

EMERGING TRENDS, POLICY SIGNALS, AND THE ROAD TO 2027



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Understanding the Environment



The same conversations are happening
at both the state and federal levels



Public sentiment toward insurers is
largely unfavorable



Perception drives policy

The Legislative Landscape is Shifting

Yesterday

- Dental Loss Ratio
- Prior Authorization
- Virtual Credit Cards
- Network Leasing
- Assignment of Benefits
- Non-covered services
- Coverage Mandates

Today

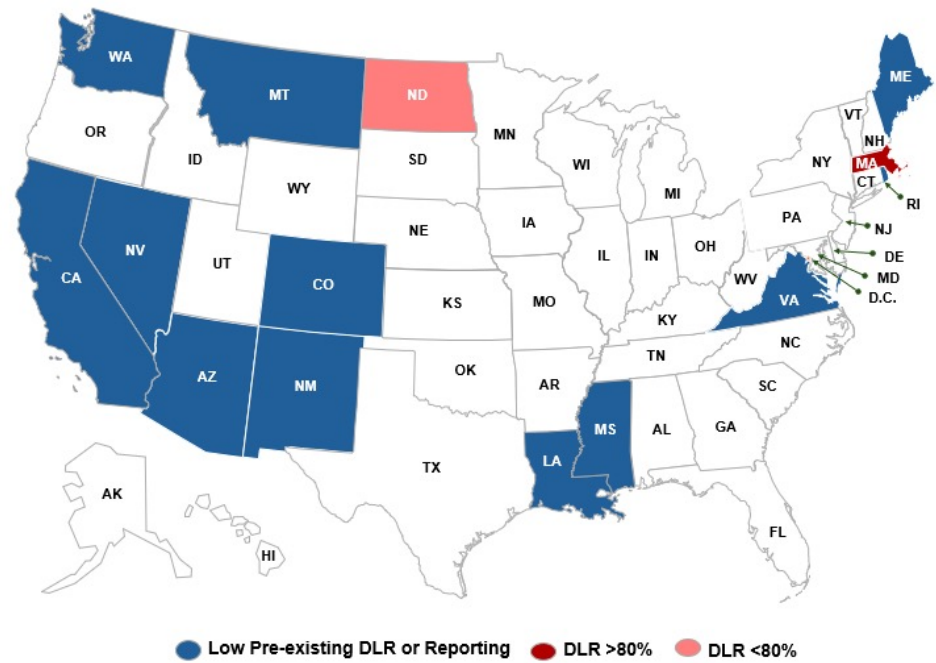
- Dental Loss Ratio
- Prior Authorization
- Virtual Credit Cards
- Network Leasing
- Assignment of Benefits
- Non-covered services
- Downcoding
- Recoupment
- Payment Parity

The focus is moving from benefits to operations.

Dental Loss Ratio (DLR): Still Present, Less Dominating

- Fewer introductions across the country, down 20% in 2026
- Bills stalled or failed to gain traction
 - Only one state passed a reporting bill in 2026 (Mississippi)
- Coalition efforts proving successful
- Greater understanding by legislators

Existing Loss Ratio Requirements – 2026



The Rise of “Opt-in”

Virtual Credit Cards

- Providers should affirmatively consent before receipt of payment by virtual credit cards
- Amendment of the NCOIL Transparency in Dental Benefits Contracting Model Act in November 2025
- Passage of opt-in models by California and New York in 2025
- 16 opt-in bills introduced in 2026
- Potential flexibility in obtaining affirmative consent

Network Leasing

- Providers should affirmatively consent to being part of a leased network prior to the leasing of that network
- Passage of an unprecedented opt-in bill in Colorado (HB 1070)
- Impact remains unclear
- 8 opt-in bills introduced in 2026
- Risk of other states replicating Colorado in 2027
- Success in amending a similar opt-in bill in New York

Administrative Regulation

- 2026 Emerging Issues
 - Downcoding
 - Payment Recovery and Recoupment
 - Assignment of Benefits with Payment Parity
 - Non-covered Services
- Not all new or unfamiliar topics, but often with new variation.
- Legislators increasingly seeking to regulate how plans operate rather than what they cover.

What do these issues have in common?



Benefits



Premiums



Coverage



Administrative Practices



Provider Relationships



Transparency



Operational Control

Predictions for 2027

Increased introduction of network leasing “opt-in” bills

Continued pursuit of DLR percentages

Additional variations on familiar topics including non-covered services and assignment of benefits

Virtual credit card opt-ins become the norm

Additional focus on billing and claims practices, including downcoding, recoupment, and recovery

Continued efforts to deteriorate the network system

Additional healthcare reforms spill into dental

What should we be doing now?

Monitor

- Areas of interest at the state level
- Federal trends

Engage

- State Associations
- Legislators
- Providers
- Stakeholders

Prepare

- Compliance flexibility
- Transparency expectations
- Operational readiness

Contact Information



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