**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑71‑235 SO AS TO PROHIBIT THE INCLUSION OF ALTERNATIVE BENEFIT CLAUSES IN DENTAL POLICIES ISSUED IN THIS STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑235. (A) For purposes of this section, an ‘alternate benefit clause’ is a provision in a dental policy which provides that when a less expensive dental procedure that serves the same function is available, the insurer only will provide coverage for the less expensive procedure, despite the recommendation of a different procedure by the dentist. Any difference in cost between the less expensive dental procedure and the dental procedure recommended by the dentist must be paid for by the subscriber.

(B) Any dental plan issued to subscribers in this State may not include an alternate benefit clause.”

SECTION 2. This act applies to contracts entered into, amended, extended, or renewed after June 30, 2022.

SECTION 3. This act takes effect upon approval by the Governor.

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