

## **WSDLA Position On HB 2686 For Non-Covered Services In Washington State**

In February the Washington State Dental Laboratory Association (WSDLA) passed a resolution on the following issue:

**The Washington State Dental Association (WSDA) has proposed legislation for the 2010 session which would prohibit dental insurers from limiting fees for services not included in dental benefit plans.**

If unaddressed, this issue can directly affect laboratories by restricting the dentists' ability to offer value added services like veneers next to crowns, custom implant abutments, bleach trays and other options that are part of good treatment planning.

### **Why is legislation necessary?**

In July 2009 Washington Dental Services (WDS), the state's largest dental insurer, announced new provider contract provisions, allowing it to limit fees charged by its contracted dentists for services that are not covered by the insurer's dental plans. WDS said it was doing so to stay competitive with other insurers implementing similar provisions, however WDS also indicated it disagreed with this policy and was forced to implement it due to its alliance nationally with the Delta Dental system.

- Unless prohibited by insurance law, these provisions constitute an unjust interference in the financial affairs of dental practices.
- Some dental insurers have also added contract provisions to force dental practices to reduce charges when patients reach annual benefit maximum limits.
- Non-covered services vary by insurer and include such items as use of nitrous oxide to control dental fear and anxiety, implants, and posterior composite restorations. While a complete list from WDS is not yet available, WSDA understands these will likely be elective procedures that are consented to by the patient after discussion with the dentist.
- Limiting fees for non-covered services will force dental practices to cost shift. This will result in higher fees charged to uninsured patients and reduced participation in low-reimbursement plans, such as a Medicaid.
- The National Conference of Insurance Legislators is now considering model legislation to prohibit non-covered service fee limits. Federal legislation is also being pursued to prohibit this practice by ERISA plans not regulated under state laws.

The WSDLA board of directors passed resolutions opposing restrictions on patient care and supporting the pending legislation submitted by the WSDA

### **Motion to Support House Bill 2686 and Senate Bill 6427**

The Washington State Dental Laboratory Association Board of Trustees endorses HB 2686 and SB 6427.

Motion passed February 6, 2010

Board of Trustees

Washington State Dental Laboratory Assn

You are urged to get involved by contacting your state representatives and state your support for the bills listed above. The Senate bill has been tables in favor of the House bill so we must throw our support behind HB 2686. The bill was passed by the House and will be heard by the Senate Health & Long-term Care Committee this Thursday, February 18. Full text and current status may be found at: [apps.leg.wa.gov/billinfo/summary.aspx?year=2010&bill=2686](http://apps.leg.wa.gov/billinfo/summary.aspx?year=2010&bill=2686)

There is a legislative hotline: 1-800-562-6000. You can call and give them a message to give to your senator or representative, they will look it up for you. You may also find your representatives and their contact information at the following address [apps.leg.wa.gov/DistrictFinder/default.aspx?city=&street](http://apps.leg.wa.gov/DistrictFinder/default.aspx?city=&street)

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