



**American  
Association of  
Orthodontists®**

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Atlanta, Georgia ■ May 1-4, 2020

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February 12, 2020

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VIA E-MAIL: Ms. Margo Miller, [shel@senate.idaho.gov](mailto:shel@senate.idaho.gov)

Dear Chairman Martin, Vice Chairman Souza, and Members of the Senate Health and Welfare Committee,

The American Association of Orthodontists (AAO) respectfully requests your support for S 1295, relating to dentists and to provide for teledentistry. The AAO is the world's oldest and largest dental specialty organization, created in 1900. It represents more than 19,000 orthodontists throughout the United States, Canada, and abroad, and specifically 86 members in Idaho. AAO member orthodontists have successfully completed an accredited orthodontic residency program, after previously graduating from dental school.

As a professional organization, the AAO is dedicated to, among other goals: (a) ethically advancing the art and science of orthodontics and dentofacial orthopedics worldwide; (b) improving the health of the public by promoting quality orthodontic care, the importance of overall oral healthcare, and advocating for the public interest; and (c) educating the public about the benefits of orthodontic treatment and the educational qualifications of orthodontic specialists.

The AAO supports legislation that it believes will best protect patient health and safety, which we believe is accomplished with S 1295. Specific sections of the bill that the AAO supports are set forth below:

- [Section 54-901. Definition—Practice of Dentistry] The practice of dentistry is the doing by one (1) person, for a direct or indirect consideration, of one (1) or more of the following with respect to the teeth, gums, alveolar process, jaws, or adjacent tissues of another person, namely:...

(4)(a) Providing telehealth services, also referred to as teledentistry, in accordance with chapter 57, title 54, Idaho Code, and in accordance with the community standard of care where the patient is located in Idaho. Prior to providing any teledentistry services, a dentist must provide the patient with his contact information and the contact information for all dental providers who may be working with the patient. Such information shall include but is not limited to name, Idaho license, practice address, and telephone number; ...

The AAO agrees with the purpose of provision because regardless of modality, the AAO believes patients should always be aware of this health provider information as it pertains to their treating dentists or potential dentists.

- [Section 54-924. Other Grounds of Refusal, Revocation or Suspension of Dentists—Probation Agreements.] The Board may refuse to issue or renew a dental license, or may revoke, suspend, place on probation, reprimand or take other disciplinary action with respect to a dental license as the board may deem proper, including administrative penalties not to exceed ten thousand dollars (\$10,000) per violation and assessment of the costs of disciplinary proceedings in the event a dentist shall:...

(15) Authorize or perform, either directly or through the use of telehealth communication technologies, dental procedures to correct the malposition of human teeth without first: (a) Conducting an in-person comprehensive oral evaluation and review of the patient's most recent diagnostic digital or conventional radiograph or other necessary imaging, to ensure that the community standard of care has been met. New radiographs or other equivalent bone imaging may be ordered if deemed appropriate by the treating dentist; ...

The AAO agrees with this provision in the interests of patient health and safety, because the requirement would allow the treating dentist to understand what is going on beneath the gums (impacted teeth, bone loss, etc.), seek to avoid complications, and determine if patients are suitable candidates for orthodontic treatment. The AAO believes there are certain diagnoses and evaluations that can only be performed in-person or are best performed in-person (x-rays, etc.), and the AAO believes that dental treatment, especially the movement of teeth via orthodontic treatment, should not be undertaken without sufficient diagnostic information.

- [Section 54-924. Other Grounds of Refusal, Revocation or Suspension of Dentists—Probation Agreements.]

(16) Require directly, or as a member, representative, contracted agent, or employee of or in connection with any company, association, corporation, or partnership, that a patient sign an agreement limiting his right or ability to file a complaint with the Board.

The AAO believes that Idaho patients should have the right to express their opinions on any dental issue to their state dental board, and that right should not be abridged.

The AAO supports increased access to care as long as it is care that is in the best interest of patients' health and safety and complies with Idaho's dental laws. The AAO believes that S 1295 keeps patient health and safety a priority in Idaho, while still allowing telehealth advancements to continue to grow in a thoughtful way. If you have any questions, please contact the AAO's Government Affairs Specialist, Gianna Hartwig, at [ghartwig@aaortho.org](mailto:ghartwig@aaortho.org) or 314-292-6527.

Thank you for your time and your service to your Idaho constituents.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman Nagel". The signature is fluid and cursive, with a long horizontal stroke at the end.

Norman Nagel, DDS, MS  
Pacific Coast Society of Orthodontists, Trustee