



November 12, 2010

The Honorable Ann Cummings
Co-Chair, Health, Long-Term Care & Health
Retirement Issues Committee
National Conference of Insurance Legislators
385 Jordan Road
Troy, New York 12180

The Honorable Chuck Kleckley
Co-Chair, Health, Long-Term Care & Health
Retirement Issues Committee
National Conference of Insurance Legislators
385 Jordan Road
Troy, New York 12180

Dear Co-Chairs Cummings and Kleckley:

On behalf of the Tennessee Dental Association and our 2,350 member dentists, please accept our appreciation for the work invested in the *Model Act Banning Fee Schedules for Uncovered Dental Services*.

A large number of dentists in Tennessee who participate in dental plans have expressed serious concerns with their continued ability to determine fair rates on services the plans have refused to cover. Dentists believe that when a dental plan elects to tell a patient it will not participate in paying for a particular dental service, the fee for that service becomes a private matter between the dentist and the patient. The position is clearly stated in ADA's Resolution 79RC:

- The association opposes any third party contract provisions that establish fee limits for non-covered services,
- "Covered services" is defined as any service for which reimbursement is actually provided on a given claim,
- "Non-covered service" is defined as any service for which the third party provides no reimbursement.

Our fullest support is for measures that adopt the ADA's definitions of "covered services" and "non-covered services." Our association recognizes there are various definitions in many bills filed over the year and appreciates the notion that each bill intends to protect the dentist-patient relationship in matters where dental plans refuse to pay a benefit. While our support is extended to measures reflecting ADA policy, we see the clear value in having NCOIL adopt a measure intending, to some degree, upon limiting plans' ability to cap fees on non-covered services.

In summary, we thank the Health, Long-Term Care and Health Retirement Issues Committee for the many hours dedicated to the proposed model bill.

Very truly yours,

Leon E. Stanislav, D.D.S.
President