

PUBLIC PROTECTION CABINET
Department of Insurance
Division of Health, Life, Managed Care
(Amended After Comments)

806 KAR 17:595. Dental Benefits Assignment.

RELATES TO: KRS 14A.4-010, ~~KRS 304.1-050~~, ~~KRS 304.17C-130~~, ~~KRS 304.17C-137~~

STATUTORY AUTHORITY: KRS 304.2-110(1), ~~KRS 304.17C-137~~

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110(1) authorizes the commissioner to promulgate reasonable administrative regulations necessary for or as an aid to the effectuation of the Kentucky Insurance Code as defined in KRS 304.1-010. KRS 304.17C-137(1)(a)1.b. requires insurers to accept dental benefit assignments made by covered persons in writing on a form established by the commissioner in an administrative regulation. KRS 304.17C-137 requires the department to promulgate administrative regulations to implement and enforce the provisions of 304.17C-137. This administrative regulation establishes the required dental benefit assignment form.

Section 1. Definitions.

- (1) "Benefit assignment" means written consent of a covered person **choosing to allow**~~for~~ a dental carrier to pay claim benefit payments directly to a non-participating dental service provider in accordance with KRS 304.17C-137.
- (2) "Covered person" is defined by KRS 304.17C-130(1).
- (3) "Dental carrier" is defined by KRS 304.17C-130(3).
- (4) "Dental services" is defined by KRS 304.17C-130(4).
- (5) "Non-participating provider" means a dental services provider that has not entered into an agreement with a dental carrier to provide dental services.
- (6) "Provider" is defined by KRS 304.17C-130(7).

Section 2. Dental Benefit Assignment Form. A **provider shall comply with a written assignment**~~assignment~~ of benefits under a dental benefit plan made in accordance with KRS 304.17C-137(1)(a)1.b. ~~shall be made~~ on the Dental Benefit Assignment Form. **Nothing in this administrative regulation shall be construed to require a covered person to assign a dental benefit. A provider shall not condition treatment on the execution of the Dental Benefit Assignment Form.**

Section 3. Incorporation by Reference.

- (1) "Dental Benefit Assignment"~~Form~~ Form, "**HL-DBA13/2026**~~7/2025~~", is incorporated by reference.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Insurance, Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the Web site at: <http://insurance.ky.gov/ppc/CHAPTER.aspx>.

SHARON P. CLARK, Commissioner
RAY A. PERRY, Secretary

APPROVED BY AGENCY: April 1, 2026
FILED WITH LRC: April 2, 2026 at 9:00 a.m.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Shaun T. Orme

Subject Headings:Dentistry, Insurance, Health

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes a dental benefit assignment form, pursuant to 2025 Regular Session House Bill 210.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to provide the form proscribed by the new requirements of 2025 Regular Session House Bill 210.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

2025 Regular Session House Bill 210 requires the regulation to provide for a new form for dental benefit assignments. This new regulation provides the form required by the new dental benefit assignment statute.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This amendment provides the form required by the new dental benefit assignment statute.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment establishes a form required by the new dental benefit assignment statute.

(b) The necessity of the amendment to this administrative regulation:

This amendment is required to implement 2025 Regular Session House Bill 210.

(c) How the amendment conforms to the content of the authorizing statutes:

2025 Regular Session House Bill 210 requires the regulation to create the new dental benefit assignment form.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment provides the new dental benefit assignment form.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?Yes, 2025 Regular Session House Bill 210.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Over forty-four (44) insurance entities will be affected by this administrative regulation. In addition, individuals that have dental insurance plans will be affected.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Dental insurance providers will have to accept the new dental benefit assignment form. Individuals that have dental insurance will be allowed to assign the rights to their dental insurance claims to their dental providers.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

The cost associated is expected to be de minimus.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Insureds will be able to use a uniform form to assign their dental benefits to their dental providers. Additionally, dental insurers will have a universal form for accepting assignment of dental benefit claims.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No cost is anticipated.

(b) On a continuing basis:

No cost is anticipated.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The Department of Insurance's operational budget.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

None is anticipated.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No fee is associated with this new form.

(10) TIERING: Is tiering applied?

Tiering is not applied as the provisions of this administrative regulation apply to all entities equally.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 304.2-110(1) and 304.17C-137(1)(a)1.b.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

Yes. 2025 Regular Session House Bill 210 requires the Kentucky Department of Insurance to establish a form for the assignment of dental benefits provided by dental benefit plan.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Department of Insurance as the implementer. (b) Estimate the following for the first year:

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:\$0

For subsequent years:\$0

2. Revenues:

For the first year:\$0

For subsequent years:\$0

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

No local entities affected. (b) Estimate the following for the first year:

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:\$0

For subsequent years:\$0

2. Revenues:

For the first year:\$0

For subsequent years:\$0

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

None. (b) Estimate the following for the first year:

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:\$0

For subsequent years:\$0

2. Revenues:

For the first year:\$0

For subsequent years:\$0

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

This administrative regulation will not have a fiscal impact on those entities.

(b) Methodology and resources used to reach this conclusion:

Not applicable.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No, this administrative regulation will not have a major economic impact.

(b) The methodology and resources used to reach this conclusion:

Not applicable. This administrative regulation will not have major impact in the aggregate for either the Department, insurers, dental providers, or insureds. HB 210 was enacted during the 2025 legislative session. HB 210 required the Department to provide a form for insureds to assign their dental benefits to providers.