

INSURANCE  
DEPARTMENT OF BANKING AND INSURANCE  
DIVISION OF INSURANCE

Medical Fee Schedules: Automobile Insurance  
Personal Injury Protection and Motor Bus Medical Expense Insurance Coverage  
Dental Fee Schedule

Adopted Repeal and New Rule: N.J.A.C. 11:3-29 Appendix, Exhibit 2

Proposed: June 7, 2004 at 36 N.J.R. 2579(a)

Adopted: November 24, 2004 by Holly C. Bakke, Commissioner, Department of Banking and Insurance

Filed: November 24, 2004 as R. 2004 d.481, without change.

Authority: N.J.S.A. 39:6A-4.6

Effective Date: December 20, 2004

Expiration Date: January 4, 2006

Summary of Public Comments and Agency Responses:

The Department of Banking and Insurance received two written comments. Comments were received from United Review Services, and Property Casualty Insurers Association of America.

COMMENT: One commenter recommended that fees related to teeth implantation and TMJ devices be included in the dental fee schedule.

RESPONSE: The purpose of the proposal was to make the biennial inflation rate adjustment to the existing fee schedule. The commenter's suggestions for new fees are therefore beyond the scope of the proposal. The Department will consider adding fees for the services recommended by the commenter in its periodic review of the fee schedules with its benefit consultant.

COMMENT: One commenter urged the Department to promulgate a comprehensive medical fee schedule before acting on its dental fee schedule proposal.

RESPONSE: The dental fee schedule (Appendix Exhibit 2) and the medical fee schedule (Appendix Exhibit 1) are independent promulgations. The Department is not required to, and has determined not to promulgate a new or revised medical fee schedule before adopting the proposed dental fee schedule.

#### Federal Standards Statement

A Federal standards analysis is not required because the dental fee schedule and rule are not subject to any Federal requirement or standards.

Full text of the adopted new rule follows:

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