request for existing dental x-rays or other existing diagnostic aids for  
7 the purpose of determining if benefits are payable under the applicable policy;

8 (2) shall

9 (A) if applicable, disclose to each policyholder that the coverage  
10 is limited to the least costly treatment;

11 (B) define and explain the standard on which coverage or  
12 reimbursement for the cost of dental services is based; and

13 (C) provide that coverage or reimbursement for a noncontracting  
14 provider dentist shall be equal to the coverage or reimbursement for a  
15 contracting provider dentist; this paragraph does not require coverage or  
16 reimbursement in an amount greater than allowed under the policy or contract  
17 or greater than charged by the dentist providing the dental care services.

18 (b) This section does not require that particular dental care benefits be  
19 provided under an insurance policy.

20 (c) Notwithstanding the other provisions of this section,

21 (1) a dentist licensed under AS 08.36 may contract directly with a  
22 person to provide dental care services that the dentist is licensed to perform; and

23 (2) an insurer authorized under AS 21.09 to offer, issue for delivery,  
24 deliver, or renew an individual or group disability insurance policy for medical  
25 coverage on an expense incurred basis in the state may

26 (A) make information relating to dental care services, fees,  
27 location, or hours of service available to a policyholder or covered person if the  
28 information is provided after a request by a dentist licensed under AS 08.36;

29 (B) establish an administrative procedure to facilitate payment  
30 for dental care services by an insured or covered person to the dentist of the  
31 insured or covered person's choice; and

1                                   (C) pay or reimburse, on a nondiscriminatory basis, an insured  
2                                   or covered person for the cost of dental care services by the dentist of the  
3                                   insured or covered person's choice.

4                                   (d) An individual or group disability insurance policy offered, issued for  
5                                   delivery, or delivered in violation of this section may not be enforced.

6                                   (e) In this section, "dental care services" means services performed for the  
7                                   purpose of preventing, alleviating, curing, or healing an illness or injury relating to a  
8                                   person's teeth and includes the practices described under AS 08.36.360.

9                                   \* Sec. 2. APPLICABILITY. This Act applies to a policy of insurance entered into or  
10                                   renewed on or after the effective date of this Act.

11                                   \* Sec. 3. This Act takes effect July 1, 1994.