October 27, 2014

Mr. Tim Vande Hey, Deputy Commissioner
Ms. Tammy Lohman, Insurance Product Filing
Minnesota Department of Commerce, Insurance Division
85 7th Place East, Suite 500,
St. Paul, MN 55101

Dear Mr. Vande Hey and Ms. Lohman;

The National Association of Dental Plans (NADP) is concerned among reports from our members that MNsure, through instructions by the Minnesota Department of Commerce (DOC), is applying medical rating requirements (along with other related items) towards dental policies seeking off Exchange certification. While HF 779 applies filing mandates on dental policies, it is specific to limited scope dental plans which is defined (pg.81) as applying only to a pediatric dental policy meeting the requirements of the Affordable Care Act. Therefore, requirements - including medical rating - should not be applied to family dental benefits.

Due to the inclusion of pediatric dental services as part of the Essential Health Benefit (EHB) package, NADP worked together with federal regulators in making sure consumers’ dental benefits would not be adversely impacted by the Affordable Care Act (ACA). As about 99 percent of dental benefits are purchased separately from medical coverage, the U.S. Department of Health and Human Services (HHS) wanted to minimize any disruption by allowing stand-alone dental plans (SADPs) to continue offering policies which could meet EHB requirements.

The ACA, and reiterated by HHS, makes clear that medical market reforms do not apply to HIPAA excepted benefits including SADPs. However, HHS and the states can impose applicable reforms to SADPs as they deem appropriate. Current market reforms applied to pediatric dental EHB for on and off Exchange certification includes no annual or lifetime limits, a maximum out of pocket limit and a network with essential community providers. Rating rules, as now being required by the DOC on all ACA compliant dental policies, was not deemed a necessary or appropriate market reform to apply to SADPs in federal or state-based markets.

Dental rating formulas are structured differently than medical; for instance, rarely is gender used within the actuary formula. Minnesota employs specific geographic regions for medical carriers which dental carriers...
have never utilized and would be extremely costly to incorporate into dental carriers’ systems without added benefit to the consumer. We have learned from carriers they are disengaging from Minnesota’s Exchange certification simply due to the rating requirement - which negatively impacts both the Exchange and the small group and individual market. Family dental plans are popular with consumers as they are affordable and a tangible benefit they typically utilize twice a year when they visit their dentist.

A competitive dental marketplace ensures premiums remain cost effective and affordable, but as carriers in Minnesota find a more complex and expensive filing system, the dental marketplace will start to diminish, leaving consumers with less options. This is not what HHS envisioned when they initiated reasonable assurance and off Exchange certification of SADPs. Making off Exchange certification more difficult to obtain will also detrimentally impact Qualified Health Plans (QHP) which may not want to offer dental benefits in your state.

NADP understands and appreciates the importance of protecting consumers with market reforms which benefit enrollees; however, applying medical rating requirements onto family dental policies is not beneficial in this case, and is not employed by any Department of Insurance or Marketplace. While both MNsure and the MN Department of Commerce are working towards implementing HF 779 (amending 62K.14), they should not continue to employ guidance that goes beyond the scope of the new regulations.

➢ To ensure broad choices and competitive premiums and cost sharing, NADP encourages both MNsure and the Minnesota Department of Commerce to adjust their guidance and discontinue requiring family dental policies to meet medical rating standards, as HF 779 clearly applies only to the pediatric dental services specific to the EHB.

NADP greatly appreciates the opportunity to share our views, and please contact me with any questions regarding these comments at k hathaway@nadp.org or 972.458.6998x111. Again, thank you for your consideration.

Sincerely,

[Kris Hathaway]
Director of Government Relations

cc: Ms. Katie Burns, Chief Operating Officer, MNsure
    Ms. Melinda Domzalski-Hansen, Health Project Coordinator, Department of Commerce

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.
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<th>Advantage Dental Plan</th>
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  Blue Cross Blue Shield of TX
  Colorado Bankers Life
  Dearborn National
  DentaMax, Inc.
  Ft. Dearborn Life Ins Co
  Health Care Svcs Corp
  Medical Life Ins Co
Dental Select
DentalPlans.com
DentaQuest
Dominion Dental Svcs, Inc
EMI Health
EmblemHealth Svcs
  Connecticare
  GHI HMO Select
  Group Health Inc
Employee Choice
  Blue Cross Blue Shield of LA
First Continental Life
GEHA
  PPO USA a Division of GEHA
Guardian Life Ins Co of America
  Berkshire Life Ins Co of America
  First Commonwealth, Inc.
  Managed Dental Care
Health Resources, Inc.
HealthPartners, Inc
  Central Minnesota Group Health Inc
  Group Health Plan Inc
  HealthPartners Administrators, Inc.
  Midwest Assurance Company
Horizon BCBS NJ
Humana Ins. Co.
  CompBenefits Corporation
  Oral Health Svcs
IHC Health Solutions
  American National Life Ins. Company
  Fidelity Security Life
  GroupLink Reins Co LTD
  Guarantee Trust Life
  Madison National Life Ins Co
  Strategic Health Alliance
Kaiser Permanente Dental Care Program
Kansas City Life Ins Co
Liberty Dental Plan
Lifemap Assurance
Lincoln Financial Group
MetLife
  SafeGuard Dental and Vision
  SafeGuard Health Plans, Inc
  SafeGuard Health Enterprises
Mutual of Omaha
National Guardian Life Ins Co
Nevada Dental Benefits
  Nippon Life Ins of America
  Northeast Delta Dental
  Pacific Source Health Plans
  Pan American Life
  Physicians Mutual
  Premera Blue Cross
    Blue Cross of WA and AK
    Lifewise Assurance
    Lifewise Health Plan of OR
    Premera Blue Cross Blue Shield of AK
Premier Access Dental & Vision
Principal Financial Group
  Diversified Dental Svcs
  Employers Dental Svcs, Inc.
Reserve National
Risk Solutions Resources
Security Life Ins Co of America
  Union Security Life Ins. Company of NY
SelectHealth
Solstice Benefits
Southland National Ins Corporation
Standard Ins Co
Starmount Life Ins Co
  Always Care
Sun Life Financial
Superior Dental Care Inc.
TruAssure
United Concordia Companies Inc.
  Blue Cross Blue Shield of WV (Mountain St)
  Highmark Blue Cross Blue Shield
  United Concordia Life & Health
United Healthcare Specialty Benefits
  Dental Benefit Providers, Inc.
  Illinois Pacific Dental
  MAMSI Life & Health Ins Co
  National Pacific Dental
  Nevada Pacific Dental
  Oxford Health Plans
  Pacific Union Dental
  PacifiCare Dental & Vision
  PacificDental Benefits, Inc.
  Solstice Benefits
  United Health Care Corporation
UPMC Health Plan
WellPoint Dental Svcs
  Anthem Blue Cross Blue Shield
  Anthem Health & Life Ins Co
  Blue Cross Blue Shield of GA
  Blue Cross Blue Shield of MO
  Blue Cross Blue Shield of WI
  Blue Cross of CA
  DeCare
  Golden West Dental & Vision Plan
  Unicare Health Ins Co of the Midwest
  Unicare Life and Health Ins Co

National Association of Dental Plans
Western Dental Svcs
Willamette Dental Insurance, Inc
Willamette Dental Group
Willamette Dental Management Corporation
Willamette Dental of Idaho, Inc.
Willamette Dental of Washington, Inc.
Willamette Dental Group (Skoutes, Inc.)

**Associate Members**
- Aspen Dental
- Dental Associates
- Dental Care Alliance
- DentalOne Partners
- Great Expression Dental Centers
- Kool Smiles
- Heartland Dental Care
- Pacific Dental Services
- Park Dental
- Smile Brands Inc.
- West Coast Dental Services

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**Supporting Organizations**
- Aldera
- Agility Recovery
- BeneCare
- Colonial Life & Accident Ins Co
- Davis Vision
- Dentistat, Inc. & go2dental.com, Inc.
- Health Solutions Plus
- Healthscape Advisors
- McKinsey and Company
- Milliman Inc.
- P & R Dental Strategies, Inc.
- Pacific Resources
- Qualbe Marketing
- Revolv (formerly Corvesta)
- Santech Solutions, Inc.
- Secure EDI
- Spencer Stuart
- Sprig Health
- Stratose
- Tesa Clearinghouse
- The Ignition Group
- The Premier Dental Group, Inc.
- Towers Watson
- West Monroe Partners
- Wonderbox Technologies