

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 813**

Introduced by Gloor, 35.

Read first time January 08, 2010

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to dental services; to amend sections 44-3802  
2 and 44-3805, Reissue Revised Statutes of Nebraska; to  
3 prevent prepaid dental service plans from limiting  
4 fees for certain services; and to repeal the original  
5 sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 44-3802, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           44-3802 As used in sections 44-3801 to 44-3826, unless  
4 the context otherwise requires:

5           (1) Director shall mean the Director of Insurance;

6           (2) Department shall mean the Department of Insurance;

7           (3) Prepaid dental service plan or plan shall mean a  
8 contractual arrangement to provide specified dental services, in  
9 consideration of a specified payment for an interval of time,  
10 regardless of whether the payment for such services is made by  
11 the beneficiaries individually or by a third person for them, in  
12 such a manner that the total cost of such services is to be  
13 spread directly or indirectly among a group of persons. A prepaid  
14 dental service plan includes arrangements that create reasonable  
15 expectations of enforceable rights, but does not include the  
16 provision of, or reimbursement for, dental services incidental to  
17 other insurance coverages; and

18           (4) Prepaid dental service corporation shall mean a  
19 corporation organized under sections 44-3801 to 44-3826 and  
20 offering a prepaid dental service plan in this state.

21           Sec. 2. Section 44-3805, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23           44-3805 (1) A prepaid dental service plan may be offered  
24 on an individual or group basis. Each person covered under a group  
25 contract shall be issued a certificate of coverage.

1                   (2) No contract or certificate for dental service may be  
2 issued in this state unless a copy of the form has been filed with  
3 and approved by the director.

4                   (3) No prepaid dental service plan offered in this state  
5 shall limit any fees charged for services that are not covered by  
6 the plan.

7                   Sec. 3. Original sections 44-3802 and 44-3805, Reissue  
8 Revised Statutes of Nebraska, are repealed.