

ENSURING THE DIVISION OF INSURANCE IS ABLE TO OVERSEE DELTA DENTAL OF MA

H. 2197 - An Act Relative to Dental Service Corporations

Bill Sponsor: Representative Angelo J. Puppolo, Jr.

Proposal

Under General Laws Chapter 176E, Delta Dental of Massachusetts (Delta) is a non-profit entity and is overseen by the Division of Insurance (DOI) in several regards. In recent years, and particularly in recent weeks, Delta has taken steps to move all business over to a for-profit entity doing business as Delta Dental of Massachusetts. This shift to for-profit is significant for various reasons, the most important being that the DOI will no longer be afforded the statutory authority to oversee many of Delta's business practices. For example, as part of this shift, Delta is inserting itself in between the dentist–patient relationship. This insertion threatens a provider's ability to always refer patients to the very best specialists available.

An Act Relative to Dental Service Corporations aims to impose on the new for-profit Delta the same appropriate DOI oversight as when Delta operated as a non-profit. This legislation will do the following:

- No restriction shall be placed upon a dentist as to methods of diagnosis, treatment, or referrals to other dentists
- Delta may not influence a Delta insured member's choice of dentist
- Any licensed and willing dentists shall be allowed to enter into a written agreement with Delta
- Ensures for-profit Delta pays fair market value for all services and assets from non-profit Delta
- No condition shall be placed on dentists to participate in a PPO in order to participate in another product
- Fees paid by Delta to dentists with which it contracts must be subject to a public hearing and to written approval of the insurance commissioner

Conclusion

The Massachusetts Dental Society urges the Legislature to take favorable action on this item and to ensure that the DOI is authorized to oversee the for-profit Delta Dental of Massachusetts.

Questions can be directed to:

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The Massachusetts Dental Society, is the organization dedicated to improving the oral health of the public and professional development of its membership through initiatives in education, advocacy, and promotion of the highest professional standards.