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Governor

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION  
BUREAU OF INSURANCE



Joan F. Cohen  
Commissioner

April 24, 2025

Senator Donna Bailey, Senate Chair  
Representative Kristi Mathieson, House Chair  
Joint Standing Committee on Health Coverage, Insurance and Financial Services  
100 State House Station  
Augusta, ME 04333-0100

Re: LD 1361, An Act to Require Insurance Coverage for Covered Dental Services Provided by Licensed Dental Hygienists and to Authorize Licensed Dental Hygienists to Bill Commercial Dental Insurance

Dear Senator Bailey, Representative Mathieson, and Members of the Committee:

The Bureau of Insurance is neither for nor against L.D. 1361. The purpose of this letter is to provide you with background information and to point out two provisions that should be addressed if the Committee decides to support this bill.

The bill requires insurers to provide coverage for services provided by dental hygienists if the services are covered under the policy and within the lawful scope of practice of a dental hygienist. The insurer must reimburse the dental hygienist for services in the same manner and at the same rate it reimburses a dentist, and the insurer must facilitate the ability of the dental hygienist to directly bill the insurer. The requirements apply to individual and group plans offered by insurers and Title 24 nonprofits (including Delta Dental) beginning January 1, 2026.

However, the bill does not apply to HMOs. This may be a drafting error that the Committee may wish to address.

This bill goes well beyond the usual requirements of provider mandates by requiring carriers to provide equal rates of reimbursement. The other significant change from existing law is that the bill would allow all dental hygienists to bill insurers directly, even when the hygienists are employed by a dental practice and working under the direct supervision of a dentist. As worded, the bill appears to apply to both in- and out-of-network providers. It also implies that hygienists employed by network dentists would need to be credentialed separately from the supervising dentist, a meaningful departure from current requirements.

Under current law, there is a Coordination of Benefits (COB) provision that requires dental insurers to pay before comprehensive health insurance policies, which has no counterpart in this

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bill (nor in existing law for dentists). We urge the Committee to address the omission of the COB provision.

If requested, the Bureau can provide additional information and answer questions from the Committee on this proposal.

Sincerely,



Robert L. Carey  
Superintendent

