

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1672

5 By: Representatives Ferguson, Broadaway, C. Douglas  
6

## For An Act To Be Entitled

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

14 TO REQUIRE THAT DENIALS OF DENTAL CLAIMS  
15 BE DECIDED BY LICENSED DENTISTS; AND TO  
16 DECLARE AN EMERGENCY.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1, is  
23 amended to add a new section to read as follows:

24 23-79-156. Denials of dental claims.

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

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

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



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

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

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

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

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

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