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Legislative Document

No. 1834

S.P. 716

In Senate, April 30, 2025

An Act to Allow Dental Care Providers to Opt In to Receive Claim Reimbursement Payments Made by Virtual Credit Cards

Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 24-A MRSA §2770-A is enacted to read:

3 **§2770-A. Credit card and other payment methods to dental care providers**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Automated clearing house network" or "ACH" means a nationwide system that
7 facilitates electronic transfers of funds between bank accounts.

8 B. "Dental care provider" means a person licensed under Title 32, chapter 143,
9 subchapter 3.

10 **2. Credit card and other payment methods to dental care providers.** An insurer
11 that issues individual health insurance policies and contracts may pay a claim for
12 reimbursement to a dental care provider by credit card, automatic clearing house network
13 or other similar electronic payment method that imposes on the provider a fee or similar
14 charge to process the payment if, prior to payment:

15 A. The insurer notifies the dental care provider of the fee or other charge associated
16 with the use of the payment method;

17 B. The insurer offers the dental care provider an alternative payment method that does
18 not impose a fee or similar charge to process the payment; and

19 C. The dental care provider or a designee of the provider elects to accept payment of
20 the claim for reimbursement using the payment method under paragraph A.

21 **3. Third-party vendor.** If an insurer under subsection 2 contracts with a 3rd-party
22 vendor to process a payment under subsection 2, the insurer shall require the vendor to
23 comply with subsection 2, paragraph A.

24 **4. Opt-out.** If a dental care provider who has elected to accept payment under
25 subsection 2, paragraph C opts out of the election, the insurer may not pay a claim for
26 reimbursement to the dental care provider with a payment method under subsection 2
27 unless the dental care provider subsequently elects to accept payment by that method under
28 subsection 2, paragraph C.

29 Sec. 2. 24-A MRSA §2847-X is enacted to read:

30 **§2847-X. Credit card and other payment methods to dental care providers**

31 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
32 following terms have the following meanings.

33 A. "Automated clearing house network" or "ACH" means a nationwide system that
34 facilitates electronic transfers of funds between bank accounts.

35 B. "Dental care provider" means a person licensed under Title 32, chapter 143,
36 subchapter 3.

37 **2. Credit card and other payment methods to dental care providers.** An insurer
38 that issues group health insurance policies and contracts may pay a claim for
39 reimbursement to a dental care provider by credit card, automatic clearing house network

1 or other similar electronic payment method that imposes on the provider a fee or similar
2 charge to process the payment if, prior to payment:

3 A. The insurer notifies the dental care provider of the fee or other charge associated
4 with the use of the payment method;

5 B. The insurer offers the dental care provider an alternative payment method that does
6 not impose a fee or similar charge to process the payment; and

7 C. The dental care provider or a designee of the provider elects to accept payment of
8 the claim for reimbursement using the payment method under paragraph A.

9 **3. Third-party vendor.** If an insurer under subsection 2 contracts with a 3rd-party
10 vendor to process a payment under subsection 2, the insurer shall require the vendor to
11 comply with subsection 2, paragraph A.

12 **4. Opt-out.** If a dental care provider who has elected to accept payment under
13 subsection 2, paragraph C opts out of the election, the insurer may not pay a claim for
14 reimbursement to the dental care provider with a payment method under subsection 2
15 unless the dental care provider subsequently elects to accept payment by that method under
16 subsection 2, paragraph C.

17 **Sec. 3. 24-A MRSA §4261** is enacted to read:

18 **§4261. Credit card and other payment methods to dental care providers**

19 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
20 following terms have the following meanings.

21 A. "Automated clearing house network" or "ACH" means a nationwide system that
22 facilitates electronic transfers of funds between bank accounts.

23 B. "Dental care provider" means a person licensed under Title 32, chapter 143,
24 subchapter 3.

25 **2. Credit card and other payment methods to dental care providers.** A health
26 maintenance organization that issues group health insurance policies and contracts may pay
27 a claim for reimbursement to a dental care provider by credit card, automatic clearing house
28 network or other similar electronic payment method that imposes on the provider a fee or
29 similar charge to process the payment if, prior to payment:

30 A. The health maintenance organization notifies the dental care provider of the fee or
31 other charge associated with the use of the payment method;

32 B. The health maintenance organization offers the dental care provider an alternative
33 payment method that does not impose a fee or similar charge to process the payment;
34 and

35 C. The dental care provider or a designee of the provider elects to accept payment of
36 the claim for reimbursement using the payment method under paragraph A.

37 **3. Third-party vendor.** If a health maintenance organization under subsection 2
38 contracts with a 3rd-party vendor to process a payment under subsection 2, the health
39 maintenance organization shall require the vendor to comply with subsection 2, paragraph
40 A.

1 **4. Opt-out.** If a dental care provider who has elected to accept payment under
2 subsection 2, paragraph C opts out of the election, the health maintenance organization may
3 not pay a claim for reimbursement to the dental care provider with a payment method under
4 subsection 2 unless the dental care provider subsequently elects to accept payment by that
5 method under subsection 2, paragraph C.

6 **Sec. 4. 24-A MRSA §4320-W** is enacted to read:

7 **§4320-W. Credit card and other payment methods to dental care providers**

8 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
9 following terms have the following meanings.

10 **A. "Automated clearing house network" or "ACH"** means a nationwide system that
11 facilitates electronic transfers of funds between bank accounts.

12 **B. "Dental care provider"** means a person licensed under Title 32, chapter 143,
13 subchapter 3.

14 **2. Credit card and other payment methods to dental care providers.** A carrier that
15 issues group health insurance policies and contracts may pay a claim for reimbursement to
16 a dental care provider by credit card, automated clearing house network or other similar
17 electronic payment method that imposes on the provider a fee or similar charge to process
18 the payment if, prior to payment:

19 **A.** The carrier notifies the dental care provider of the fee or other charge associated
20 with the use of the payment method;

21 **B.** The carrier offers the dental care provider an alternative payment method that does
22 not impose a fee or similar charge to process the payment; and

23 **C.** The dental care provider or a designee of the provider elects to accept payment of
24 the claim for reimbursement using the payment method under paragraph A.

25 **3. Third-party vendor.** If a carrier under subsection 2 contracts with a 3rd-party
26 vendor to process a payment under subsection 2, the carrier shall require the vendor to
27 comply with subsection 2, paragraph A.

28 **4. Opt-out.** If a dental care provider who has elected to accept payment under
29 subsection 2, paragraph C opts out of the election, the carrier may not pay a claim for
30 reimbursement to the dental care provider with a payment method under subsection 2
31 unless the dental care provider subsequently elects to accept payment by that method under
32 subsection 2, paragraph C.

33 **SUMMARY**

34 This bill allows insurers of individual and group health insurance policies, health
35 maintenance organizations and insurance carriers to pay claims for reimbursement to dental
36 care providers by credit card, automated clearing house network or other similar electronic
37 payment methods that charge a fee or other similar charge to process the payment if the
38 insurer informs the dental care provider of the fee or similar charge prior to payment, the
39 insurer offers an alternative payment method that does not charge a fee or similar charge
40 and the dental care provider agrees to accept payment by that payment method.