Dental Insurance—Third Party Payer Issues

Is the TPP issue a result of a business decision or an illegal/unfair action by the Insurance Company?

**What Members Want:**

- Better reimbursement
- Claims support
- Advocacy/legal support
- Faster communication
- Prompt payment
- Cover more procedures
- Negotiating/appeals
“DROP INSURANCE” TO FORCE AN INCREASE

- Doctor A
Is there another way besides “Dropping PPOs”?

- Learn Contracts and State Laws and use them in their favor
- Bring the patient back on the DENTIST’S side by educating on how horrible their insurance is
- Encourage in-house memberships
- Charge for services rendered, regardless of pressure from insurance companies
- Understand the concept of offering choices when they are available...just like any other businesses do
- Get involved with the UDA and legislation
Q3: I am experiencing issues related to: (check all that apply)

- Carrier Overpayment
- Credentialing/Retroactive Payments
- Virtual Credit Cards
- Retroactive Denial of Prior Authorizations
- Network Leasing (aka Silent PPO's)
- Assignment of Benefits
- Non-Covered Services/Capped Fees
- Pre-paid Dental Corporations Exclusive Networks
- Medical/Dental Loss Ratio
- Downcoding
- Bundling of Procedures
- Least Expensive Alternative Treatment Clauses
- Explanation of Benefits (EOB)
- Coordination of Benefits (COB)
Insanity: doing the same thing over and over again and expecting different results.

-Albert Einstein
ADA Contract Analysis Service

Plain language explanation of contract terms

Contact Dotty at dotty@uda.org or call 801-261-5315
In-Office Dental Plan help

Resources Available on www.ada.org:

- Increase Value in your Practice! Start your own Dental Plan [Webinar]
- In-Office Dental Plans (complete document) [PDF]
- States with Direct Primary Care Agreement Legislation [PDF]
- General Contract Considerations [PDF]
- Checklist and Considerations [PDF]
- Marketing/Promotional Example Letter [PDF]
- In-Office Dental Plan Calculator [Excel spreadsheet]

Legislative wins in Utah on Dental Insurance Reform for State Regulated plans.
Fully Insured = typically **State Regulated**
Self Insured = typically **Federally Regulated - ERISA**
Call the 800 number on the patient’s ID card
Patient ID Cards

As of July 1st, 2023 - Any new Patent ID card should have a designation to help a dental office determine if their patient’s plan is Self-funded (typically Federally regulated - ERISA) or Fully Funded (typically state regulated)

The Utah law was passed in 2006 that required this designation of “state regulated”, to be listed on all state regulated plans patient ID cards
   a- This had been completely ignored by insurance companies for over 15 years
   b- The UDA successfully got the DOI to issue a bulletin to insurance companies to comply by July 1, 2023.

If the patient has a state regulated insurance plan and the ID card does not indicate state regulated, we need to know the insurance company. Send us detailed documented information on these violations!!
Virtual Credit Cards: (2020)
HB37 - Representative Jim Dunnigan and Senator Curtis Bramble
See UCA 31A-26-301.6

This gives dental offices an option to accept or opt out of Virtual Credit card payments methods. Thus, saving the office from the credit card fees associated with credit card payments.

This bill gives dental offices an option to accept or opt out of Virtual Credit Card payments methods

If the state regulated insurance company or the “clearing house” issuing payments is not allowing to opt out OR is limiting the opt out period, we need to know the insurance company. Send us detailed information on these violations!!
If a state regulated insurance company is not following these laws, we need to know the insurance company and the violation. Send DOI and us detailed information on these violations!!

(Documentation mandatory for a complaint)
Filing a complaint to DOI

If there is no documentation submitted, it didn’t happen!

- UDA DIR Survey results
- The UDA sent to the insurance commissioners office.
  - 30 pages of over 250 dentist's complaints
- Need documentation, rather than just a verbal complaint to fight back
  - Virtual Credit Card issues - 2 months only?
  - Retro denials - Money being taken out of other patients claims or other providers?
  - Timely filings - 90 days to submit a claim or it’s denied?
  - Non-covered services - What limits are being claimed by third-party payer?
  - Bundling or Downcoding - Identify what is being bundled and/or downcoded improperly?

Who has filed a complaint with DOI? - Describe the experience?
Go to: insurance.utah.gov

Click on “Consumer”

NOTICE: The COVID-19 Public Health Emergency ended on May 11, 2023. If you have questions about coverage through Utah Medicaid or CHIP, more information is available on the Utah Department of Health and Human Services website.
Click on “File a complaint...”
Read Instructions-Then Scroll to the Bottom or Click this Link

File A Complaint

The Utah Insurance Department has a staff of insurance experts available to help you understand your insurance coverage and answer your questions. If you have been unable to resolve a problem with your insurance company or agent, you may contact our staff for assistance, or file a written complaint. Most types of complaints can be filed through the GO TO COMPLAINT PORTAL link at the bottom of the page, including:

- Health insurance (see additional information below regarding health insurance complaints
- Annuities
- Life insurance
- Property & casualty insurance

If your complaint involves health insurance, please refer to the HEALTH INSURANCE COMPLAINTS section below. Our consumer service personnel are available to assist you between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday by calling: Salt Lake City area: 801-957-9200 In-state toll-free: 1-800-439-3805

HOW TO FILE A COMPLAINT

- The online process requires that you open an account. When creating your account it is important to MAKE NOTE
After Reading Instructions - Click on one of the Links

GO TO COMPLAINT PORTAL
You will need to Create an Account - Keep track of password for future complaints.

Please type your e-mail address and password in the fields below to gain access to the Consumer Portal.

Email
Password
Forgot password?
Login
Create Account

If this is your first time using the Consumer Portal or you do not have an account, click the "Create Account" link above.
This is setting up an Account - Note: All red shaded areas are required fields

Fill out the following information to create an account for the Consumer Portal.

Fields marked with an asterisk (*) are required. Please note: you will be logged out after an hour of inactivity and your work will not be saved.

**Account Information**

You will use this information to log in to the system once your account has been created.

- **Email**
- **Confirm Email**
- **Password**
  - Must be at least 8 characters.
  - Must have at least 1 lower case character(s).
  - Must have at least 1 upper case character(s).
  - Must have at least 1 number(s).
  - Must have at least 1 special character(s).
- **Confirm Password**

**Name**

- **Prefix (eg: Mr., Ms., Mrs.)**
- **First**
- **Middle**
- **Last**
- **Suffix (eg: Jr., III)**

**Address**

- **Address**
- **City**
- **State**
- **Zip Code**
Click on Submit a Complaint
Fill out the Complainant Information
Fill out the Insured Information
Fill out information on who the Complaint is against
Fill out the Insurance Information

### Insurance Information

Fields marked with an asterisk (*) are required. Please note: you will be logged out after an hour of inactivity and your work will not be saved.

<table>
<thead>
<tr>
<th>Complainant Information</th>
<th>Insured Information</th>
<th>Complaint Against</th>
<th>Insurance Information</th>
<th>Complaint Details</th>
<th>Documentation and Declaration</th>
<th>Review Complaint</th>
</tr>
</thead>
</table>

**Purchased Insurance on the Health Care Exchange?**

**Policy**
- **Insurance Card ID Number**
- **Type of Policy**
- **Employer or Plan Sponsor**
- **Policy Number**
- **In what state was this policy purchased?**
- **Type of Insurance**
  - **Dental**
- **Specify if Other**

**Claim**
- **Claim Number**
- **Date of Loss**

**Other Party**
- **Other party’s name**
- **Other party’s Insurance Company**
- **Other party’s policy or claim number**

[Previous] [Cancel] [Next]
Important: Fill out the Complaint Details.
- Include fact details and the perceived law violations.
(Do not need to include opinions)
Upload documentation - Include Complaint ID number on documents sent.
Review all Information - Scroll to the bottom to Submit

Uploading Documents will occur after submitting (at the end)
If Discussion of an Insurance Concern occurs on a phone call, The call needs to be documented.

a- **NAMES** of the people on both ends of the call
b- **PHONE NUMBER** called
c- **DATE** of call
d- **QUOTE EXACT STATEMENTS**, not an interpretation of the statement.
e- Ask for a **Reference Number** for the conversation

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**As with patient charts or notes,**

“**If it’s not documented, It Didn’t Happen**”
Controlled Substance Education Requirement for DEA Registration

What this means to Utah Licensed dentists:

You likely already qualify without taking extra CE Courses

Why is that?:
1- If you do not intend to apply for a DEA registration, you are not affected.
2- This is a One-time requirement of 8 hours of CE on Controlled substances
3- There is a box to check on the DEA renewal application to comply
4- There are no audits or requirements to prove having taken the CE
   (Unless you are being investigated for other DEA violations)
5- Utah DOPL approved CE will count for the MATE requirement
6- Dental school graduates in the past 5 years - your training counts as completed
7- Training taken is retro-active. CE from the past counts. No minimum date.
8- If you have been licensed in Utah for the past 8 years. And you have complied with
   Utah law for completing two hours of Controlled Substance Training each renewal
   cycle, You have already completed the training.

Controlled Substance CE available free to members at uda.org
Dental License Classification

What Sedation level do you use in your practice?

<table>
<thead>
<tr>
<th>2018</th>
<th>2020</th>
<th>2023 Conversion</th>
<th>For 2024</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I</td>
<td>Local</td>
<td>Class A</td>
<td>Local and Nitrous only (No Oral Sedation)</td>
</tr>
<tr>
<td>Class II</td>
<td>Nitrous only</td>
<td>Class B</td>
<td>A &amp; B-</td>
</tr>
<tr>
<td>Class III</td>
<td>Minimal</td>
<td>Class C</td>
<td>C-  Minimal</td>
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<tr>
<td>Class IV</td>
<td>Moderate</td>
<td>Class D</td>
<td>D-  Moderate</td>
</tr>
<tr>
<td></td>
<td>Deep</td>
<td>Class E</td>
<td>E-  Deep</td>
</tr>
</tbody>
</table>

2024 License Renewal Notices will come by email only

Did you get the Classification change email notice??
E-prescribe law -

The DOPL rule filing allowed an extension until January 1, 2024

The UDA has negotiated an exemption for those prescribing fewer than 10 Controlled Substances a month.

The exemption to the law is anticipated to go into effect Nov 1st, 2023

There are TWO required steps to take if not e-prescribing Controlled Substances.

1- There will be a form to submit to DOPL for the exemption. This is an agreement to write less than 10 CS prescriptions a month. (available Nov 2023)

2- You will need to print or write on every CS prescription: “Unable to submit electronically” or “Exempted from e-prescribing”. (Medicaid/Medicare)

DOPL reminds prescribers - This Rule applies to Benzo Rx’s

https://dopl.utah.gov/dental/
CONTROLLED SUBSTANCE DATABASE TUTORIAL

For License renewal by May 31, 2024 - DOPL is requiring completion of a ½ hour Tutorial

- There will be a notification by email
- Available in Sept 2023

https://dopl.utah.gov/dental/
For those licensed and engaged in using Moderate Sedation:

**R156_69-302a (2)** is modified to lessen the regulatory burden on dentist who perform moderate sedation by reducing the requirements for monitoring patient oxygenation to the use of an oximeter. The rule is also changed to require one person to be in the operatory that is ACLS/PALS certified instead of two.

This is anticipated to go into effect Nov 1st, 2023