

Ohio House Insurance Committee
April 6, 2022

Erika Cybulskis – Government and Corporate Citizenship Representative, Delta Dental of Ohio

Opponent Testimony
House Bill 344

Chairman Brinkman, Vice Chair Lampton, Ranking Member Miranda, and members of the House Insurance Committee, my name is Erika Cybulskis and I am the Government and Corporate Citizenship Representative for Delta Dental of Ohio.

Thank you for this opportunity to express Delta Dental of Ohio's opposition to HB 344. There has been a lot of focus in recent years on finding ways to hold down the costs of health care for consumers – recently enacted state and federal legislation regarding surprise billing is one major example - but this proposed legislation goes in the exact opposite direction of that trend and would make dental care more expensive for insured Ohioans.

Delta Dental of Ohio opposes HB 344 for two primary reasons:

HB 344 is unwarranted government interference in private contracts voluntarily entered into by dentists and dental plans. HB 344 would allow a dentist to receive the fruits of the private contract signed with a dental plan, but would relieve the dentist of one of the responsibilities in that contract. That makes HB 344 a prime example of government intrusion in a private contract voluntarily entered by two willing parties.

HB 344 will effectively eliminate a consumer cost protection measure and increase the cost of dental care for Ohioans. HB 344, if enacted, will result in increased out-of-pocket costs for dental care for Ohioans. The dentists' gains will come at the expense of the patients who will have to figure out how to pay more or decide that they will forego care due to the higher cost of care.

HB 344 is not needed in Ohio.

The proponents of this legislation may claim that this legislative intervention in a private business contract is needed because they do not have a choice, but that is simply not true. It is important to remember that Ohio has a very robust and competitive dental insurance market. Dental plans, including Delta Dental of Ohio, strive to provide competitive offerings to businesses, retiree groups, and individuals seeking private insurance, while at the same time maintaining healthy participation by dentists in their networks. Please consider the following figures:

- Ohio's population is approximately 11.7 million people.
- Approximately 6 million Ohioans, or 51%, are enrolled in a private dental plan.
- Delta Dental of Ohio has approximately 1.2 million subscribers in Ohio.

With figures like these, it seems unlikely that most Ohio dental practices have a majority of patients who have private dental coverage or that Ohio dentists are experiencing significant financial hardship as a result of the non-covered services policies of Delta Dental or other insurers.

Most importantly, dentists have the ultimate control over their practices' relationships with dental insurers. Dentists' participation with insurers is purely voluntary. If dentists are already participating providers, but decide they no longer wish to contract with Delta Dental, they can terminate their contracts at any time with 60 days' notice.

Since Delta Dental implemented its non-covered services policy in 2008, the percentage of Ohio dentists who have a signed participation agreement with Delta Dental has increased. If Delta Dental were treating dentists unfairly, one would expect the percentage of participating dentists to shrink, not grow.

HB 344 is bad for business and bad for consumers.

Please consider whether HB 344 is a good deal or a bad deal for Ohio dental patients. The answer is simple - if passed, HB 344 will result in higher costs for dental care for Ohioans. We respectfully request that you oppose HB 344 along with the wide and diverse coalition of parties that have weighed in as opponents of this bill:

- America's Health Insurance Plans
- National Association of Dental Plans
- OCSEA Union Benefits Trust
- Ohio Association of Health Plans
- Ohio Chamber of Commerce
- Westfield

Thank you for this opportunity to express Delta Dental of Ohio's opposition to HB 344.