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Written Proponent Testimony in Support of House Bill 344

Insurance Committee
Ohio House of Representatives
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Chairman Brinkman, Vice Chair Lampton, Ranking Member Miranda and members of the House Insurance Committee -

Thank you for the opportunity to testify in support of House Bill 344. My name is Dr. Steve Moore, and I am a dentist in private practice in West Chester, Ohio. I am the founder of the Lakota Dental Group, and I employed two other dentists in my practice along with several dental hygienists, dental assistants and other employees. I am a Past President of the Ohio Dental Association, which represents more than 5,000 dentists statewide.

As a dentist and former small business owner I urge your support of House Bill 344. House Bill 344 would address the issue of dental insurance companies dictating fees for dental services they do not even cover for their enrollees. This practice is fundamentally unfair and unnecessarily interferes with the dentist-patient relationship.

As a small business owner, I value and respect the private contracting process. I utilize it in my relationships with vendors, suppliers and patients. Unfortunately, on occasion, the contracting process does not present a level playing field, allowing one party to take advantage of a business relationship while leaving the other party with little recourse. Generally speaking, provider agreements with insurance companies are not negotiated. Antitrust restrictions prohibit dentists from working together on contracting issues. This provides insurance companies with a substantial market power advantage in the contracting process, which often becomes a take-it-or-leave-it choice for the dentist. A small business owner working with high overhead and a small margin really has little choice at all. Losing a substantial portion of your patient population can be devastating for a dental practice.

The issue of fee limitations for non-covered services has a major financial implication for dental offices. But it can also have a devastating impact on the relationship that a dentist has with their patients. For example, I recently performed a dental implant for a long-standing patient of mine. The dental implant was not a covered service under her dental insurance and she knew that prior to deciding to undergo the procedure. She was very happy with the result and she was contemplating having additional implants.

However, shortly after the initial implant was completed, I received notice from her dental insurer that there was a limitation on how much I could charge this patient for the performance of her procedure. The insurer was setting the fee for the implant even though the insurer did not cover or in any way contribute to the cost of the implant. This limited fee set by the insurer was

actually less than what I had expended in supplies, lab costs and staff time. My business lost money performing the implant. The next time the patient came to my office I explained what had happened and told her that I would not be able to perform her additional implants due to the fee limitation. She was upset, wanted to continue to visit our office for dental treatment and even offered to pay my regular fee. Accepting her proposal would have placed me in violation of the provider agreement and I could have lost a substantial portion of my patients.

I was forced to refuse her offer. This is a long standing patient, who received dental treatment that she valued and was willing to pay for, but because of the economics of dental insurance and the non-covered service provision of my provider agreement, she chose a less than ideal option. House Bill 344 will help correct this problem.

Thank you again for the opportunity to testify on this important matter. For all of the reasons I have outlined, I urge you to vote in favor of House Bill 344.