

HOUSE BILL NO. 1471

Introduced by

Representatives Christianson, Dockter, Kasper, Koppelman, Ostlie, Finley-DeVille, Louser
Senators Bekkedahl, Paulson, Cleary, Meyer, Lee

1 A BILL for an Act to create and enact a new section to chapter 26.1-36.9 of the North Dakota
2 Century Code, relating to dental benefit plan method of payment options.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 26.1-36.9 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Method of payment option.**

- 7 1. A dental benefit plan may not include restrictions on methods of payment from the
8 dental benefit plans or the plan's vendor or the health maintenance organization to the
9 dentist in which the only acceptable payment method is a credit card payment.
- 10 2. If initiating or changing payments to a dentist using electronic funds transfer payments,
11 including virtual credit card payments, a dental benefit plan or the plan's contracted
12 vendor or health maintenance organization shall:
- 13 a. Notify the dentist if any fees are associated with a particular payment method;
14 b. Advise the dentist of the available methods of payment and provide clear
15 instructions to the dentist as to how to select an alternative payment method that
16 does not impose fees or similar charges on the provider; and
- 17 c. Notify the dentist if the dental benefit plan is sharing a part of the profit of the fee
18 charged by the credit card company to pay the claim.
- 19 3. A dental benefit plan, or the plan's contracted vendor or health maintenance
20 organization, which initiates or changes payments to a dentist through the automated
21 clearinghouse network, under title 45, Code of Federal Regulations, sections 162.1601
22 and 162.1602, may not charge a fee solely to transmit the payment to a dentist unless
23 the dentist has consented to the fee. A dentist's agent may charge reasonable fees if
24 transmitting an automated clearinghouse network payment related to transaction

- 1 management, data management, portal services, and other value-added services in
- 2 addition to the bank transmittal.