

HB

121

HFIN

FILE

Alaska State Legislature



DURING SESSION
STATE CAPITOL, ROOM 501
JUNEAU, AK 99801-1182
(907) 465-4843 (800) 892-4843
FAX: (907) 465-3871

WEB SITE
<http://www.akrepublicans.org/Bunde.htm>

DURING INTERIM
115 W. FOURTH AVE
ANCHORAGE, AK 99501-0001
907 269-0181
FAX 907 269-0184

EMV 1

REPRESENTATIVE CON BUNDE

Representative_Con_Bunde @ ak.senate.ak.us

District 18

VICE-CHAIR, HOUSE FINANCE COMMITTEE
MEMBER, LEGISLATIVE BUDGET & AUDIT COMMITTEE

SPONSOR STATEMENT

HB 121

"An Act relating to patients' rights under a health care insurance plan or contract providing coverage for dental care, and prohibiting certain practices by health care insurers relating to dental care."

Consumers have to ask if their dental care has improved or become more efficient since the beginning of managed care. Many people in need of a dentist say they can't see the dentist they wish to see; they spend less time with the dentist they do see; and they feel rushed into and out of the dentist office.

When a dentist enters a preferred provider organization, the result is that an insurance company saves money and a dentist gains a volume of patients. By increasing the volume of patients each patient receives a fraction of the care that they should receive. Is it fair to allow insurance companies to tell YOU who will do your dental care?

HB 121 sets out the rights of dental health care consumers. This bill specifically:

- Allows consumers to choose any dentist they wish to see including a specialist.
- Prohibits insurers from reimbursing a covered person at a different rate because of the person's choice of dentist.
- Gives covered people the right to receive full information regarding their care options without fearing adverse actions from insurance companies.
- Allows patients to take civil action against health care insurers to enforce their rights.
- Requires any dental treatment plan review or utilization review to be conducted by a dentist.

I urge the committee's thoughtful consideration of this proposed legislation and the swift passage of this legislation from the committee.

William P. Fell D.D.S.



(907) 274-5617

549 W. Fireweed Lane • Anchorage, AK 99503

March 10, 1999

Dear Representative Brice,

I am writing in support of HB 121, the Dental Patient Rights Bill.

HB 121 preserves the basic rights of patients to be treated fairly regardless of the type of their dental insurance.

Patients deserve the right to see the dentist of their choice including a specialist if it is appropriate. This is the most basic right of a patient, being able to choose who provides their dentistry.

Patients should be told of their full range of treatment options not just the ones an insurance company would like them to hear. They deserve to make an informed decision about their health care. The right to hear about all treatment options available is basic to that right.

Patients deserve to have their benefits reviewed by a licensed dentist not a clerical person without any dental training. To use anyone other than a licensed dentist is to deprive the patients of the right of a reasonable review and any recourse for that review.

Lastly, patients should not be discriminated against financially by insurance companies because of their choice of dentists. To reimburse patients differently for their choice of dentists penalized the patients right to choose.

I urge you to vote yes to pass this important bill out of the House Labor and Commerce Committee.

Sincerely,

William Fell
Executive Committee Member

THOMAS G. HIPSHER, D.D.S.

March 17, 1999

Alaska State Legislature
Labor and Commerce Committee
State Capitol Building, Room 24
20 4th Street
Juneau, AK 99801-3382

RE: HB 121

To: Representative Norman Rokeberg, Chair
Representative Andrew Halcro, Vice Chair
Representative John Harris
Representative Lisa Murkowski
Representative Jerry Sanders
Representative Tom Brice
Representative Sharon Cissna
Janet Seitz-Committee Aide

Dear Representatives:

House Bill 121 is before you with regards to dental Patient's Rights. The purpose of the bill is to define how insurance companies can act with regards to patients that are members of Preferred Provider Organizations, Dental Health Maintenance Organizations and other entities that exist under the auspices of managed care. It also pertains to patients covered under any other type of dental insurance plan except ERISA plans. Some very fundamental patient rights are being violated when it comes to benefits offered under many insurance plans. Therefore, HB 121 has been introduced to protect our patients' basic rights as they relate to the dental health care they receive and the reimbursement by their insurance carriers for this care.

Last year, HB 300 was introduced and held up in the Labor and Commerce Committee because the insurance industry and their lobbyists successfully diverted the issue from one of "patient's rights" to an issue about the increased costs that the bill would create if it were to pass. The insurance industry was also successful in convincing the committee that HB 300 was an "Any Willing Provider" piece of legislation. HB 121 is similar to last year's HB 300, but differs in that it pertains only to dental care.

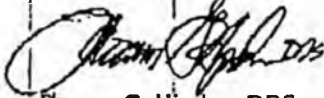
I have prepared a detailed comparison between the current HB 121, entitled the "Alaska Dental Care Bill of Rights" and "Any Willing Provider" legislation to help you understand what the differences are and to show you that **HB 121 is not** "Any Willing Provider" legislation. For you to think or to assume that HB 121 is "Any Willing Provider" legislation is incorrect. I am certain that the insurance industry will once again try to sway your vote based on two matters, namely 1) that this is "Any Willing Provider" legislation and 2) that costs will increase as a result of this legislation because they have convinced you that it is "Any Willing Provider" legislation.

Please take the time to consider the differences and realize that the insurance industry is doing nothing but protecting their bottom line at the expense of patient's rights. If the insurance industry truly believes that costs will rise as a result of this legislation, there are far better options that companies can pursue other than dental insurance that will provide patients with these rights at a much lower cost than that which can be provided by the insurance industry. Dental care does not meet the criteria for an insured risk, therefore dental care does not

need to be *insured*. In fact, the term "dental insurance" is a misnomer. Dental costs are very predictable year after year and can simply be budgeted for by a company. If you would like to learn more about this, contact either myself or Mr. Brian Rogers, a former legislator with whom all of you are familiar. If the insurance industry insists that costs will increase, we will show you how they can actually be lowered, even with passage of this bill.

I urge you to study the facts very carefully and study the eyes of the people that are trying to convince you that this bill is bad for patients. I apologize that I cannot testify at the public hearing on March 19, 1999 due to a prior commitment to take care of a patient from out of state. However, if you have any questions with regards to anything in this letter or the accompanying comparison sheets, please contact me either by mail, email at simsa@alaska.net or by telephone at (907) 349-5585.

Respectfully submitted,



Thomas G. Hipsher, DDS

Cc: Alaska Dental Society
Dr. David Logan, President of the Alaska Dental Society
Dr. Rob Robinson
Mr. Brian Rogers

03-11-99 09:07

907 258 2804

Robinson & Nielson

002

David L. Nielson, D.D.S.

Julie M. Robinson, D.D.S.

GENERAL DENTISTRY

880 N STREET, SUITE 301
ANCHORAGE, ALASKA 99501
TELEPHONE 276-7787
276-8274

3-10-99

Dear Representative Rokeberg,

As residents in your legislative district, as dentists, and as individuals who are concerned about where health care in America is heading, we feel compelled to write in favor of HB121, the Dental Patient Rights Bill.

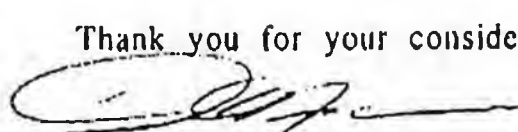
While the public is, at the present time, ultimately able to choose any dentist they wish, there are many factors at work in the insurance market place that severely limit that ability by incorporating financial penalties for doing so. It is imperative that patients be able to freely choose any general dentist or specialist they wish to see without their insurance company limiting that right by reimbursing the patients at a different rate depending on which provider they choose.

HB 121 also addresses another fundamental right to which patients must be entitled. Under no circumstances should an insurance plan discourage or withhold the patients right to at least hear all available treatment options. The public deserves to make informed decisions about their health care, and withholding the mention of treatment options should not be tolerated.

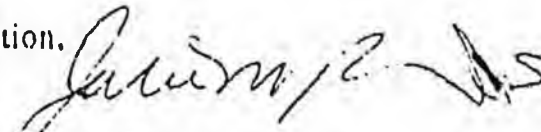
Obviously enough, an insurance company should be able to review submitted claims and treatment plans. However, is it in the patients best interest to have these reviews done by a clerical person with no dental training and nothing more than a written set of guidelines to go on? I submit to you that the public deserves the right to have a fair and reasonable review of their treatment plan by an individual who thoroughly understands which course of treatment is in each patients best interest. That individual should be a licensed dentist.

We urge you to take an important step towards protecting public rights and vote yes to pass this bill out of the House Labor and Commerce Committee.

Thank you for your consideration.



David Nielson D.D.S.



Julie Robinson D.D.S.

March 10, 1999

Dear Representative Rokeberg,

I am writing in response to HB 121, the Dental Patients Bill of Rights.

It is my understanding that this bill affects me in the following areas:

I should be able to choose my own dentist.

I should be able to seek the care of a specialist should the need arise and that decision should be made between me and my dentist of choice. No insurance company should be able to limit this right.

I should be able to make an informed decision regarding my health care and the treatment options that my dentist believes are in my best interest.

I should be able to expect that any review of my treatment plan or my care be made by someone with an understanding of dentistry i.e., a licensed dentist.

I should expect reimbursement financially by an insurance company without being penalized because of my choice of a dentist.

A copy of The Dental Patient Rights Bill was referred to me and as a dental patient as well as an employee of a dental office, I felt it necessary to express my opinions.

Sincerely,

Lorraine Childress

Lorraine Childress
Dental Administrator

William P. Fell D.D.S.



(907) 274-5617

549 W. Fireweed Lane • Anchorage, AK 99503

March 10, 1999

Dear Representative Rokeberg,

I am writing in support of HB 121, the Dental Patient Rights Bill.

HB 121 preserves the basic rights of patients to be treated fairly regardless of the type of their dental insurance.

Patients deserve the right to see the dentist of their choice including a specialist if it is appropriate. This is the most basic right of a patient, being able to choose who provides their dentistry.

Patients should be told of their full range of treatment options not just the ones an insurance company would like them to hear. They deserve to make an informed decision about their health care. The right to hear about all treatment options available is basic to that right.

Patients deserve to have their benefits reviewed by a licensed dentist not a clerical person without any dental training. To use anyone other than a licensed dentist is to deprive the patients of the right of a reasonable review and any recourse for that review.

Lastly, patients should not be discriminated against financially by insurance companies because of their choice of dentists. To reimburse patients differently for their choice of dentists penalized the patients right to choose.

I urge you to vote yes to pass this important bill out of the House Labor and Commerce Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'William P. Fell'. The signature is stylized and cursive.

William Fell
Executive Committee Member



Alaska Dental Society

3305 Arctic Blvd., Suite 102
Anchorage, Alaska 99503-4975
(907) 563-3003 • FAX: 563-3009

March 8, 1999

Representative Norman Rokeberg
Alaska State Legislature
State Capitol
Juneau, AK

Dear Representative Rokeberg:

The Alaska Dental Society is urging all members of the House Labor and Commerce Committee to move HB121, the Dental Patient Rights Bill, out of Committee.

HB121 preserves the patient's most basic rights: The right to choose a dentist, to be told about available treatments, to have a trained dentist review dental insurance claims and to be equally reimbursed for those claims by their insurance companies.

Patients should be able to choose their dentist. There is no reasonable circumstance where an insurance company should supersede that right.

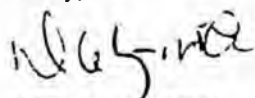
Patients should be aware of all reasonable treatment options available for their dental conditions. To allow "gag" clauses that limit dentists' ability to discuss treatment options is to deny patients the ability to make informed decisions.

A licensed dentist should review treatment plans and claims. Using a dentist to review claims insures an understanding of different types of dental treatment and why they are used. Use of a licensed dentist would help to insure this person is current in their dental knowledge and provides some recourse for patients if they have to appeal their claim.

It is crucial to remember the dentist who is not participating in a plan is paid the same regardless of the passage of HB121; it is the patient who is suffers under the current system. HB121 will not change the amount an insurance company pays for a given treatment, unless the insurance company counted on reimbursing some patients at a lesser rate. All HB121 asks is the insurance company pay the same amount to the patient regardless of their choice of dentists.

Thank you in advance for your consideration of this HB121 This legislation will help provide the necessary protection of patients from unfair practices by insurance companies. The Alaska Dental Society urges the House Labor and Commerce Committee's favorable response.

Sincerely,


David G. Logan, DDS
President
Alaska Dental Society

Post-Net Fax Note 7672
 To Patty Swenson
 Company Rep. Con Bunde
 Location
 Fax # Telephone #
 Comments

⊕ No. of Pages 7 Today's Date 3/99 Time AM
 From Dr. Mike Sage
 Company
 Location Dept. Of or for
 Fax # Telephone #
 Original Document Query Return Call for pickup

RE: HB 121



C. Michael Sage, D.D.S., F.A.G.D., P.C.
 FELLOW AMERICAN GENERAL DENTISTRY

March 10, 1999

Representative Con Bunde
 Alaska State Legislature
 State Capitol (MS3100)
 Juneau, AK 99801-1182

Dear Representative Bunde,

I am writing to you to ask for your support of HB 121, the Dental Patient Rights Bill.

This bill is needed to preserve Alaskan's right to choose their dental health care provider, without the pressure of financial discrimination by insurance companies.

Alaskans deserve the right to see the dentist of their choice, including specialists if they feel it is necessary. It is important that patients are informed of the full range of treatment options, and not just those options deemed "adequate treatment" by an insurance company.

When a dental care plan or contract provision allows for treatment plan review or utilization review, that review should be conducted by a licensed dentist. To entrust this procedure to clerical personnel with no understanding of dentistry is certainly not in the patients' best interest.

Again, I urge you to give your full support to HB 121, and to vote yes to pass this bill out of the House Labor and Commerce Committee.

Sincerely,

C. Michael Sage D.D.S.

C. Michael Sage D.D.S.

VICKEY J. HODNIK, D.D.S.

4014 Lake Street, Suite 210
Homer, Alaska 99603

Telephone: (907) 235-7585
FAX: (907) 235-7311

March 10, 1999

Representative Norman Rokeberg
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

Dear Representative Rokeberg,

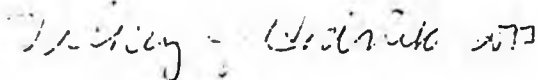
I am writing this letter to support HB 121, "The Dental Patient Rights Bill", because it protects Alaskans seeking dental care.

I believe that everyone has the right to choose their dental care provider, and, if the provider they choose is not a preferred provider, their insurance plan should pay the same amount for treatment that they pay a preferred provider.

All patients need to be told what their treatment needs are, what their options are and then choose their own treatment plan. All treatment plans must be prepared by a licensed dentist and not a non-dentist employee of an insurance company.

Please vote Yes to pass this bill (HB 121) out of the House of Labor and Commerce Committee.

Sincerely,



Vickey J. Hodnik, DDS
Pres.-elect Alaska Dental Society

"An Atmosphere of Sincere
Warmth and Caring"



Ronald J. Glaeser, D.D.S.
A PRACTICE LIMITED TO ORTHODONTICS

March 11, 1999

Representative Norman Rokeberg
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

Dear Representative Rokeberg:

I am writing in support of HB 121, the Dental Patient Rights Bill.

HB 121 preserves the basic rights of patients to be treated fairly regardless of their dental insurance. Patients deserve the right to see the dentist of their choice including a specialist. They should be told their full range of rights; not just those imposed by insurance companies. They deserve to have their charges reviewed by a claims adjuster with a dental background and training. Also, patients should not be hindered financially or discriminated against by their insurance companies.

I urge you to vote yes to pass this important bill out of the House Labor and Commerce Committee.

Sincerely,

A handwritten signature in cursive script that reads "Dr. Ronald J. Glaeser".

Ronald I. Glaeser, D.D.S., Inc.
Member, Executive Council
Alaska Dental Society

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 14, 2000

FURTHER REFERRALS:

Date of Committee Action: 4/15/00

The FINANCE Committee considered:

HB 121

HOUSE BILL NO. 121

DENTAL CARE INSURANCE

"An Act relating to patients' rights under a health care insurance plan or contract providing coverage for dental care, and prohibiting certain practices by health care insurers relating to dental care."

recommends it be replaced

with the following committee substitute

C.S. HB 121 (L+C)

the same title
 a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) - _____

zero fiscal note(s) DCED, DORA

4-14-00

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Ben Therriault</i> Therriault			X	
<i>John Mulder</i> Mulder	X			
<i>Chris Bunde</i> Bunde	X			
<i>Alan Austerman</i> Austerman			X	
<i>John Davies</i> Davies			X	
<i>Ben Grossendorff</i> Grossendorff			X	
<i>Charles Moses</i> Moses			X	
<i>W.F. Williams</i> Williams	X			
<i>Laird Phillips</i> Phillips			X	
<i>John Foster</i> Foster	X			

CHAIR'S SIGNATURE

Ben Therriault *John Mulder*

FISCAL NOTE

Bill Version: CSHB 121(L&C)
(H) Publish Date: 4/14/00

STATE OF ALASKA 2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) 04/13/00 Dept. Affected Community & Economic Development
Title An Act relating to patients' rights under a health care BRU Insurance
Insurance plan or contract providing coverage for dental care ... Component Insurance
Sponsor Representative Bunde
Requester H (L&C) Component No. 354

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on this component.

Prepared by: Robert A. Lohr Phone 269-7900
 Division Insurance Date/Time 4-13-00 4:37 PM
 Approved by Commissioner Deborah B. Sedwick Date 4-13-00
 Agency Community & Economic Development

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FISCAL NOTE

Bill Version: CSHB 121(L&C)

(H) Publish Date: 4/14/00

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

Revision Date/Time 4/14/00 Dept. Affected Administration
 Title Dental Care Insurance BRU Centralized Administrative Services
 Component Retirement and Benefits
 Sponsor Representative Bunde
 Requester (H) L&C Component No. 64

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (1029 P/E Retire)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Although the State of Alaska self-insured health program is not legally obligated to mandates set by the legislature in Title 21, the state has followed such mandates for public policy reasons. The state health plans do not currently have any preferred provider arrangements with dentists.

Prepared by: Guy Bell, Director Phone 465-4471
 Division Retirement and Benefits Date/Time _____
 Approved by Commissioner: Robert Poe, Jr Date 4/14/00
 Agency Department of Administration

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