

Dear Senator Lee,

Thank you for your time in committee on Wednesday regarding HB1151. I wish to add a few thoughts unable to be completed when told my time was running out. I am confident the Board of Dental Examiners is willing to meet and work together with you and the Committee to review and discuss reasoning for offered amendments, or other sections, to be helpful in creating the best possible bill for use of telehealth in dentistry for our state. I hope you will incorporate expertise the board can offer about specifics related to dentistry that could be useful.

During my time the AAO's Council involved with ethics, I saw and dealt with complaints about orthodontists - mostly from patients. The overwhelming majority of those complaints related to how they had been harmed in some way. The source of the harm was often a result of the doctor allowing someone who was not authorized to perform the procedure that caused the harm - which I believe was because the individual "didn't know what they were doing." And THAT was because they weren't educated properly.

We had an orthodontist in Minot years ago who had his dental assistants remove cement from his patient's teeth using a high-speed drill when braces were removed. I saw some of the damaged teeth that resulted from this. Assistants are not allowed by rules to use high speed drills because their educational training does not cover this. I heard it said Wednesday that, "the dentist is ultimately responsible for treatment" [so why not let him/her decide who can do what]?. If this were truly the case, there would be no need to put forward rules for dentistry. But, the responsibility to keep people safe also falls on the legislative body - not just a citizen or dentist. It is not left up to the driver of a car to decide how fast they can safely drive. ND laws and rules determine that. The same must be required for dentistry.

Even with laws and rules for public safety in dentistry, there are those who wish to get around or ignore them for personal benefit of some sort - often financial - as was my observation on the Council as well as with the orthodontist in Minot years ago. There must be ways to enforce elements of public safety. Indeed as you said, "we're not talking about nuclear science, here." And I agree, indeed telehealth in dentistry is important, necessary and useful. But, public safety should be a priority for legislators in establishing the rules of the road. Who can do what in dentistry is as important in every dental office as it is for those driving on I-70.

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Minot