

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED SENATE BILL NO. 2377

Introduced by

Senators Boschee, Bekkedahl, Dwyer

Representatives Dockter, Koppelman, Louser

1 A BILL for an Act to amend and reenact section 26.1-47-02.1 of the North Dakota Century
2 Code, relating to preferred provider arrangements and restrictions on dental care services.

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

4 **SECTION 1. AMENDMENT.** Section 26.1-47-02.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **26.1-47-02.1. Fees for dental services - Prohibition.**

7 1. As used in this section, "covered services" means dental care services for which a
8 reimbursement is available under an enrollee's plan or for which a reimbursement
9 would be available but for the application of a deductible, copayment, coinsurance,
10 waiting period, annual or lifetime maximum, or frequency limitation.

11 2. Except for fees for covered services, a preferred provider arrangement for a dental
12 plan may not directly or indirectly set or otherwise regulate the fees charged by the
13 preferred provider for dental care services.

14 3. A preferred provider arrangement may not restrict a covered person from receiving or
15 paying for ~~covered services at the preferred provider arrangement's contracted rate as~~
16 ~~described in this section for~~ additional dental care services ~~the covered person's~~
17 ~~network plan~~ that were denied by the covered person's dental plan due to annual,
18 ~~lifetime, or frequency limitations being met.~~

19 4. Unless disclosed to the covered person before receiving dental care, a covered
20 person receiving or paying for additional dental care services described in

- 1 | subsection 3 may not be charged a rate in excess of the preferred provider
- 2 | arrangement's contracted rate for covered services.