



Rep. Jennifer Gong-Gershowitz

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10400HB4464ham001

LRB104 16881 BAB 36122 a

1 AMENDMENT TO HOUSE BILL 4464

2 AMENDMENT NO. _____. Amend House Bill 4464 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 changing Section 355.5 as follows:

6 (215 ILCS 5/355.5)

7 Sec. 355.5. Dental coverage reimbursement; prohibitions.

8 (a) No insurer, dental service plan corporation,
9 professional service corporation, insurance network leasing
10 company, or any other company or its contracted vendor that
11 amends, delivers, issues, or renews an individual or group
12 policy of accident and health insurance on or after the
13 effective date of this amendatory Act of the 104th General
14 Assembly ~~the effective date of this amendatory Act of the~~
15 ~~103rd General Assembly~~ shall require a dental care provider to
16 only accept payment from a credit card or electronic funds

1 transfer or to incur a fee to access and obtain payment or
2 reimbursement for services provided.

3 (b) Any insurer, dental service plan corporation,
4 professional service corporation, insurance network leasing
5 company, or any other company or its contracted vendor that
6 amends, delivers, issues, or renews an individual or group
7 policy of accident and health insurance ~~A dental plan carrier~~
8 shall provide a dental care provider with 100% of the
9 contracted amount of the payment or reimbursement.

10 (c) In this subsection, "express acceptance" means a clear
11 and direct agreement to the terms of payment method,
12 communicated explicitly by the dental plan to the dental care
13 provider, in writing, signifying acceptance of the payment
14 method without any ambiguity or implied actions. Any insurer,
15 dental service plan corporation, professional service
16 corporation, insurance network leasing company, or any other
17 company or its contracted vendor that amends, delivers,
18 issues, or renews an individual or group policy of accident
19 and health insurance may initiate or change payment
20 methodology to a dental care provider using electronic funds
21 transfer payments, including virtual credit card payments, if:

22 (1) the dental care provider is notified of any fees
23 associated with a particular payment method;

24 (2) the insurer, dental service plan corporation,
25 professional service corporation, insurance network
26 leasing company, or other company or its contracted vendor

1 advises the dental care provider of the available methods
2 of payment and provides clear instructions to the dentist
3 as to how to select an alternative payment method that
4 does not impose fees or similar charges on the provider;
5 and

6 (3) the dental care provider or a designee of the
7 provider elects, through express acceptance, to accept a
8 payment of the claim using the credit card or electronic
9 funds transfer payment method. A dental care provider's
10 express acceptance may be given by an electronic or
11 digital signature if the form of the signature is
12 recognized as a valid signature under applicable federal
13 or State law, including, but not limited to, checking a
14 box indicating affirmative consent. Violation of express
15 acceptance nullifies an election on claim payment
16 methodology until the express agreement is executed.

17 (d) A dental care provider's selected form of claim
18 payment methodology remains effective until the dental care
19 provider chooses an alternative method of payment or a new
20 contract is executed.

21 (e) The insurer, dental service plan corporation,
22 professional service corporation, insurance network leasing
23 company, or other company or its contracted vendor shall
24 comply with subsections (d) and (e) of Section 355.6.

25 (f) A dental benefit plan or its contracted vendor or
26 health maintenance organization that initiates or changes

1 payments to a dentist through the Automated Clearing House
2 Network in accordance with 45 CFR 162.1601 and 45 CFR 162.1602
3 shall not charge a fee solely to transmit the payment to the
4 dental care provider unless the dental care provider has
5 consented to the fee. A dental care provider agent may charge
6 reasonable fees when transmitting an Automated Clearing House
7 Network payment related to transaction management, data
8 management, portal services, and other value-added services,
9 in addition to bank transmittal.

10 (g) The requirements of this Section shall not be waived
11 by contract, and any contractual clause in conflict with the
12 requirements of this Section or that purports to waive any
13 requirements of this Section is void. ~~Fees incurred directly~~
14 ~~by a dental care provider from third parties related to~~
15 ~~transmitting an automated clearing house network claim,~~
16 ~~transaction management, data management, or portal services~~
17 ~~and other fees charged by third parties that are not in the~~
18 ~~control of the dental plan carrier shall not be prohibited by~~
19 ~~this Section.~~

20 (Source: P.A. 103-24, eff. 1-1-24.)

21 Section 99. Effective date. This Act takes effect January
22 1, 2027."