



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