

**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,  
lifetime, or frequency limitations being met.
4. A covered person receiving or paying for additional dental care services described in  
subsection (3) shall not be charged a rate in excess of the preferred provider  
arrangement's contracted rate for covered services as described in this section.