

**Please Support**  
**S.765, Sponsored by the Senators Pou, Pennacchio and Bramnick**  
**June 29, 2022**

Dear Senators,

On behalf of the members of the New Jersey Dental Association, I request that you please vote in favor of S.765, sponsored by Senators Pou, Pennacchio, and Bramnick.

The legislation bolsters the doctor-patient relationship and assures patient's choice of treatment.

S.765 sets in law a required discussion about treatment, and possible alternatives, as well as the payment responsibilities prior to treatment being performed, and it limits a dental plan's encroachment into a patient's choice of those healthcare services.

The legislation assures that there is no surprise billing, and the patient understands they may have a financial obligation.

Nothing in this legislation prohibits or requires a dental insurance plan's right or ability to deny a claim or pay for something outside of its contracted terms. Nor does it enable a participating dentist to charge a patient more than the contractually accepted fee of the patient's dental plan.

S.765 does not allow a dentist to balance bill. Today, participating dentists are required by dental plans to attempt to collect the full amount of the accepted fee from a patient, whether the dental plan pays the claim or denies it. For most treatment services, dental plans rarely cover the full cost, and patients are obligated to pay the difference between what their dental plan pays and the doctor's accepted fee. This is not balance billing. This is collecting the balance of the bill.

In fact, dentists who do not attempt to collect the balance of the accepted fee, and who otherwise do not disclose a professional courtesy discount, may be subjected to an audit by a dental plan and required to reimburse the plan for inappropriate billing practices.

Conversely, balance billing, is defined as when a provider attempts to collect the difference in amount between their full fee and the dental plan's accepted fee. Nothing in this legislation causes balance billing to occur. And nothing in this legislation changes a patient's financial obligation for the cost of covered dental treatment services be they paid or denied by a dental plan.

S.765 empowers patients to be able to make better informed healthcare choices. It enables patients to choose what services, products, and materials they want, and what they are willing to pay for, and not be denied that right by their dental plan.

Thank you for your consideration. Again, I respectfully ask that you vote in favor of this important piece of legislation.