

SB465 - Benevis - Testimony in Support.pdf

Uploaded by: McDonough, Caitlin

Position: FAV



The Honorable Delores Kelley
Chair, Senate Finance Committee
Miller Senate Office Building, 3 East
11 Bladen Street
Annapolis, MD 21401

TESTIMONY IN SUPPORT OF SENATE BILL 465 – MARYLAND MEDICAL ASSISTANCE PROGRAMS – DENTAL PROVIDERS AND DENTAL STUDENTS - REIMBURSEMENT

Benevis is a dental support organization providing non-clinical support services to dentist offices in Maryland. Benevis is dedicated to its mission to improve access to dentistry by providing the highest quality non-clinical services to some of the nation's leading dental practices. In Maryland, the nine dental practices Benevis supports specialize in providing Medicaid dental services. Those practices are one of the largest providers of Medicaid dental services in the state, providing just under 20% of the Medicaid services statewide and approximately 40% of the Medicaid services in the Baltimore City region. In order to continue this service, these practices must be able to attract high quality dental practitioners with a passion for Medicaid service, and for that reason Benevis supports Senate Bill 465.

Senate Bill 465 requires Medicaid to reimburse a dental provider for services rendered by a student of dentistry who is engaged in a qualifying educational program at a school of dentistry and providing services under the supervision of a licensed dentist. The origin of the bill comes from Medicaid dental providers in Maryland seeking to build up the pipeline of dental practitioners working with Medicaid populations by partnering with dental schools to provide hands-on externship opportunities in the State. Unfortunately, when these providers sought to create this type of externship opportunity, they ran into barriers due to limitations in current law that permit only licensed dentists, excluding supervised dental students, from performing or being reimbursed for such services under the State's Medicaid program.

SB465, by opening for the door for students to participate in externships at dental practices that specialize in Medicaid, helps increase exposure to Medicaid services for dental students and incentivizes those students to go on to careers that serve those same populations. Additionally, because the vast majority of Medicaid dental patients in Maryland are children, it also increases student exposure to pediatric services. This Committee, along with other health policymakers in Maryland, has made great strides in increasing awareness and access to Medicaid dental services, but it is essential ensure that the practitioners are there to provide those services.

In the best of times, it is difficult to attract new dentists to Medicaid service due to lower reimbursement rates, low patient show rates, and stricter accreditation and administration requirements. This has only gotten worse during the COVID-19 pandemic due to the increased

cost of unreimbursed personal protective equipment (PPE), even lower patient show rates, and reduced services to allow for new public health protocols. The number of practitioners seeking to provide Medicaid care is decreasing while the economic crisis and lack of access to dental care through alternative settings like schools and Head Start programs are increasing the number of patients seeking care. SB465 is an innovative and low-cost way to build up the Medicaid provider network by exposing students to Medicaid care and settings early in their career development.

It is also important to note what SB465 does **not** do. It does not alter or expand the scope of practice for dental students in any way. The Health Occupations Article §4-301(1)(b) already permits dental students to practice dentistry without a license, and this bill would not permit a student to provide any services they are not already permitted to provide under the dental practice act. This bill deals solely with Medicaid's reimbursement for those services. Second, SB465 does **not** increase the amount or cost of Medicaid services, but rather allows Medicaid-based practices to utilize student externs to assist with the services they are already providing. Third, SB465 does not **require** any dental school, dental practice or dental student to participate in an externship program. It simply opens the door for these parties to work to develop a program that encompasses Medicaid patients. Finally, SB465 does not dictate the terms or requirements for any future dental externship program in Maryland, but rather simply seeks to remove one particular barrier, and leave the development of these programs to the stakeholders that take part in them, including dental schools, dentists, students, state regulators, and any other appropriate participants.

Thank you to the Committee for its consideration and its longstanding work on dental access for all Marylanders, and Benevis urges the favorable consideration of Senate Bill 465.

MRHA SB465 - Maryland Medical Assistance Programs

Uploaded by: Orosz, Samantha

Position: FAV



Statement of Maryland Rural Health Association

To the Finance Committee

February 10, 2021

Senate Bill 465 Maryland Medical Assistance Programs - Dental Providers and Dental Students - Reimbursement

POSITION: SUPPORT

Chair Kelley, Vice Chair Feldman, Senator West, and members of the Finance Committee, the Maryland Rural Health Association (MRHA) is in SUPPORT of Senate Bill 465 Maryland Medical Assistance Programs - Dental Providers and Dental Students - Reimbursement.

MRHA supports this legislation that reimburses a dental provider for services rendered by a student of dentistry who is engaged in an educational program at a school of dentistry that meets certain requirements.

Rural Marylanders suffer from chronic lack of access to dental services. This legislation would rightfully reimburse dental providers for patient services given by dental students, thereby increasing the number of services that can be offered to rural and underserved communities. It is imperative during the COVID-19 pandemic to continue to offer affordable and diverse solutions to accessing oral health care services to rural communities and beyond.

MRHA's mission is to educate and advocate for the optimal health and wellness of rural communities and their residents. Membership is comprised of health departments, hospitals, community health centers, health professionals, and community members in rural Maryland.

Rural Maryland represents almost 80 percent of Maryland's land area and 25% of its population. Of Maryland's 24 counties, 18 are considered rural by the state, and with a population of over 1.6 million they differ greatly from the urban areas in the state.

And while Maryland is one of the richest states, there is great disparity in how wealth is distributed. The greatest portion of wealth resides around the Baltimore/Washington Region; while further away from the I-95 corridor, differences in the social and economic environment are very apparent.

MHRA believes this legislation is important to support our rural communities and we thank you for your consideration.

Lara Wilson, Executive Director, larawilson@mdruralhealth.org, 410-693-6988

Senator West - SB 465 – Maryland Medical Assistanc

Uploaded by: West, Christopher

Position: FAV

CHRIS WEST
Legislative District 42
Baltimore County

Judicial Proceedings Committee

Vice Chair, Baltimore County
Senate Delegation



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 10, 2021

Senate Finance Committee
The Honorable Delores G. Kelley
3 East Miller Senate Building
Annapolis, Maryland 21401-1991

RE: SB 465 – Maryland Medical Assistance Programs – Dental Providers and Dental Students - Reimbursement

Dear Chairman Kelley and Members of the Committee:

This bill is a follow-on bill to Senator Middleton’s 2018 bill which became Chapter 621 that year. Chapter 621 established a pilot program to provide limited dental coverage to adults who are dually eligible for both Medicare and Medicaid. This program is now up and operating, and licensed Maryland dentists are providing care to adult patients who qualify under the program.

Some of the dentists who render dental services to patients under the auspices of the program are using dental students at Maryland dental schools to assist in treating patients. This is authorized under Maryland law because the dental students are operating under the direct supervision of a licensed dentist who is a Medicaid provider.

This very simple bill merely provides that the Maryland Department of Health shall reimburse a dental provider for Medicaid-related services provided under this program that are performed by a dental student acting under the supervision of a dentist. Thus this bill enables dental students to participate in externships at dental practices that specialize in Medicaid work and incentivizes these students to take on Medicaid patients themselves once the students become licensed to practice dentistry.

I hope the Committee will issue a favorable report on this bill.

5a -FIN - SB 465 - Maryland Medical Assistance Pr

Uploaded by: Office of Governmental Affairs, Maryland Department of Health

Position: UNF



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

**Maryland State Board of Dental Examiners
Spring Grove Hospital Center
Benjamin Rush Building
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21228**

February 10, 2021

The Honorable Delores G. Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401-1991

Re: Senate Bill 465-Maryland Medical Assistance Programs-Dental Providers and Dental Students-Reimbursement – Letter of Concern

Dear Chair Kelley and Committee Members:

The Maryland State Board of Dental Examiners is submitting this letter of concern for Senate Bill (SB) 465-Maryland Medical Assistance Programs-Dental Providers and Dental Students-Reimbursement. The bill provides that the Department of Health shall reimburse a dental provider for services rendered by a student of dentistry who is engaged in an educational program at a school of dentistry and providing services under the supervision of a licensed dentist.

The Board is concerned for a number of reasons. First, the bill does not provide for any academic requirements for the student of dentistry. The student could be a first-year or second-year student that has no clinical experience. Second, although the student must work under the “supervision” of a dentist, the level of supervision is not specified. For example, under the present law a dental hygienist may work under the “general supervision” of a licensed dentist where the dentist makes an entry in the chart describing the duties that the dental hygienist may perform in the dentist’s absence, typically a prophylaxis, but the dentist is not on the premises. Under the bill, a first-year or second-year dental student would be allowed to work on a patient without the dentist on the premises. In fact, no student of dentistry, regardless of their year of education, should be allowed to treat a patient without a dentist on the premises who is directly supervising any work performed by the student. Third, there are no qualifications required of the supervising dentist. The dentist may themselves lack any real experience in treating patients. Finally, the Board has no jurisdiction over dental students. If the student is not competent or demonstrates a lack of basic skills resulting in injury to the patient, the Board is powerless to take any action against the student.

For these reasons, the Dental Board submits this letter of concern and asks that the committee issue an unfavorable report.

I hope that this information is helpful. If you would like to discuss this further, please contact me at 301-367-2352, jgoldsm217@comcast.net, or Dr. Arpana Verma, the Board's Legislative Committee Chair at 240-498-8159, asverma93@gmail.com. In addition, the Board's Executive Director, Mr. Frank McLaughlin may be reached at 443-878-5253, frank.mclaughlin@maryland.gov.

Sincerely,

James P. Goldsmith, D.M.D.

James P. Goldsmith, D.M.D.
Board President

The opinion of the Maryland State Board of Dental Examiners expressed in this letter of concern does not necessarily reflect that of the Department of Health or the administration.

MSDA Opposition to SB 465 - Medicaid - Dental Stud

Uploaded by: Doherty, Daniel

Position: UNF



The Maryland State Dental Association Opposes SB 465 – Maryland Medical Assistance Programs – Dental Providers and Dental Students – Reimbursement
Respectfully submitted by Daniel T. Doherty, Jr. on behalf of MSDA

SB 465 mandates that Maryland’s Dental Medical Assistance Program reimburse a dentist for services rendered by a dental student. All that is required under the bill is that: 1) the student be “engaged” in an educational program at a school of dentistry authorized in any state or in Canada to grant a dental degree and which is recognized by the State Board as requiring adequate training and maintaining an acceptable course of dental instruction; and 2) the student provide the services under the supervision of a licensed dentist.

There are two obvious broad-based objections to the bill. First, it allows private dental offices to use unlicensed dental students for treatment of a dental population of which a significant number are dentally compromised. Second, it requires Medicaid to pay the supervising dentist for these services - a supervising dentist who may or may not be on the premises. This clearly establishes a lower second tier of oral health care for Maryland’s poor.

In addition, there are specific egregious deficiencies under this proposal.

1) There are no requirements that the supervising dentist be thoroughly vetted by the student’s dental school, or that the dentist meets reasonable standards to assure that the dentist has sufficient teaching skills.

2) The bill does not specify what level of dental training is required before a student may provide these services, nor does it establish guidelines or limits on the procedures that the student may perform. Under SB 465 the student could be a first-year or a fourth-year dental student. In fact, the dental student theoretically could be “engaged” in auditing an on-line dental school program, and not be enrolled as a matriculating student seeking a dental degree.

3) The dental student’s school can be across the country, in Hawaii or even Canada. The student could be providing dental services without their dental school’s authorization, or without the school even knowing about this loosely formatted dental externship.

4) Under SB 465 dental school students can provide dental services without requiring disclosure to the patient or the patient’s parent or guardian that treatment is being performed by a dental student - it does not require that the patient or patient guardian’s give their consent.

5) The bill does not provide the Maryland State Board of Dental Examiners any

regulatory authority over the student nor the student's dental school. The only reference to the State Board is to § 4-302(D) of the Health Occupations Article (the Dental Practice Act). That section of the Code provides that an applicant for a Maryland dental license must be a graduate of a college or university granting a dental degree which is recognized by the Board as requiring adequate preprofessional collegiate training and as maintaining an acceptable course of dental instruction. However, that section of the Act is prescribing the education requirement that a dental school graduate must meet to be an applicant for a Maryland dental license. It should be noted that an applicant must also pass an examination testing the applicant's knowledge and clinical proficiency in dentistry before being licensed to practice dentistry in Maryland. In the context of SB 465 this statutory provision does not assure that any level of knowledge or clinical proficiency be demonstrated by the student.

6) The bill also fails to address a number of liability issues. It does not require that liability coverage be provided for the student as protection for the Medicaid patients, nor is the "supervising dentist" required to ascertain and assure that its professional liability policy will cover any claim arising out of the acts or omissions of the dental student.

In conclusion, SB 465 will mandate the reimbursement by Medicaid for services rendered by a dental student to a vulnerable, largely pediatric Medicaid dental population. It fails to provide any guardrails to assure the quality of care or to protect the safety of the patient. It certainly on its face does not provide any assurances that it will foster a beneficial dental mentorship. The only thing that appears to be assured under SB 465 is a new profit center for the "supervising dentist", thus increasing revenues and profits.

For these reasons the Maryland State Dental Association respectfully requests that SB 465 be given an Unfavorable Report.

Submitted by:
Daniel T. Doherty, Jr.
February 8, 2021

Submitted opposition to SB465.pdf

Uploaded by: Doring, Charles

Position: UNF



CHARLES A. DORING, D.D.S., F.A.G.D.
CLEMENTINA PEREZ-WEST, D.D.S.
ROBERT B. TILKIN, D.D.S., M.S., F.A.G.D.

Testimony in Opposition of SB 465

Maryland Medical Assistance Programs – Dental Providers & Dental Student - Reimbursement

Senate Finance Committee

Wednesday February 10, 2021

Madam Chair, Mister Vice Chair, and members of the Senate Finance Committee, thank you for the opportunity to provide written today in opposition of SB 465. My name is Charles Doring and I am general dentist in Rockville Maryland. Along with providing dental care in an office setting, I also provide portable dentistry and I am on the medical staff of several nursing homes in Montgomery County. I am also the Legislative Affairs Committee Chair for the Maryland State Dental Association, recently named to the Provider Advisory Board of the Maryland Health Smiles (Medicaid), and I am also a member of the Deans Faculty at our dental school, the University of Maryland School of Dentistry (UMSOD).

The Maryland State Board of Dental Examiners, Maryland State Dental Association and I oppose SB 465 for a laundry list of reasons. The bill allows clinics/dental offices to bill Medicaid for procedures done by unlicensed dental students. The particular issues I have with this bill are:

- 1) As a Deans Faculty member at our University of Maryland School of Dentistry (UMSOD), I am very concerned about the lack of vetting of the teaching skill of the supervising dentist.
 - 2) There are no limits placed on what procedures the student can perform. Students could potentially perform procedures that they have not been trained to do but told to do by the supervising dentist. This could be a 1st year or 4th year student; the bill gives no limits.
 - 3) There is liability to the dental student and dental school in a situation for which they have no control.
 - 4) There is no requirement in the bill to disclose to the patient or the patient's guardian that treatment is being performed by a dental student.
 - 5) The dental students home school could be across the country; the student could be on break and the home school not know about the externship.
 - 6) Dean Mark Reynolds of UMSOD has told me that I was the first to have any discussion about HB710/SB465 and the proponents have not even approached our dental school concerning this bill.
 - 7) The potential for entrepreneurs to start are using the dental students as a profit center. Dean Reynolds said it would be better to use funds to help students with transplantation, tuition, and housing expenses if proper directly faculty supervised dental care is provided away from a dental school site.
- For these reasons, I ask the committee for an unfavorable report.

Sincerely,

Charles A. Doring DDS

SB 465 MA Programs - Dental Providers and Dental S

Uploaded by: Reynolds, Dean Mark

Position: UNF

February 3, 2021

The Honorable Delores G. Kelley
Chairwoman, Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401
email: delores.kelley@senate.state.md.us

RE: SB 465

Dear Senator Kelley,

The University of Maryland School of Dentistry opposes SB 465, which would require the Maryland Department of Health, under the Maryland Medical Assistance Program, to reimburse a dental provider for services rendered by a student of dentistry who is engaged in an educational program at a school of dentistry. The delivery of clinical services in a practice setting, outside an educational institution, raises serious concerns about satisfying professional accreditation standards, including calibration of supervising practitioners, attending dentist-to-student ratios, and counting clinical experiences toward graduation requirements, practice liability (faculty assume malpractice liability in Maryland), and public safety. With respect to the latter, the bill does not address minimum pre-requisite training and clinical competencies essential for protecting the public or the critical disclosure of provider (student) status in obtaining informed patient consent.

As dean, my office was not approached to provide input on the reasonable practicability of private or corporate practice settings in dental education. I am more than willing to engage in future conversations and, as always, the School of Dentistry stands ready to assist in any way possible to expand services and access to dental care in our communities.

Thank you for your consideration of my concerns related to SB 465.

Sincerely,



Mark A. Reynolds, DDS, PhD
Dean

cc: The Honorable Christopher R. West

SB 465 MA Programs - Dental Providers and Dental S

Uploaded by: Reynolds, Dean Mark

Position: UNF

February 3, 2021

The Honorable Brian J. Feldman
Vice Chair, Senate Finance Committee
104 James Senate Office Building
11 Bladen Street
Annapolis, MD 21401
email: brian.feldman@senate.state.md.us

RE: SB 465

Dear Senator Feldman,

The University of Maryland School of Dentistry opposes SB 465, which would require the Maryland Department of Health, under the Maryland Medical Assistance Program, to reimburse a dental provider for services rendered by a student of dentistry who is engaged in an educational program at a school of dentistry. The delivery of clinical services in a practice setting, outside an educational institution, raises serious concerns about satisfying professional accreditation standards, including calibration of supervising practitioners, attending dentist-to-student ratios, and counting clinical experiences toward graduation requirements, practice liability (faculty assume malpractice liability in Maryland), and public safety. With respect to the latter, the bill does not address minimum pre-requisite training and clinical competencies essential for protecting the public or the critical disclosure of provider (student) status in obtaining informed patient consent.

As dean, my office was not approached to provide input on the reasonable practicability of private or corporate practice settings in dental education. I am more than willing to engage in future conversations and, as always, the School of Dentistry stands ready to assist in any way possible to expand services and access to dental care in our communities.

Thank you for your consideration of my concerns related to SB 465.

Sincerely,



Mark A. Reynolds, DDS, PhD
Dean

cc: The Honorable Christopher R. West

5b -FIN - SB 465 - Maryland Medical Assistance Pr

Uploaded by: Bennardi, Maryland Department of Health /Office of Governmen

Position: INFO



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

February 10, 2021

The Honorable Delores G. Kelley
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401-1991

RE: Senate Bill 465 – Maryland Medical Assistance Programs – Dental Providers and Dental Students – Reimbursement – Letter of Information

Dear Chair Pendergrass and Committee Members:

The Department of Health is submitting this letter of information on Senate Bill (SB) 465 – Maryland Medical Assistance Programs – Dental Providers and Dental Students – Reimbursement.

SB 465 would require the Department to reimburse for dental services performed by a dental student under the supervision of a licensed dentist as a part of their school of dentistry educational requirements beginning on October 1, 2021.

The Department would like to clarify that the requirements mandated by SB 465 are already permitted under existing Medicaid policy. The Department already permits a licensed dentist registered as a Medicaid provider to bill for services performed by a dental student under their supervision. The Department notes that consistent with the bill's requirements, dental students may not register as a provider or bill for services independently of a licensed dentist participating with the Medicaid Program.

I hope this information is useful. If you would like to discuss this further, please do not hesitate to contact me at webster.ye@maryland.gov / (410) 260-3190 or Heather Shek, Deputy Director of Governmental Affairs at heather.shek@maryland.gov and at the same phone number.

Sincerely,

A handwritten signature in blue ink that reads "Webster Ye".

Webster Ye
Assistant Secretary