

Understanding HB 3008: New Insurance Transparency Laws

In 2023, ODA heard from our members that a lack of insurance transparency often led to low reimbursements, causing frustration for both dentists and patients. To address this, ODA helped pass HB 3008.

On January 1, 2024, Oregon became the first state in the nation to require dentists' active consent before:

1 A network lease can occur

2 Being reimbursed by insurance providers via credit cards

This law applies to all new contracts entered into or contracts that had significant changes made after January 1, 2024. If you renewed your contract before January 1, 2024, the new law does not yet apply to your contract.

Frequently Asked Questions

My network provider is requiring claim payments through Electronic Funds Transfer (EFT). Isn't that prohibited under the new law?

No. The legislation passed by ODA prohibits an insurer from requiring a dentist to open a bank account with a credit card company and receive money through that process. The law does not prohibit an insurer from wiring money directly into a member's account from a non-credit card account. The legislation would, however, prevent an insurer from charging a 1%-2% fee for using an EFT, unless previously agreed to.

My dental insurer is unaware of the new law/and or states they use a third party to administer payments and they are not responsible. Does that change the situation?

No. The law states that if a "dental insurer contracts with a vendor to process payments of dental provider claims, the dental insurer shall require the vendor to comply with the provisions," of the new law. Every

insurer is required to get explicit approval from a dental office before providing reimbursements via credit card, regardless of whether they use a third party to make their payments.

What if my patient networks are under a federal plan, such as the Employee Retirement Income Security Act (ERISA)?

The provisions of HB 3008 do not apply to Federal plans. only commercially insured plans in Oregon.

What if my insurance provider is not following the provisions of the law or refuses to allow me to opt into a network or credit card company?

The ODA recommends you file a complaint with the Department of Consumer and Business Services (DCBS) Office of the Oregon Insurance Division. You can also email your complaint to DFR.InsuranceHelp@dcbs.oregon.gov. If your office does file a complaint, please send a copy to the ODA c/o Brett Hamilton (bhamilton@oregondental.org).

