



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

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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 [khathaway@nadp.org](mailto:khathaway@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.

#### **National Association of Dental Plans**

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# NADP MEMBERS & SUBSIDIARIES

Last Updated: June 2014



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**Advantage Dental Plan****Aetna Dental**

*Group Dental Service*

**Altus Dental Ins Co**

*Delta Dental of RI*

**American Dental Professional Svcs**

*American Dental Partners*

**American Enterprise Group**

*Medco Benefits*

**AmeriPlan Corporation****Ameritas Life Ins Corp.**

*First Ameritas Life Ins Corp.*

**Argus Dental Plan, Inc.****Assurant Employee Benefits**

*Dental Health Alliance, LLC*

*DentCare, Inc. a Kentucky corporation*

*DentiCare of Alabama, Inc.*

*DentiCare of Oklahoma, Inc.*

*DentiCare, Inc. a Florida corporation*

*First Fortis Life Ins Co*

*Fortis Benefits DentalCare of New Jersey In*

*Fortis Benefits DentalCare of WI, Inc.*

*Fortis Benefits Ins Co*

*Fortis Dental Benefits*

*Georgia Dental Plan, Inc.*

*UDC Life and Health Ins Co*

*Union Security Life Ins Co of NY*

*United Dental Care Ins Co*

*United Dental Care of Arizona, Inc.*

*United Dental Care of Colorado, Inc.*

*United Dental Care of Michigan, Inc.*

*United Dental Care of Missouri, Inc.*

*United Dental Care of Nebraska*

*United Dental Care of New Mexico, Inc.*

*United Dental Care of Ohio, Inc.*

*United Dental Care of Pennsylvania, Inc.*

*United Dental Care of Texas, Inc.*

*United Dental Care of Utah, Inc.*

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**Avesis Third Party Admin. Inc.****Best Life and Health Ins Co****Blue Cross Blue Shield of AZ****Blue Cross Blue Shield of MA**

*Blue Shield of Arkansas*

*Blue Shield of Hawaii*

*Blue Cross of Florida*

*Florida Combined Life Ins Co*

*USABLE Life*

*Life & Specialty Ventures*

**Blue Cross Blue Shield of MI**

*Blue Care Network*

*Blue Care Network of East MI*

**Blue Cross Blue Shield of NC****Blue Cross Blue Shield of NE****Blue Cross Blue Shield of SC****Blue Shield of CA****CareFirst BlueCross BlueShield**

*The Dental Network, Inc.*

**CAREINGTON INTERNATIONAL****CBA, Inc.**

*Blue Cross of Vermont*

**The CDI Group****Cigna Dental & Vision Care**

*Great West Healthcare*

**Citizens Security Life Ins Co****Companion Life Ins Co****Dedicated Dental / Interdent****Delta Dental of AZ****Delta Dental of CA**

*Alpha Delta of AL*

*Alpha Delta of AZ*

*Alpha Delta of NV*

*Delta Dental Ins. Co.*

*Delta Dental of DE*

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**Delta Dental of IA****Delta Dental of MI, OH, IN**

*Delta Care*

*Delta Dental of AR*

*Delta Dental of TN*

*Renaissance Dental Network*

*Renaissance Health Inc. Company of NY*

*Renaissance Life & Health Ins. Company*

**Delta Dental of MO**

*Advantica Benefits*

**Delta Dental of WA****DENCAP Dental Plans****Dental Care Plus Group Inc.****Dental Health Svcs of America**

*Custom Benefit Advisors*

*DBA-Preferred Administrators*

*Dental Health Svcs (an Oregon corp)*

*Dental Health Svcs, Inc.*

*Dental Health Svcs, Inc. (Arizona corp)*

*Dental Management Svcs*

*Dental Network Svcs*

*DHS Ins Svcs Inc*

**Dental Network of America, Inc. (DNOA)**

*Blue Cross Blue Shield of IL*  
*Blue Cross Blue Shield of NM*  
*Blue Cross Blue Shield of TX*  
*Colorado Bankers Life*  
*Dearborn National*  
*DenteMax, 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*

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**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**

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**Pacific Source Health Plans**

**Pan American Life**

**Physicians Mutual**

**Premera Blue Cross**

*Blue Cross of WA and AK*  
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*Lifewise Health Plan of OR*  
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**Premier Access Dental & Vision**

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**Risk Solutions Resources**

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*Union Security Life Ins. Company of NY*

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## **Western Dental Svcs**

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McKinsey and Company  
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Revolv (formerly Corvesta)  
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