

May 10, 2022

Sen. Eric Pratt	Rep. Mohamud Noor
Sen. Jason Rarick	Rep. Jamie Long
Sen. Gary Dahms	Rep. Zack Stephenson
Sen. Dave Senjem	Rep. Rob Ecklund
Sen. Nick Frentz	Rep. Chris Swedzinski

Re: Jobs, Energy, Commerce Omnibus Dental Provisions

Conference Committee Members,

On behalf of the Minnesota Dental Association, I write to you asking for your support regarding dental provisions in the House Jobs, Energy, and Commerce omnibus bill. Specifically, House Article 29, sections 5, 6, 8, 9, and 10, addresses three critical aspects of the dentist/dental plan relationship.

First, House Article 29, Sections 5 and 6, amend existing statute pertaining to the disclosure of fees by a health plan to a provider. Currently, health plans must provide a full fee schedule in addition to other contract provisions *before* requiring provider to sign a contract. Dental plans, however, are exempt from such a disclosure, presenting an interesting dynamic where a dental provider is asked to enter into a contract with little or no information regarding expected reimbursement for services rendered under the contract. No other business transaction would be conceived without the full disclosure of terms, conditions, and fees associated with such a transaction. House Article 29, Sections 5 and 6, eliminates this exemption and applies the current contract disclosure statute equally to health plans inclusive of dental plans.

Second, House Article 29, Section 9, addresses network leasing, where a dental plan leases its provider network to another entity, which is often an unrelated dental plan. This frequently occurs without any notice to the contracted dentist, resulting in confusion among patients and providers. Dentists may unknowingly be required to abide contract terms and payments that may differ from the original contract, while patients may be confronted with a dental practice that has no knowledge of what may be covered by a patient's plan, leading to potential disruptive delivery of care. Most importantly, this provision would provide a dentist the opportunity to opt-out of such a leasing agreement without penalty.

Finally, House Article 29, Section 10, addresses reimbursement methods such as virtual credit cards or any future forms of digital currency. These methods of payment often impose fees in order to collect payment for the service the dentist has provided the patient, essentially requiring a provider to pay in order to get paid for a service. Several dentists have reported that some payers offer no alternative method of receiving reimbursement. Although it is not yet widespread in Minnesota, national colleagues are reporting an increase in this practice. This provision does



not prohibit the use of virtual currency, it merely provides for full transparency in payment method and affords the provider an option of reimbursement that does not incur fees.

The language included in the sections described above is the result of collaboration between the Minnesota Dental Association, Delta Dental and the Minnesota Insurance and Financial Services Council. The Minnesota Dental Association thanks representatives of these stakeholders for their support.

I ask you to include these provisions in the conference committee report and help bring transparency and fairness to dental plan contracting.

Sincerely,

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Minnesota Dental Association
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The Minnesota Dental Association is a statewide professional membership organization representing Minnesota-licensed dentists and dental students, with a membership of over 3,000 dentists.