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Testimony of Rep. Anne-Marie Mastraccio presenting

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

Before the Joint Standing Committee on Health Coverage, Insurance and Financial Services

Senator Bailey, Representative Mathieson and fellow members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, I am Anne-Marie Mastraccio, and I represent House District 142, which includes part of the City of Sanford and part of the Village of Springvale. I am here today to introduce **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.**

Last session, the Legislature passed LD 1581 which provided that Maine licensed dental hygienists could practice to the full scope of their license without supervision. Under current law, however, dental hygiene services can only be billed under a dentist's license, unless they are licensed as an Independent Practice or Public Health Hygienist. The legislation before you would allow for direct dental insurance billing by the dental hygienist. Additionally, insurers would be required to reimburse those services at the same rate as the rate billed under a dentist license. I also think it is time to address the disparity in payment for Independent Practice and Public Health Hygienists as well and suggest we amend this bill to allow for consistency and fairness in all areas of Hygiene reimbursement.

Attached to my testimony is a copy of the Maine Insurance Code that addresses coverage for services provided by independent practice hygienists. It might be simpler for the committee to amend this section of the law rather than create a whole new section of law just for dental hygienists and in the process, create payment parity for all.

Thank you for your consideration and I will be happy to answer any questions you might have.

Title 24-A: MAINE INSURANCE
CODE

Chapter 35: GROUP AND BLANKET
HEALTH INSURANCE

S2847-Q. Coverage for services provided by independent practice
dental hygienist

1. **Services provided by independent practice dental hygienist.** An insurer that issues group dental insurance or health insurance that includes coverage for dental services shall provide coverage for dental services performed by an independent practice dental hygienist licensed under [Title 32, chapter 143 \(../32/title32ch143secO.html\)](#) when those services are covered services under the contract and when they are within the lawful scope of practice of the independent practice dental hygienist.

[PL 2015, c. 429, S13 (AMD) .]

2. **Limits; coinsurance; deductibles.** A contract that provides coverage for the services required by this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

[PL 2009, c. 307, S3 (NEW) ; PL 2009, c. 307, S6 (AEF) .]

3. **Coordination of benefits with dental insurance.** If an enrollee eligible for coverage under this section is eligible for coverage under a dental insurance policy or contract and a health insurance policy or contract, the insurer providing dental insurance is the primary payer responsible for charges under [subsection 1 \(../24-A/title24-Asec2847-Q.html\)](#) and the insurer providing group health insurance is the secondary payer.

[PL 2009, c. 307, S3 (NEW) ; PL 2009, c. 307, S6 (AEF) .]

4. **Application.** The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

[PL 2009, c. 307, S3 (NEW) ; PL 2009, c. 307, S6 (AEF) .]

SECTION HISTORY

PL 2009, c. 307, S3 (NEW) . PL 2009, c. 307, S6 . PL 2015, c. 429 r S13 (AMD) .