

Chairman Warrey and Members of the House Industry, Business and Labor Committee,

The North Dakota Dental Association stands in strong support with the broader coalition on SB 2280. We were present at the hearing today but were unable to testify our support (and request to remain in the bill) due to time constraints. This bill has been worked on for well over a year between the proponents and opponents to land in its current form before your committee. There have been multiple concessions by the proponents, and we feel the bill before you is in its ideal form and would respectfully ask that you give it a DO PASS recommendation without amendments.

Prior Authorization is important. Universal and broad protections for consumers that are standardized across healthcare professionals is important. Consumers lack education and knowledge in the healthcare space, so in areas where standardization can be accomplished supports patient understanding and expectations when navigating health care delivery. The broad and universal protections in SB 2280 set a standard and “expectation” for consumers as they navigate the healthcare space regardless of the provider type, they are seeing. Dentistry is often different, and this is one area where we welcome the collaborative work and standardization across health care providers.

For dental care providers we did advocate for and pass a very specific and limited Prior Authorizations Bill (HB 1154 in 2021) with strong support from your committee and chamber. These limited protections from HB 1154 have worked wonderfully in our arena of dental care and have resulted in many positive outcomes for patients and dentist/patient relationships alike. The broader and more universal protections in SB 2280 are complimentary to our smaller and more limited protections we advocated for in HB 1154. We would respectfully request to remain included in the bill so our dentists can realize the valid and strong over-arching protections in SB 2280. Specifically, of most concern and value to us is the “Personnel Qualified” sections starting on Page 4 and running onto Page 5. These protections and requirements that both “adverse determinations” and “review appeals” be required to be done by a “licensed dentist” is of the highest merit and one area that we strongly advocate for. We do NOT have these protections or standards in our current prior authorization law. With the proliferation of “business analysts” and “algorithms” making standard of care, adverse determinations, claims reviews and appeals reviews; it is of the utmost importance that our member dentists can speak with an equally trained provider regarding oral health decisions for patients.

For the above reasons and many more not stated, we would respectfully ask the Committee to leave “dental in the bill” and extend the standards and protections to our member dentists that you extend to other healthcare professionals. Not only are these valid and broad protections, but by leaving dental in the bill you create a “standardization” across all healthcare professionals making it easier for consumers to understand and navigate this space.

Please give SB 2280 a DO PASS recommendation and it is our hope that you pass the bill in its current form.

William R. Sherwin, Executive Director, The North Dakota Dental Association