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### **Testimony In Opposition to 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**  
April 24, 2025

Senator Bailey, Representative Mathieson, and Members of the Health Coverage, Insurance, and Financial Services Committee.

My name is Dan Demeritt, the Executive Director of the Maine Association of Health Plans. Insurance coverages offered or administered by our member plans provide access to care and better outcomes for many of the Mainers who receive coverage through an employer plan or the individual market.

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Maine has established an Independent Practice Dental Hygienist license that permits an individual to provide hygienist services that would typically be covered by a commercial health plan offering dental coverage to its members.<sup>1</sup>

We anticipate learning more about the intent and need for L.D. 1361 as part of the public hearing and may have more to share with the Committee before the work session.

Not all dental hygienists have independent practice authority. Requiring carriers to contract with them directly would be analogous to requiring a carrier to contract directly with a nurse in a physician's office—some nurses have independent practice authority while others do not. L.D. 1361 takes an unprecedented approach in requiring health plans to contract directly with health care professionals that do not have independent practice authority.

### **Payment Parity Concerns**

As presented, the bill requires payment parity for services provided by dentists and dental hygienists in the direct billing paragraph (L.D. 1361 p.1 – line 24). Statutes that require carriers to contract with independent practice providers like nurse practitioners, certified registered nurse anesthetist, and physician assistants do not require payment parity.<sup>2</sup>

L.D. 1361 is a provider mandate which is subject to a mandated benefit review by the Bureau of Insurance under 24-A M.R.S.A. § 2752. If the Committee is interested in pursuing this legislation, we urge you to send it to the Bureau of Insurance for review.

Thank you for your consideration.

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<sup>1</sup> <https://www.maine.gov/dental/licensure/license-types.html>, accessed 4/23/25

<sup>2</sup> <https://legislature.maine.gov/legis/statutes/24-A/title24-Asec4306.html>