

113TH CONGRESS  
1ST SESSION

# H. R. 1798

To amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2013

Mr. GOSAR (for himself, Mr. SIMPSON, Mr. ANDREWS, and Mr. LOEBSACK) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dental Insurance Fair-  
5 ness Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Dental coverage helps approximately 173  
2 million Americans get the dental care that is vital to  
3 ensuring good oral and overall health.

4           (2) Unfair practices of dental benefit plans  
5 hinder patients' ability to receive the full benefits for  
6 which they pay and, in some cases, provide the den-  
7 tal insurance industry with windfall profits.

8           (3) The Dental Insurance Fairness Act of 2013  
9 will help consumers receive the full value of their  
10 dental coverage.

11 **SEC. 3. VALUE REQUIREMENTS FOR DENTAL BENEFITS.**

12           Subpart B of part 7 of subtitle B of title I of the  
13 Employee Retirement Income Security Act of 1974 (29  
14 U.S.C. 1185 et seq.) is amended by adding at the end  
15 the following:

16 **“SEC. 716. VALUE REQUIREMENTS FOR DENTAL BENEFITS.**

17           “(a) IN GENERAL.—The requirements of this section  
18 shall apply to self-insured group health plans insofar as  
19 they provide dental benefits (including, notwithstanding  
20 section 732(c)(1), self-insured limited scope dental bene-  
21 fits (described in section 733(c)(2))).

22           “(b) VALUE.—In order to ensure that participants  
23 and beneficiaries in a group health plan receive full value  
24 from dental benefits, the plan shall meet the following re-  
25 quirements:

1           “(1) UNIFORM COORDINATION OF BENEFITS.—  
2           The plan shall provide for coordination of benefits in  
3           a manner so that the plan pays the same amount re-  
4           gardless of other coverage for such benefits so long  
5           as the total amount paid does not exceed 100 per-  
6           cent of the amount of the applicable claim. Such co-  
7           ordination shall be effected consistent with such  
8           rules as the Secretary establishes, based upon simi-  
9           lar model regulations developed by the National As-  
10          sociation of Insurance commissioners.

11           “(2) EQUITY FOR DENTAL PATIENTS THROUGH  
12          ASSIGNMENT OF BENEFITS.—In the case of a plan  
13          that provides dental benefits through a network of  
14          providers, the plan shall permit a participant or ben-  
15          eficiary to designate payment of dental benefits to a  
16          provider who is not participating in the network.”.

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