S T A T E O F N E W Y O R K

10188

I N A S S E M B L Y

September 24, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Abbate) -- read once and referred to the Committee on Insurance

AN ACT to amend the public health law, in relation to prohibiting establishing quality ratings for dentists based solely on cost of services

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 206 of the public health law is amended by adding a new subdivision 29 to read as follows:

29. THE COMMISSIONER SHALL PROMULGATE REGULATIONS, IN CONSULTATION WITH THE NEW YORK STATE OFFICE OF THE ATTORNEY GENERAL, TO PROHIBIT HEALTH INSURANCE ENTITIES FROM ESTABLISHING RATING SYSTEMS FOR DENTISTS BASED SOLELY ON COST OF SERVICES. A HEALTH INSURANCE ENTITY IS ANY ENTITY THAT IS SUBJECT TO ARTICLES FORTY-TWO, FORTY-THREE AND FORTY-EIGHT OF THE INSURANCE LAW OR ARTICLE FORTY-FOUR OF THIS CHAPTER. ANY QUALITY RATING SYSTEM SHALL ONLY BE BASED ON DATA THAT IS VERIFIED FOR ACCURACY AND MADE TRANSPARENT, FAIR, AND ACCESSIBLE TO DENTISTS, CONSUMERS, AND DISCLOSED TO THE PUBLIC. FAIR DATA SHALL MEAN DATA THAT IS DERIVED FROM NATIONALLY RECOGNIZED EVIDENCE-BASED AND/OR CONSENSUS-BASED CLINICAL RECOMMENDATIONS OR GUIDELINES; INCLUDES CHARACTERISTICS OF THE DENTIST'S PATIENT POPULATIONS INCLUDING, BUT NOT LIMITED, CASE MIX, SEVERITY OF THE PATIENT'S CONDITION, CO-MORBIDITIES, AND THE EXTENT TO WHICH PATIENT COMPLIANCE IS A FACTOR IN ACHIEVING A QUALITY OUTCOME; AND IS SUPPORTED BY SUFFICIENT DENTAL RECORD BASED VERIFICATIONS TO ASSURE DATA ACCURACY.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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