



March 28, 2014

Mr. Bob Williams
Director, Life and Health Actuarial Division
Mississippi Insurance Department
1001 Woolfolk State Office Building
501 North West Street
Jackson, MS 39201

RE: The Offer of Dental through *One, Mississippi*

Dear Mr. Williams,

The National Association of Dental Plans (NADP) is writing regarding the offer of stand-alone dental plans (SADPs) on the Mississippi Small Business Health Options Program (SHOP) *One, Mississippi*. It has come to our attention that the Marketplace will open for small business enrollment on May 1, 2014 with coverage beginning July 1, 2014, and we would like to confirm that SADPs will continue to be offered to small businesses as has been the case on the Federally-facilitated marketplace in the state.

Children's oral health coverage was expanded in the ACA through the inclusion of pediatric oral health services in the Essential Health Benefits (EHB) package. The EHB package is required in all health policies offered in the small group and individual market. The ACA specifically states, "Each Exchange within a State shall allow an issuer of a plan that only provides limited scope dental benefits meeting the requirements... to offer the plan through the Exchange (whether separately or in conjunction with a qualified health plan) if the plan provides pediatric dental benefits meeting the requirements..."¹

Further, the U.S. Department of Health and Human Services (HHS) responded to questions regarding this issue in their March 2012 Final Exchange Rule, writing, "We interpret the phrase regarding the offering of stand-alone dental plans "either separately or in conjunction with a QHP" to mean that the Exchange must allow stand-alone dental plans to be offered either independently from a QHP or as a subcontractor of a QHP issuer, but cannot limit participation of stand-alone dental products in the Exchange to only one of these options."²

¹ Affordable Care Act Section 1311(d)(2)(B)(ii)

National Association of Dental Plans

12700 Park Central Drive • Suite 400 • Dallas, Texas 75251

972.458.6998 • 972.458.2258 [fax]

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The inclusion of stand-alone dental plans within the ACA was afforded because policymakers did not want to disrupt consumers' current benefits as well as an effort to parallel the typical large group commercial market. In the private market (not including public programs), an estimated 99 percent of Americans with dental coverage today have a dental benefit policy separate from their medical policy. Thus, the ACA allows Exchange customers to purchase dental policies separately from their medical plan just as it is commonly done in the commercial market today.

Dental companies should be allowed to offer dental policies as stand-alone products in the Exchange so that small business employers and employees are able to choose from a myriad of dental options. According to published lists from the Center for Medicare & Medicaid Services at least four carriers offered plans through healthcare.gov for small businesses in Mississippi including BEST Life, Delta Dental Insurance Company, Dentegra Insurance Company and Guardian Life Insurance Company.

- Please confirm that SADPs approved by the state and offered up unto this point through the federal, healthcare.gov SHOP will continue to be offered through *One, Mississippi* starting May 1.

Thank you for your time in responding to our inquiry. If you need further information or have questions related to the offer of dental plans on Health Insurance Marketplaces, please contact me at khathaway@nadp.org or 972-458-6998x111. Again, thank you for your consideration.

Sincerely,



Kris Hathaway
Director of Government Relations

NADP DESCRIPTION

NADP is the largest non-profit trade association focused exclusively on the dental benefits industry, i.e. dental PPOs, dental HMOs, discount dental plans and dental indemnity products. NADP's members provide dental benefits to approximately 90 percent of the 187 million Americans with dental benefits. Our members include the entire spectrum of dental carriers: companies that provide both medical and dental coverage, companies that provide only dental coverage, major national carriers, regional, and single state companies, as well as companies organized as non-profit plans.

² CMS-9989-F: Establishment of Exchanges and Qualified Health Plans Final Rule/Interim Final Rule, March 27, 2012, 381.

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