



May 19, 2009

Network dentists and x-ray laboratories ("Participating Providers") who treat members agree to accept contracted rates as payment for the services they provide.

For services provided by dentists and x-ray laboratories who have not contracted to treat members ("Non-Participating Providers"), the amounts that will be allowed for such services and processed for payment ("Non-Participating Provider Reimbursement Amounts") are based on the member contracts. These amounts may be subject to deductibles, co-pays, and other limitations under the terms of the applicable member contracts. For some member contracts, databases ("Ingenix Databases") produced by Ingenix, Inc., a subsidiary of UnitedHealth Group, Inc., are used to determine Non-Participating Provider Reimbursement Amounts. For other member contracts, these amounts are determined based on the fees for services paid to Participating Providers, fee data that was compared to the Company's own claims experience, record fee data, or Non-Participating Provider fee schedules.

Because there is no Provider contract or participating agreement, a Non-Participating Provider has not agreed to a reimbursement rate for services provided to members. Therefore, absent a regulation or law, the Non-Participating Provider can bill the member for the difference between the amounts they charge and the Non-Participating Provider Reimbursement Amount. Members are responsible for paying Non-Participating Providers this difference. Depending on the service, this difference can be substantial.

The New York Attorney General will select a school of public health or other appropriate school to establish and maintain an independent database ("New Database") that can be used for determining Non-Participating Provider Reimbursement Amounts. Within 60 days of being informed by the Attorney General that the New Database is available, the Ingenix Databases will cease being used to determine Non-Participating Provider Reimbursement Amounts. To the extent Non-Participating Provider Reimbursement Amounts continue to be defined by reference to "usual and customary" (or a similar term) provider charges and currently are determined based on the Ingenix databases, the New Database will begin to be used to determine such amounts.

At this time, Non-Participating Provider Reimbursement Amounts will continue to be determined as described above. This page will be updated if there are any changes to the methods used to determine Non-Participating Provider Reimbursement Amounts.