

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1471

Introduced by

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

1 A BILL for an Act to create and enact a new section to chapter 26.1-47 of the North Dakota
2 Century Code, relating to method of dental payment options in preferred provider
3 arrangements.

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

5 **SECTION 1.** A new section to chapter 26.1-47 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Method of dental payment option.**

- 8 1. A preferred provider arrangement may not include restrictions on methods of payment
9 from the dental insurer or third-party payor vendor to the dental provider in which the
10 only acceptable payment method is a credit card payment.
- 11 2. If initiating or changing payments to a dental provider using electronic funds transfer
12 payments, including virtual credit card payments, a dental insurer or the contracted
13 vendor shall:
- 14 a. Notify the dental provider if any fees are associated with a particular payment
15 method;
- 16 b. Advise the dental provider of the available methods of payment and provide clear
17 instructions to the dental provider as to how to select an alternative payment
18 method that does not impose fees or similar charges on the provider; and
- 19 c. Notify the dental provider if the dental insurer is sharing a part of the profit of the
20 fee charged by the credit card company to pay the claim.
- 21 3. A dental provider or a contracted vendor, which initiates or changes payments to a
22 dental provider through the automated clearinghouse network, under title 45, Code of

- 1 Federal Regulations, sections 162.1601 and 162.1602, may not charge a fee solely to
2 transmit the payment to a dental provider unless the dental provider has consented to
3 the fee. A dental provider's agent may charge reasonable fees if transmitting an
4 automated clearinghouse network payment related to transaction management, data
5 management, portal services, and other value-added services in addition to the bank
6 transmittal.
- 7 4. As used in this section, "dental insurer" and "dental provider" have the same meaning
8 as in section 26.1-36.9-01.