



**Colorado  
Legislative  
Council  
Staff**

**SB17-190**

**REVISED  
FISCAL NOTE**

(replaces fiscal note dated February 20, 2017)

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

<b>Drafting Number:</b> LLS 17-0906	<b>Date:</b> March 8, 2017
<b>Prime Sponsor(s):</b> Sen. Crowder; Moreno Rep. Gray	<b>Bill Status:</b> House Health, Insurance, and Environment
	<b>Fiscal Analyst:</b> Bill Zepernick (303-866-4777)

**BILL TOPIC:** INSURANCE CARRIER FEES NONCOVERED DENTAL SERVICES

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue		
State Expenditures	Minimal workload increase.	
<b>Appropriation Required:</b> None.		
<b>Future Year Impacts:</b> Ongoing potential revenue increase and minimal workload increase.		

**Summary of Legislation**

This **reengrossed bill** prohibits insurance carriers that offer benefit plans covering dental services from requiring a participating dentist to provide services at a fee set by, or subject to the approval of, the carrier unless certain conditions are met. Specifically, carriers can only set the fee if the services are covered under a person's policy, and the carrier provides payment for the service under the policy in an amount that is reasonable and not nominal or de minimis.

Under the bill, a dentist may charge a person covered by a dental plan for noncovered items or services in any amount determined by the dentist and agreed to by the patient that is equal to, or less than, the usual and customary price that the dentist charges for such items and services. If an insurance carrier violates the provisions of the bill, the Commissioner of Insurance must institute a corrective plan for the carrier to follow or may use any other available enforcement power to obtain carrier compliance.

**State Expenditures**

The bill increases workload in DORA by a minimal amount. The Division of Insurance may be required to conduct rulemaking concerning the changes in the bill. In addition, the Division of Insurance may receive complaints concerning violations, which will require staff to investigate the violations, hold hearings, and issue and monitor corrective action plans. The Colorado Dental Board in the Division of Professions and Occupations in DORA will also have workload to communicate the changes in the bill and conduct outreach to dentists. Overall, this increase in workload will be minimal and no change in appropriations to DORA is required.

**Effective Date**

The bill takes effect August 9, 2017, if the General Assembly adjourns on May 10, 2017, as scheduled, and no referendum petition is filed. It applies to contracts entered into on or after this date.

**State and Local Government Contacts**

Health Care Policy and Financing  
Judicial  
Personnel and Administration

Information Technology  
Law  
Regulatory Agencies