



Sen. Laura Fine

Filed: 3/20/2023

10300SB1288sam001

LRB103 04626 BMS 59213 a

1 AMENDMENT TO SENATE BILL 1288

2 AMENDMENT NO. _____. Amend Senate Bill 1288 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 as follows:

6 (215 ILCS 5/355.4)

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

8 (a) 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 (d) 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.)".