



January 11, 2023

Chair Judy Lee
CC: Members of the Human Services Committee
North Dakota State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Re: SB 2135 “A bill for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to assignment of dental insurance benefits”

Dear Chair Lee and members of the Human Services Committee,

On behalf of the National Association of Dental Plans (NADP)¹, America’s Health Insurance Plans (AHIP)², and the American Council of Life Insurers (ACLI)³, we are writing to share our comments on S. 2135. The bill would allow assignment of benefits for dental benefits in North Dakota. While insured dental patients should be allowed flexibility in utilizing their dental benefits, we offer additional comments on preserving the value of their coverage and preventing balance billing.

Maintaining dental coverage that is affordable and accessible is important in reducing overall health care costs and improving oral health. Individuals with dental coverage visit and take their children to the dentist more often and are more likely to receive the care they need, when compared to individuals without coverage. To that end, we propose that the language of SB 2135 be amended to prevent balance billing of insured patients by out-of-network dental care providers. A typical dental plan will reimburse for dental care at a negotiated rate with a provider who has entered a provider network in order to access insured patients. When patients seek

¹ NADP is the largest non-profit trade association focused exclusively on the dental benefits industry. NADP’s members provide dental HMO, dental PPO, dental indemnity and discount dental products to more than 200 million Americans with dental benefits. Our members include the entire spectrum of dental carriers: companies that provide both medical and dental coverage, companies that provide only dental coverage, major national carriers, regional, and single state companies, as well as companies organized as non-profit plans.

² AHIP is the national association whose members provide health care coverage, services, and solutions to hundreds of millions of Americans every day. We are committed to market-based solutions and public-private partnerships that make health care better and to help create a space where coverage is more affordable and accessible for everyone.

³ The American Council of Life Insurers (ACLI) is the leading trade association driving public policy and advocacy on behalf of the life insurance industry. 90 million American families rely on the life insurance industry for financial protection and retirement security. ACLI’s member companies are dedicated to protecting consumers’ financial wellbeing through life insurance, annuities, retirement plans, long-term care insurance, disability income insurance, reinsurance, and dental, vision and other supplemental benefits. ACLI’s 280 member companies represent 94 percent of industry assets in the United States.

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treatment from a dentist who is not in network, they should be afforded the same protections as if they were seeing an in-network dentist. Therefore, a provider receiving payment directly from an insurance plan for treatment through an assignment of benefits, should not seek an additional, unexpected payment from a patient.

Thank you again for your attention to this important consumer-protection matter. We have attached our redline to this letter and are available to answer questions or provide additional information.

Sincerely,



Owen Urech
National Association of Dental Plans



Rikki Pelta
American Council of Life Insurers



Amanda Herrington
America's Health Insurance Plans