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Christopher D. Winters, Director

MEMORANDUM

To: Senate Committee on Government Operations

From: Christopher D. Winters, Director (828-2458)
Office of Professional Regulation

Date: February 20, 2014

Re: S.35, Dental Practitioners

Thank you for the opportunity to comment on S.35 as amended. Now that this committee has done the hard work of sifting through the mountain of information presented to you over the last month and in the many months prior and you made the difficult policy decision to move forward with dental practitioners in Vermont, it is the Board of Dental Examiners' duty to get down into the nuts and bolts of the licensing program.

The Board of Dental Examiners did review this legislation last Wednesday at their meeting and, quite frankly, they were overwhelmed. I walked in at 9:00 and asked them that morning to review the bill and point out their concerns. This was certainly a tall task for a board of volunteer licensed professionals and public members with busy professional lives and who were not expecting to be asked for so much input on that kind of notice.

They started walking through the bill and after about an hour determined that if they were going to do a thorough job of analyzing the bill, they need more time. So they tabled the project to their next meeting on Wednesday, March 12, fully understanding that this bill very well could have passed the Senate by then.

In the meantime, I have asked them to pose any questions they have to me and I will reach out to the interested parties or provide them answers myself. I expect to have a more detailed list of their concerns soon by email and officially adopted by them on March 12.

To this point, you have been focused on the difficult health care policy issues around access to dental care and how to resolve those access problems. I would simply draw your attention to the issues that are important to the OPR and the Dental Board as a regulator. The right answer for access is not always the best thing for public protection, so I'd ask that you consider the public health, safety and welfare not only from a health care access point of view, but also from a public protection perspective as you consider amendments to the bill.

For example, you have determined that the need for these practitioners is there and that the need is immediate. While we may want to get these practitioners into the community as soon as possible, we must do so without sacrificing quality of care or the regulatory protection we require of all licensed professions.

This new regulatory structure should be administered in a way that protects the public from the unauthorized, unqualified or incompetent practice of dental practitioners. Much of that can be accomplished by fitting dental practitioners onto the existing regulatory structure for dentists, hygienists and assistants, as this bill does.

Thank you for your very thoughtful consideration of all of the policy issues. The Board of Dental Examiners will provide further comments and will most likely propose some changes to this bill when they meet in a month. I realize this is very late in your process, but at the very least wanted to give you notice of these issues in case we need to propose changes after the bill has left the committee. As you know I am committed to keeping you informed and working with you to improve the bill in the interest of public protection as it travels through the legislative process.

I also want to assure the committee that even though the majority of the Board may not agree with the policy decision, the Board understands its obligations and we will ensure that it enacts an excellent program that helps facilitate access to health care while protecting the public from unqualified health care professionals.