

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1672

By: Representatives Ferguson, Broadaway, C. Douglas

For An Act To Be Entitled

AN ACT TO REQUIRE THAT DENIALS OF DENTAL CLAIMS BE
DECIDED BY LICENSED DENTISTS; TO PROVIDE INFORMATION
FOR THE TREATING DENTIST; TO DECLARE AN EMERGENCY;
AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THAT DENIALS OF DENTAL CLAIMS
BE DECIDED BY LICENSED DENTISTS; AND TO
DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1, is amended to add a new section to read as follows:

23-79-156. Denials of dental claims.

(a)(1) As used in this section, "insurer" means an insurance company, a health maintenance organization, a hospital and medical service corporation, or a self-insured health plan for employees of a governmental entity that provides dental benefits.

(2) As used in this section, "insurer" includes an outside review entity that contracts with an insurance company, a health maintenance organization, a hospital and medical service corporation, or a self-insured health plan for employees of a governmental entity that provides dental benefit.

(b) A denial of all or part of a dental claim based upon medical necessity shall be made by a dentist licensed in the United States who is a graduate of a Commission on Dental Accreditation accredited program.



(c) To facilitate expeditious resolution, the insurer shall provide, upon request, a written communication to the treating dentist with the name, state where licensed, license number, and direct telephone number of the reviewing dentist.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that only licensed dentists should be permitted to deny claims; that there are no standards in place governing denial of dental claims; and that this void endangers the health of Arkansans in need of dental services. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."