

2023 Kansas Statutes

40-2,227. Requirements for methods of payment; limitations on certain transaction fees. (a)

No dental benefit plan shall contain restrictions on methods of payment to a dentist from the dental benefit plan, such plan's contracted vendor or health maintenance organization in which the only acceptable payment method is a credit card payment.

(b) If initiating or changing payments to a dentist using electronic funds transfer payments, including virtual credit card payments, a dental benefit plan, such plan's contracted vendor or health maintenance organization shall:

(1) Notify the dentist if any fees are associated with a particular payment method; and

(2) advise the dentist of the available methods of payment and provide clear instructions to the dentist as to how to select an alternative payment method.

(c) A dental benefit plan, such plan's contracted vendor or health maintenance organization that initiates or changes payments to a dentist through the automated clearing house network, as codified in 45 C.F.R. §§ 162.1601 and 162.1602, shall not charge a fee solely to transmit the payment to a dentist unless the dentist has consented to such fee. A dentist's agent may charge reasonable fees when transmitting an automated clearing house network payment related to transaction management, data management, portal services and other value-added services in addition to the bank transmittal.

(d) The provisions of this section shall not be waived by contract. Any contractual arrangement in conflict with the provisions of this section or that purports to waive any requirements of this section shall be null and void and unenforceable.

History: L. 2022, ch. 49, § 3; July 1.