

1 **Minutes of the Michigan Dental Association**
2 **Committee on Government and Insurance Affairs/Dental PAC Board of Governors**
3 **Joint Meeting**
4 **October 29, 2021 – 9:00 a.m.**
5 **MDA Building in Okemos and Zoom**
6

7 **Attended**

8 Gabriel Holdwick, DDS, committee on governmental and insurance affairs chair
9 Jason Mashni, DDS, committee on governmental and insurance affairs vice-chair
10 Daniel Miller, DDS, member
11 Debra Peters, DDS, member
12 Sarah Tomaka, DDS, member
13 Naila Farooq, DDS, PAC board vice chair
14 Sherill Behnke, DDS, PAC board member (portion)
15 Todd Christy, DDS, PAC board member (via Zoom) (portion)
16 Michelle Dzuirgot, DDS, PAC board member
17 Margaret Gingrich, DDS, PAC board member (via Zoom)
18 Yehia Hassan, DDS, PAC board member (via Zoom)
19 Zelton Johnson, DDS, PAC board member
20 Kerry Kaysserian, DDS, PAC board member
21 Thomas Goodsell, DDS, PAC board member
22 James Mashni, DDS, PAC board member
23 Riley Schaff, DDS, PAC board member
24 Connie Verhagen, DDS, MS, member (portion)
25 Chris Smiley, DDS, MDA board liaison (via Zoom)
26 Bill Sullivan, MDA vice president of advocacy and professional relations
27 Neema Katibai, MDA manager of government and insurance affairs
28 April Stopczynski, MDA manager of access and prevention
29 Kesha Dixon, MDA government and insurance affairs/access assistant
30 Ginger Fernandez, MDA manager of peer review, guest (via Zoom)
31 Lynn Aronoff, guest (portion)
32 Peter Rudell, JD, guest (portion)
33 Eric Heiser, DDS, guest (portion)
34

35 **Absent**

36 Saranna Berger, DDS, member
37 Laura Hagerty, UDM student member
38 Brianna Kosecki, UM student member
39 Elizabeth Ralstrom, DDS, PAC board chair, member
40 James Cantwil, DDS, PAC board member
41 Brian Rathke, DDS, PAC board member
42 Curt Ralstrom, DDS, CAC liaison
43 David Clemens, DDS, ADA Council liaison
44 Jehan Wakeem, DDS, ADA Council liaison
45

46
47 *Note: This meeting was held as a joint meeting between the MDA Committee on Government and*
48 *Insurance Affairs and the MDA Dental PAC Board of Governors. .*

49 **Call to Order**

50 The Committee on Government and Insurance Affairs was called to order at 12:00 p.m. The requirement
51 for a quorum was met for the Committee on Government and Insurance Affairs.

52

53 **Approval of the Agenda**

54 The agenda was approved as written.

55

56

MDA Committee on Government and Insurance Affairs

57 **House Bills 5261-5264**

58 House Bills 5261-5264 are a package of bills that focus on the “nonopioid directive form,” which is a
59 form that patient will complete and submit to their patient record indicating that opiates should not be
60 administered to them in the course of care. The bills focus on when the form should be provided to
61 patients, as well as amending exceptions to the form.

62 The committee discussed whether these bills would impact dentistry and if they would impose
63 requirements on dentists. MDA staff clarified that this would not impose any requirements on dentists,
64 that the current law contains a broad exception to allow for a dentist to administer drugs they deemed
65 necessary, and that the current law protects a dentist from inadvertently administering opioids to a
66 patient who has completed a nonopioid directive form. It was noted that the bills were scheduled for a
67 hearing in the House Committee on Health Policy on November 4, 2021. The committee determined
68 that this package would not have a direct impact on the practice of dentistry.

69

70 The committee unanimously adopted the following resolution:

71

72 **Resolved, that the Michigan Dental Association takes no position on House Bills 5261-5264.**

73

74 **House Bill 5244**

75 House Bill 5244 is a bill that would repeal the COVID-19 Employment Rights Act, MCL 419.401-419.413,
76 which is the legal basis for the protections employees received from employers in the event of
77 contracting or being exposed to COVID-19. The committee discussed pros and cons about the bill, but
78 given that the bill is unlikely to move, decided not to take a position at this time.

79

80 The committee unanimously adopted the following resolution:

81

82 **Resolved, that the Michigan Dental Association take no position on House Bill 5244.**

83

84 **House Bill 4471**

85 House Bill 4471 would create the Informed Consent in the Workplace Act to prohibit any employer in
86 the state of Michigan to discipline or discriminate against an employee or applicant for failing to receive
87 the COVID-19, influenza, and Tdap vaccines. Additionally, it would prevent an employer from imposing a
88 mask policy or a distinguishing mark for failing to get one of the aforementioned vaccines.

89

90 The committee discussed opposing the bill because it seemed retaliatory, confusing, and imposing a
91 mandate to prohibit a mandate.

92

93 The committee unanimously adopted the following resolution:

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95 **Resolved, that the Michigan Dental Association oppose House Bill 4471.**

96 **ADA Policy on Medicare**

97 The ADA has adopted a policy on financing oral health care for adults age 65 and older. The policy would
98 expand taxpayer funded public programs that provide dental benefits to individuals under 300% of the
99 federal poverty level, cover the range of services needed to achieve and maintain oral health, is
100 primarily funded by the federal government, and is adequately funded to provide reimbursement rates
101 so that at least 50% of dentists in a geographic area receive their full fees for care. The ADA opposed the
102 federal budget proposal that would have expanded Medicare Part B to include dental benefits because
103 it was inconsistent with their adopted policy.

104

105 The committee discussed that the ADA's position provides them an opportunity to participate in
106 discussions to expand publicly funded dental benefits. It was noted that the Association of General
107 Dentistry has a broad policy opposing expansion of Medicaid to cover dentistry under Part B. The
108 committee discussed that taking a position would tie the MDA to the ADA's position, but that it would
109 also allow the MDA to educate members and partners on the reason for our position.

110

111 The committee unanimously adopted the following resolution:

112

113 **Resolved, that the Michigan Dental Association adopt the ADA Policy on Financing Oral Health Care**
114 **for Adults Age 65 and Older.**

115

116 **Revising Policy Manual – 12-4/16/16: RDH Prescriptive Authority**

117 The MDA has a policy to oppose House Bill 5347 (2016) which sought to expand Registered Dental
118 Hygienist authority to include prescriptive authority for any fluoride supplement, any topical sodium
119 fluoride or stannous fluoride anti-caries treatment, and any topical or subgingival anti-infective. The bill
120 was not successful.

121

122 The committee discussed a broad policy to oppose any legislation to expand prescriptive authority for
123 dental auxiliaries.

124

125 The committee unanimously passed the following resolution:

126

127 **Resolved, that the Michigan Dental Association oppose expanding prescriptive authority to providers**
128 **who do not have diagnostic authority.**

129

130 **Virtual Credit Cards for Payment**

131 At the August 27th CGIA meeting, the committee requested that MDA staff to look into legislation from
132 other states addressing the issue of dental insurance companies paying dentists by virtual credit cards.
133 Reimbursing dentists this way has created administrative burdens for offices and reduced
134 reimbursements because of transaction fees charged when the cards are used. MDA staff provided the
135 committee with a spreadsheet of legislation introduced by other states.

136

137 The committee discussed the spreadsheet and noted that there is a recurring theme that requires
138 dentists to be reimbursed for 100% of their fees. Discussion took place regarding the various state laws
139 on this issue. The committee highlighted the legislation introduced in Idaho but requested language
140 addressing timely payment be included as well.

141

142 The committee directed MDA staff to draft propose legislative language to be discussed at the next
143 meeting.

144 **Delta Dental Scorecards**

145 In the April 2021 issue of the *Journal*, an article was published highlighting how P & R Dental Strategies
146 and Dent.AI formed a partnership to use AI to rate the quality of dental care provided by dentists. Delta
147 Dental of California has entered into a partnership with P & R Dental Strategies to integrate the dentist
148 quality rating system into Delta's dentist directory.

149
150 The committee heard from Dr. Chris Smiley about the way P & R has developed their product, the
151 proprietary nature of their metrics, and the potential impacts on how networks are built. He also
152 highlighted North Carolina, where the metrics are used to find outliers to direct their insured population
153 to better rated dentists and how they could be used to dictate treatment options. There are courses
154 being developed to help dentists improve their scores.

155
156 The committee asked MDA staff to reach out to Dr. Rosenthal, the writer of the April 2021 *Journal*
157 article, to come speak in more detail about the use of these metrics.

158

159 **Future Meeting Dates**

160 The committee agreed that the next meetings would be held on January 28, 2022 and March 18, 2022.
161 The January 28, 2022 meeting will be held by Zoom. The forum for the March 18, 2022 meeting will be
162 determined at the next committee meeting.

163

164 **Adjournment**

165 Dr. Gabriel Holdwick adjourned the meeting at 1:45 PM.