-M.O.M.A.-

Medicaid Orthodontists of Massachusetts Association

February 28, 2019

Board of Registration in Dentistry (BORID)

239 Causeway Street

Suite 500

Boston MA 02114

RE: Amendments to 234 CMR 5.12

Dear Board Members,

It is challenging to keep the dental regulations effective in protecting the public health. Today's challenge comes from Tele-Dentistry, which can both underline and undermine our standard of care. Therefore, we need minor amendments to our regulations that maintain a standard of care in the new area of Tele-Dentistry.

Tele-Dentistry can be healthy and helpful if it is conducted in the same way that Tele-Medicine is conducted. For example, a Medical Radiologist is able to use Tele-Medicine standards to diagnose problems remotely for a hospital that does not have an on-staff Radiologist, but does have clinically present (in-person) Medical Doctors. In this example, the clinical doctor (based on clinical findings) prescribes the radiograph that the radiologist reads remotely. This balance in Tele-Medicine protects the standard of care because a clinical exam is conducted by a licensed doctor, and the Tele-doctor (radiologist) can rely on the clinical doctor's in-person findings.

Unfortunately, some Tele-Dentistry is not mimicking Tele-Medicine's balanced standard of care. Some Tele-Dentistry is being conducted without a licensed and in-person clinician.

Therefore, we advise that the term "licensed" is *not removed* from **Non-Delegable Procedures (5.12)**

Furthermore, we advise that the following be *added* to the list of **Non-Delegable Procedures (5.12)**

1. Perform Clinical (In-Person) Head and Neck Exam

2. Conduct Clinical (In-Person) Occlusal Exam

3. Identify Radiographs needed for Diagnosis and Treatment Planning

4. Clinically (In-Person) verify accuracy of Digital Oral Scans

We thank you for your time, and are confident that you, as quality practicing clinicians, can appreciate the importance of a licensed and in-person doctor conducting these critical procedures "In-person."

Sincerely,

Dr. Mouhab Z. Rizkallah DDS MSD

President, Medicaid Orthodontists of Massachusetts Association