

July 16, 2019

The Honorable Dave Loebsack
U.S. House of Representatives
1211 Longworth House Office Building
Washington, DC 20515

The Honorable Buddy Carter
U.S. House of Representatives
2432 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Loebsack and Carter:

On behalf of our 163,000 member dentists, the American Dental Association thanks you for sponsoring H.R. 3762, the Dental and Optometric (DOC) Access Act. We offer our strong support for this bipartisan legislation as we believe that patients are adversely affected by provisions in dental benefits plan contracts that dictate what a doctor may charge a plan enrollee for services not covered by the plan.

As you know, H.R. 3762 would prohibit dental benefit carriers from setting the fees contracted dentists may charge for “non-covered services”. In the last decade, 39 states have established that it is unreasonable to allow dental plans to set fees for services in which the plans have chosen to bear no financial liability, as the states have already passed laws that limit interference with the doctor-patient relationship when the doctor delivers services not covered by insurers. However, a federal effort is needed as some plans are able to sidestep state laws because they are regulated on the federal level rather than the state.

The current landscape adversely affects competition among plans in a dental plan market dominated by only a few national players in many states, and shifts costs to patients who are paying for their coverage out of their own pockets or are seeing a dentist out of network. H.R. 3762 will provide greater access to high-quality care by helping to curb anti-patient and anti-competitive practices of dental insurance plans. This legislation is crucial to bring needed balance to contract negotiations between providers, who are often small business owners, and large dental insurance companies.

Passage of H.R. 3762 would balance the scales and bring equity to insurer/provider contracting at the federal level, similar to the equity established in nearly 80% of the states. On behalf of our members and their patients, we would like to thank you again for introducing H.R. 3762. We look forward to working with you to advance this important legislation. If you have any questions, please contact Ms. Natalie Hales at (202) 898-2404 or halesn@ada.org.

Sincerely,

/s/

Jeffrey M. Cole, D.D.S., M.B.A.
President

JMC:KTO:nh

/s/

Kathleen T. O’Loughlin, D.M.D., M.P.H.
Executive Director