START\_STATUTE20-1007.  Membership coverage by prepaid dental plan organizations

A.  Every member in a prepaid dental plan shall be issued a membership coverage form by the prepaid dental plan organization.

B.  Any contract applied for that provides family coverage shall, as to such coverage of individuals in the family, also provide that the benefits applicable for children shall be payable with respect to a newly born child of the insured from the instant of such child's birth, to a child adopted by the insured, regardless of the age at which the child was adopted, and to a child who has been placed for adoption with the insured and for whom the application and approval procedures for adoption pursuant to section 8‑105 or 8‑108 have been completed to the same extent that such coverage applies to other members in the family.  If payment of a specific premium is required to provide coverage for a child, the contract may require that notification of birth, adoption or adoption placement of the child and payment of the required premium shall be furnished to the insurer within thirty‑one days after the date of birth, adoption or adoption placement in order to have the coverage continue beyond the thirty‑one day period.

C.  No membership coverage or amendment shall be issued or delivered to any person in this state until a copy of the form of the membership coverage or amendment has been filed with and approved by the director.

D.  A membership coverage shall contain a clear and complete statement of a contract, or a reasonably complete summary if it is a certificate of contract, of:

1.  The prepaid dental services or other benefits to which the member is entitled under the prepaid dental plan.

2.  Any limitations of the services, kind of services or benefits to be provided, including any deductible or co‑payment feature.

3.  Where and in what manner information is available as to how services may be obtained.

4.  The member's obligation respecting charges for the prepaid dental plan.

E.  A membership coverage and advertising and sales material shall contain no provisions or statements that are unjust, unfair, inequitable, misleading or deceptive or that encourage misrepresentation or that are untrue.

F.  The director shall approve any form of membership coverage if the requirements of subsections D and E are met and the prepaid dental plan is able in the judgment of the director to meet its financial obligations under the membership coverage.  It is unlawful to issue such form until approved.  If the director does not disapprove any such form within thirty days after the filing, it shall be deemed approved.  If the director disapproves a form of membership coverage, the director shall notify the prepaid dental plan organization, specifying the reasons for disapproval.  The director shall grant a hearing on such disapproval within fifteen days after a request in writing is received from the prepaid dental plan organization.

G.  As used in subsection B of this section, the term "child", for purposes of initial coverage of an adopted child or a child placed for adoption but not for purposes of termination of coverage of such child, means a person under the age of eighteen years. END\_STATUTE