

Resolution No.	14	New <input checked="" type="checkbox"/>	Substitute <input type="checkbox"/>	Amendment <input type="checkbox"/>
Submitted By:	Council on Dental Benefit Programs			
Date Submitted:	April 11, 2025	Reference Committee <input checked="" type="checkbox"/>	Direct to House <input type="checkbox"/>	
Total Financial Implication:	\$ none			
Amount One-time	\$ none	Amount On-going	\$ none	

### Assignment of Benefits

**Background:** State laws requiring assignment of benefits apply to all carriers. In states where laws do not exist, like New York, many carriers usually honor the assignment of benefits to nonparticipating dentists as a courtesy to their members and to maintain consistency in their procedures from state-to-state. Most of these carriers will also provide an explanation of benefits to a nonparticipating dentist when he or she submits a claim on behalf of their patient. However, the patient's assignment of benefits designation on the claim form is a method of communicating information, not a legal obligation.

Some third-party payers will only assign benefits to participating providers, even though the patient signs the appropriate box on the claim form. This practice can be harmful to the doctor/patient relationship. Dentists typically only charge the patient the amount that will not be covered by insurance at the time of treatment when assignment of benefits has been obtained. By not honoring the assignment of benefits from the patient, the dentist is put in the position of collecting the fee from the patient. In some cases, their patients will not pay them after receiving payment from the insurance carrier. In addition, oftentimes the dentist will not receive a copy of the explanation of benefits and does not know the amount paid or even if the claim was received and processed

Carriers who typically do not honor assignment of benefits view direct payment as a benefit of network participation. However, it should be the patient's choice to assign benefits, regardless of their dental provider's in or out of network status.

Accordingly, the following resolution is submitted for consideration:

**14. Resolved,** that NYSDA pursue legislation to amend NYS Insurance Law to require all dental insurance carriers to allow patients to assign their benefit payment to the dental provider, whether the dental provider is, or is not, in network with the patient's insurance plan.

**Board Comments:** The Board fully supports this resolution to allow patients to assign benefit payments to their dentists as they desire.

34 **BOARD RECOMMENDATION: VOTE YES**

name	yes	no	abstai n	abse nt	name	yes	no	abstai n	abse nt	name	yes	no	abstai n	abse nt
<b>Casper-Klock</b>	X				<b>Greenberg</b>	X				<b>Korkosz</b>	X			
<b>Cuomo</b>	X				<b>Hills</b>	X				<b>Miller</b>	X			
<b>Demas</b>	X				<b>Jackson</b>	X				<b>Rothas</b>	X			
<b>Edwards</b>	X				<b>Jacobo</b>	X				<b>Samuels</b>	X			
<b>Gamache</b>	X				<b>Jonke</b>	X				<b>Scharoff</b>	X			
<b>Giordano</b>	x									<b>Stacy</b>	x			
										<b>Res #14</b>				

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