

March 22, 2021  
House Bill 1151  
In opposition

Madam Chair and Committee Members:

My name is Dr. Alison Fallgatter and I provide this written testimony in opposition to HB 1151.

I have previously served as the President of the North Dakota Dental Association and currently act as President of the North Dakota Board of Dental Examiners. Having served in both positions, I understand the distinct differences between these boards. The purpose of the Board of Dental Examiners is to protect the public by regulating dental practice to maintain the best safety possible for the public. The Dental Board also assures that those who seek a license to practice dentistry, dental hygiene or perform as a dental assistant are properly educated to do so and are clear about what procedures are permitted considering their education. There is also an element of supervision required for assistants and hygienists required by the Board. Our duty is not to protect the profession of dentistry or to protect dentists, hygienists, assistants or other team members. In contrast, the focus of the North Dakota Dental Association is to promote the success of its members in various ways. However, the Board of Dentistry's focus is not necessarily what dentists want, but what is best for the public.

The Board of Dentistry held 16 meetings in 2020. This was somewhat more than normal as a result of the COVID-19 Pandemic. We worked hard and were diligent in our duties. Each member commits hours to research and study to enable providing the best information that ensures the best safety of the public. During the pandemic, countless hours were poured into researching COVID-19 in order to provide the best information to assure the safety of dental patients. Although the Dental Association asked the Board to draw up guidelines for safety of patients and staff, it was determined that the Centers for Disease Control and ND Department of Health were more knowledgeable and should provide this guidance. Although this was not what what the Association thought should happen, the Board deliberated and determined this was best for public safety. This is but one example how what the Dental Association wants is not always what the Board should provide.

The Board recently spent approximately 18 months to develop an updated version of administrative rules for dentistry. We accepted input and recommendations from multiple sources from inside and outside North Dakota. The Board worked hard to assure the process was properly notified as required by law so that everyone who wished to participate could do so. The Dental Association provided comments, all of which were discussed and considered along with others from different individuals and entities. Although the NDDA now indicates they were not able to participate in the rules process, they had the same opportunity to do so as was afforded to all others. That is how the process is laid out.

The HB 1151 amendment to remove and replace all board members would be counterproductive to the protection of North Dakota Citizens. Considerable time and exposure to many responsibilities the board has is required to provide the understanding necessary for the work of the Board. My expectation is that the loss of all institutional knowledge of the processes involved with activities of the Board of Dental Examiners as a result of HB 1151, the Board's ability to function as it should will be severely compromised for quite some time. This would be a disservice, both the dentistry and to the people of North Dakota.

Despite my personal enthusiasm toward the intended purpose of the original bill (teledentistry), it is now shaped in a way that would provide more harm than good.

Please vote Do Not Pass on HB1151,

Thank you,

Dr. Alison Fallgatter  
Steele, ND  
President, ND Board of Dental Examiners  
North Dakota Dental Association Past President.