

LEGISLATIVE BILL 813

Approved by the Governor April 12, 2010

Introduced by Gloor, 35.

FOR AN ACT relating to dental services; to amend sections 44-3802 and 44-3805, Reissue Revised Statutes of Nebraska; to prevent prepaid dental service plans from limiting fees for certain services; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 44-3802, Reissue Revised Statutes of Nebraska, is amended to read:

44-3802 As used in sections 44-3801 to 44-3826, unless the context otherwise requires:

- (1) Director shall mean the Director of Insurance;
- (2) Department shall mean the Department of Insurance;
- (3) Prepaid dental service plan or plan shall mean a contractual arrangement to provide specified dental services, in consideration of a specified payment for an interval of time, regardless of whether the payment for such services is made by the beneficiaries individually or by a third person for them, in such a manner that the total cost of such services is to be spread directly or indirectly among a group of persons. A prepaid dental service plan includes arrangements that create reasonable expectations of enforceable rights, but does not include the provision of, or reimbursement for, dental services incidental to other insurance coverages; and
- (4) Prepaid dental service corporation shall mean a corporation organized under sections 44-3801 to 44-3826 and offering a prepaid dental service plan in this state.

Sec. 2. Section 44-3805, Reissue Revised Statutes of Nebraska, is amended to read:

44-3805 (1) A prepaid dental service plan may be offered on an individual or group basis. Each person covered under a group contract shall be issued a certificate of coverage.

(2) No contract or certificate for dental service may be issued in this state unless a copy of the form has been filed with and approved by the director.

(3) No prepaid dental service plan offered in this state shall limit any fees charged for services that are not covered by the plan.

Sec. 3. Original sections 44-3802 and 44-3805, Reissue Revised Statutes of Nebraska, are repealed.