

112TH CONGRESS
2D SESSION

H. R. 4818

To amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2012

Mr. GOSAR introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dental Insurance Fair-
5 ness Act of 2012”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Dental coverage helps approximately 173
2 million Americans get the dental care that is vital to
3 ensuring good oral and overall health.

4 (2) Unfair practices of dental benefit plans
5 hinder patients' ability to receive the full benefits for
6 which they pay and, in some cases, provide the den-
7 tal insurance industry with windfall profits.

8 (3) The Dental Insurance Fairness Act of 2012
9 will help consumers receive the full value of their
10 dental coverage.

11 **SEC. 3. VALUE REQUIREMENTS FOR DENTAL BENEFITS.**

12 Subpart B of part 7 of subtitle B of title I of the
13 Employee Retirement Income Security Act of 1974 is
14 amended by adding at the end the following:

15 **“SEC. 716. VALUE REQUIREMENTS FOR DENTAL BENEFITS.**

16 “(a) IN GENERAL.—The requirements of this section
17 shall apply to group health plans insofar as they provide
18 dental benefits (including, notwithstanding section
19 732(c)(1), limited scope dental benefits (described in sec-
20 tion 733(c)(2))), directly, through health insurance cov-
21 erage, or otherwise.

22 “(b) VALUE.—In order to ensure that participants
23 and beneficiaries in a group health plan receive full value
24 from dental benefits, the plan shall meet the following re-
25 quirements:

1 “(1) UNIFORM COORDINATION OF BENEFITS.—
2 The plan shall provide for coordination of benefits in
3 a manner so that the plan pays the same amount re-
4 gardless of other coverage for such benefits so long
5 as the total amount paid does not exceed 100 per-
6 cent of the amount of the applicable claim. Such co-
7 ordination shall be effected consistent with such
8 rules as the Secretary establishes, based upon simi-
9 lar model regulations developed by the National As-
10 sociation of Insurance commissioners.

11 “(2) EQUITY FOR DENTAL PATIENTS THROUGH
12 ASSIGNMENT OF BENEFITS.—In the case of a plan
13 that provides dental benefits through a network of
14 providers, the plan shall permit a participant or ben-
15 eficiary to designate payment of dental benefits to a
16 provider who is not participating in the network.”.

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