

Resolution No. 7		New <input checked="" type="checkbox"/>	Substitute <input type="checkbox"/>	Amendment <input type="checkbox"/>
Submitted By:	Council on Dental Benefits			
Date Submitted:	April 1, 2024	Reference Committee <input checked="" type="checkbox"/>	Direct to House <input type="checkbox"/>	
Total Financial Implication:	\$ 0			
Amount One-time	\$ 0	Amount On-going	\$ none	

Provider Network Leasing Arrangements

1 **Background Statement:** Provider network leasing by dental insurance carriers is a
 2 common occurrence and becoming even more prevalent. Most dental insurance
 3 contracts include an “affiliated carrier” clause which allows the carrier to sell, lease,
 4 assign or transfer its list of contracted dental providers and their contracted
 5 reimbursement rates to another third-party payer or network leasing agent. This often
 6 happens without the prior knowledge or consent of the contracted dentist and has the
 7 potential to significantly impact the benefits available to the dentist’s patients, leading to
 8 assumptions in treatment plans and costs.

9
 10 The American Dental Association supports network leasing laws that would expand
 11 transparency. Currently, 30 states have laws limiting provider network leasing
 12 arrangements, 22 of which require dental insurers to provide network dentists the option
 13 of whether to participate in the lease offering. Dentists should be afforded the
 14 opportunity to opt out of any network leasing arrangement and be given ample advance
 15 notice to do so. Patients and providers should be fully informed about the costs for care
 16 as early as possible so that coverage can be determined in advance of treatment.

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 18 Accordingly, the following resolution is submitted for consideration:

19 **Resolved**, that NYSDA seek any necessary legislative or regulatory changes
 20 such that any amendments to existing third party payer dental insurance
 21 contracts between a dentist and a third-party payer, dental benefits administrator
 22 or a dental network leasing company require signature by the dentist, and be it
 23 further

24 **Resolved**, that such amendments with any and all changes to the contract
 25 terms, policy manual and fee schedule be communicated to the dentist and
 26 require the dentist’s signature to opt in, and be it further

27 **Resolved**, that when third party payers choose to establish a new network using
 28 the name, image and likeness of dentists participating in the carrier’s existing
 29 network, the dentist should be provided the opportunity to opt in to such new
 30 networks, and be it further
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32 **Resolved**, that if the dentist chooses not to opt in, there will be no adverse effect
 33 on the dentist’s existing contract with the third-party payer

34 **Board Comments:** The Board recommends the Resolution 7 regarding network leasing
 35 arrangements by dental insurance companies be approved by the House of Delegates as a
 36 means to limit third party payers ability to lease their networks without approval of the dentist
 37 who must “opt in” to the new network.

38
 39 **BOARD RECOMMENDATION: VOTE YES**

name	yes	no	abstain	absent	name	yes	no	abstain	absent	name	yes	no	abstain	absent
Casper-Klock	x				Galati	x				Krishnan	x			
Cloidt	x				Greenberg	x				Korkosz	x			
Cuomo	x				Hills	x				Miller	X			
Demas	x				Jackson	x				Mauleon	x			
Edwards	x				Jacobo	x				Scharoff	x			
Essig	x				Jonke	x				Stacy	X			
										Res #7				