



Rep. Jennifer Gong-Gershowitz

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10300HB2072ham003

LRB103 04625 BMS 59329 a

1 AMENDMENT TO HOUSE BILL 2072

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2072 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by  
5 changing Section 355.4 and by adding Section 355.5 as follows:

6 (215 ILCS 5/355.4)

7 Sec. 355.4. Provider notification of network plan changes.

8 (a) As used in this Section:

9 "Contracting entity" means any person or company that  
10 enters into direct contracts with providers for the delivery  
11 of dental services in the ordinary course of business,  
12 including a third-party administrator and a dental carrier.

13 "Dental carrier" means a dental insurance company, dental  
14 service corporation, dental plan organization authorized to  
15 provide dental benefits, or a health insurance plan that  
16 includes coverage for dental services.

1       (b) No dental carrier may automatically enroll a provider  
2 in a leased network without allowing any provider that is part  
3 of the dental carrier's provider network to choose to not  
4 participate by opting out.

5       (c) Any contract entered into or renewed on or after the  
6 effective date of this amendatory Act of the 103rd General  
7 Assembly ~~this amendatory Act of the 99th General Assembly~~ that  
8 allows the rights and obligations of the contract to be  
9 assigned or leased to another insurer shall provide for notice  
10 that informs each provider in writing via certified mail 60  
11 days before any scheduled assignment or lease of the network  
12 to which the provider is a contracted provider. To be in  
13 compliance with this Section, the notification must include  
14 all contract terms, a policy manual, a fee schedule, and a  
15 statement that the provider has the right to choose not to  
16 participate in third-party access ~~of that assignment or lease~~  
17 ~~within 30 days after the assignment or lease to the~~  
18 ~~contracting dentist.~~

19       (d) A dental carrier that leases or assigns its network  
20 shall not cancel a network participating dentist's contractual  
21 relationship or otherwise penalize a network participating  
22 dentist in any way based on whether or not the dentist accepts  
23 the terms of the assignment or lease. Before accepting the  
24 terms of an assignment or lease agreement as described in this  
25 Section, any provider who receives notification of an  
26 impending assignment or lease must be given the option to

1 contract directly with the entities proposing to gain access  
2 to the provider's network.

3 (e) The provisions of this Section do not apply:

4 (1) if access to a provider network contract is  
5 granted to a dental carrier or an entity operating in  
6 accordance with the same brand licensee program as the  
7 contracting entity; or

8 (2) to a provider network contract for dental services  
9 provided to beneficiaries of the State employee group  
10 health insurance program or the medical assistance program  
11 under the Illinois Public Aid Code.

12 (Source: P.A. 99-568, eff. 7-15-16.)

13 (215 ILCS 5/355.5 new)

14 Sec. 355.5. Dental coverage reimbursement; prohibitions.  
15 No insurer, dental service plan corporation, professional  
16 service corporation, insurance network leasing company, or any  
17 company that amends, delivers, issues, or renews an individual  
18 or group policy of accident and health insurance on or after  
19 the effective date of this amendatory Act of the 103rd General  
20 Assembly shall require a dental care provider to incur a fee to  
21 access and obtain payment or reimbursement for services  
22 provided. A dental plan carrier shall provide a dental care  
23 provider with 100% of the contracted amount of the payment or  
24 reimbursement. Fees incurred directly by a dental care  
25 provider from third parties related to transmitting an

1 automated clearing house network claim, transaction  
2 management, data management, or portal services and other fees  
3 charged by third parties that are not in the control of the  
4 dental plan carrier shall not be prohibited by this Section.".