



The Gatekeeper

The Voice of General Dentistry

February 2010

Dear Dr. Sonnier,

Here is the latest advocacy news from the Texas Academy of General Dentistry.

TAGD Position Papers Adopted

The TAGD Board approved position papers on issues regarding Botox, Anesthesia and Sales Tax on Dental Services at its January 23 meeting in Dallas:



Botox

Last year, the SBDE adopted a policy that states: "The Board has determined that the use of Botox and dermal fillers can be considered within the scope of the practice of dentistry. However, these treatments are limited to use only by dentists who have the specific education and training necessary for an ADA-recognized specialty in oral and maxillofacial surgery, as described in [SBDE Rule 119.4](#)."

TAGD's position paper states how Botox is used primarily in the treatment of craniomandibular joint dysfunction, bruxism, and to improve lip drape and function as they relate to veneer placement and orthodontic treatment. As a result, TAGD "supports the necessary use of Botox by all dentists trained in its use."

Anesthesia Portability

An ad hoc SBDE committee is currently working on revising the state's rules on anesthesia in light of the American Dental Association's policy that was adopted in 2007. The committee is expected to meet



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TAGD ADVOCACY FUND



Founder Advocates

Those who pledged \$5,000 to start the TAGD Advocacy Fund included:

Dr. Joey Cazares
Dr. Dan McCauley
Dr. Bryan Moore
Dr. David Roberts
Dr. David Tillman

Master Advocates

Those who pledged \$1,500 to start

again prior to the April 15 SBDE meeting at which point it may present proposed rule to be published for public comment.

One issue that may come up in this process is portability. Portability is defined by Texas State Board of Dental Examiners (TSBDE) as the ability to provide anesthesia service to a patient in an office outside of the registrant's main office.

According to the position paper, TAGD opposes any rules or regulations that create barriers for qualified doctors of dentistry to transport and administer axiolytic agents to their patients. "The Texas Academy of General Dentistry recognizes both the need for well trained dentists to provide portable anesthesia services and the increasing need by patients for these services. Therefore, the Texas Academy of General Dentistry supports rules and regulations which facilitate the portability of dental axiolytic anesthesia. Furthermore, the TAGD opposes to any barriers for qualified doctors of dentistry to transport and administer axiolytic agents to their patients for the purpose and benefit of providing safe and effective sedation anesthesia."



Sales Tax

The state of Texas is expected to face a revenue shortfall of more than \$15 billion during the 2011-2013 two-year budget cycle. As a result, lawmakers are expected to be looking for all types of budget cuts and will also be scrutinizing ways of raising revenue. Already, state agencies have been asked to identify ways of cutting five percent of their current budgets.

TAGD's position paper notes thatbe detrimental to the oral health and Texas dentists support state and local government through the property taxes, franchise taxes, and state sales tax on all dental and office supplies. The paper argues that imposing sales taxes on dental services would place a financial burden on access to quality dental care for those who require it most. Therefore, it is TAGD's position to oppose any legislation that would impose sales taxes on dental fees and services.

The paper also notes: 1) a tax on dental services penalizes children and the elderly - those with the most acute dental care needs; 2) dental offices are not equipped to process sales tax. Implementing a sales tax would require an increase in manpower and expertise; and 3) increased costs of manpower and paperwork would ultimately raise the cost of dental care, passed on to the patient.

Copies of these papers are available by sending an email to sandy@tagd.org or calling Sandy Frizzell at the TAGD office at 512-244-0577.

the TAGD Advocacy Fund included:

Dr. Craig Armstrong
Dr. Jamie Bone
Dr. Ralph Cooley
Dr. Carlos Garcia
Dr. Gary Jennings
Dr. Mark Peppard
Dr. Jeff Roy
Dr. Ronnie Theiss

Fellow Advocates

Those who pledged at least \$500 to start the TAGD Advocacy Fund included:

Dr. Marko Alanis
Dr. Dean Armstrong
Dr. Doug Bogan

Member Advocates

Those who pledged at least \$250 to start the TAGD Advocacy Fund included:

Dr. Jon Green

Advocacy Fund Donors

Those who have made pledges to start the TAGD Advocacy Fund include:

Dr. Andrew Lazaris

Thanks to all who made pledges to start the TAGD Advocacy Fund. These funds will help TAGD to have the resources necessary to represent the GP at the Capitol and before state agencies.

Click below to:

[MAKE A PLEDGE TODAY!](#)

IN THE NEWS:

Click article title to be directed to article website.

Dallas Morning News
[Texas health care providers could see Medicaid fees reduced](#)

Academy of General Dentistry:

Legislative Committee Revamped

At its January meeting, the TAGD Board voted to reorganize the Legislative Committee to better define its mission and make it more efficient.

Going forward, the committee will now be known as the Advocacy Council. The council plays a vital role in TAGD's advocacy efforts by working closely with TAGD staff and the Academy's lobbyist to identify legislative and regulatory issues that may affect the dental profession; developing recommended positions for Board consideration and then working to ensure that policymakers are aware of TAGD's position.

The Advocacy Council has four subcommittees focusing on: 1) legislative issues, 2) regulatory issues, particularly at the State Board of Dental Examiners; 2) relationships with other organizations, such as the Texas Dental Association and the Oral Health Coalition; and 4) supporting TAGD's new advocacy fund.

In particular, TAGD is strengthening its efforts to work with the TSBDE through the new subcommittee. The TSBDE subcommittee will have a designated member who attends TSBDE meetings, will meet by conference call prior to and after TSBDE meetings to discuss the meeting agenda and relevant board activities; and provide testimony at TSBDE meetings, when appropriate.

TAGD's Advocacy Council is currently chaired by, Dr. David Tillman of Fort Worth, other members include: Drs. Mark Peppard, Ron Theiss, Dan McCauley, Craig Armstrong, and Marko Alanis.

Advocacy Training Held

On January 23, an advocacy training program was held for TAGD Board members and other Academy leaders. The training, which was facilitated by TAGD's lobbyist, David Mintz, helped provide insight to the legislative process and how TAGD members could be more effective advocates for the dental profession.

Quarterly Advocacy Report

Common Medicaid Reporting Errors

1) Not Documenting Medical Necessity

This little error results in claim denial due to missing information. The provider then must resubmit the claim in its entirety, not just the missing information.

2) Lack of Identification of Tooth ID & Surface ID

Providers must identify all teeth and surfaces on their claims. Even sealants need a surface id on the claim in order to be considered

***Common Medicaid Reporting Errors as reported to Medicaid Stakeholders at the October 2009 meeting.

Interested in Advocacy?

E-mail Sandy at sandy@tagd.org to see how you can get involved!



Dr. Dan McCauley kicks off Advocacy Training January 23

The day started with a passionate speech by President Dan McCauley about the need for dentists to get involved in protecting the profession's future. Dr. Sarah Samuel of Dallas and Sandy Frizzell, TAGD's Programs Director then spoke about their experience of working as aides on Capitol Hill and in the Texas Legislature, respectively. They offered insight to the legislative process as well as tips on how to best convey messages to policymakers. Their presentation was followed by Dr. David Tillman, who talked about TAGD's legislative process and Dr. Dave Roberts, who spoke about how he has worked to build relationships with elected officials. The session closed with Dr. Craig Armstrong's announcement kicking off the new Texas Advocacy Fund.

A future training session will help members who are willing to provide testimony before the state legislature and regulatory bodies. It is planned to be held in conjunction with the Lone Star Dental Conference in September.

TAGD Advocacy Fund Created

Also at the Board meeting, the new Texas Advocacy Fund was launched. The fund was created to help support TAGD's legislative and regulatory initiatives, by helping fund items such as hiring a lobbyist, developing grass roots communications and conducting advocacy training.

The Advocacy Fund is chaired by Dr. Craig Armstrong of Houston. Other subcommittee members include: Drs. Roberto Diaz, Jacqueline Vo and Dr. Dave Roberts.

Already the fund has raised nearly \$40,000 of its \$50,000 goal for 2010.

The fund is not a political action committee and will not be used to make campaign contributions.

First Dental Home Initiative Evaluation Shows Progress



With first year evaluations reflecting 600 trained and enrolled dentists and 66,000 children under 3 years of age seen, DSHS State Dental Director Linda Altenhoff informed attendees of the October 2009 Medicaid Stakeholders Meeting that the First Dental Home program seems to be working. The First Dental Home is a legislatively supported initiative intended to improve the oral health of the youngest Medicaid patients.

Pediatric and general practitioner dentists that have attended a [First Dental Home Training](#) and who are currently enrolled, or who have submitted an application to become a Texas Health Steps Dental Provider may bill Medicaid for visits that include: a caries risk assessment for a patient less than 3 years of age, counseling with the parent/caregiver, dental prophylaxis, and application of topical fluoride varnish.

To learn more about the First Dental Home Initiative and the Texas Health Steps program visit http://www.dshs.state.tx.us/dental/thsteps_dental.shtm

To apply to become a THSteps Dental Provider, click [here](#).

Senate Interim Charges Issued

Lt. Governor Dewhurst recently announced interim charges for Senate Committees. These are issues studied by legislators between sessions and the results of these studies often become the basis for future legislation. One issue of particular interest to the dental profession is a study by the Senate Health and Human Services Committee on current and long-range needs for dentists, physicians and other health care professionals.

"Study the state's current and long-range need for physicians, nurses, dentists and other allied health and long-term care professionals. Provide recommendations for ensuring sufficient numbers of health care professionals, focusing on medically underserved and rural areas of the state as well as the Border region. Consider health care delivered by Advanced Practice Nurses in terms of access, cost and patient safety and include an assessment of independent prescriptive authority with those states in which prescriptive authority is delegated by a physician. Make recommendations to enhance the efficient use of Advanced Practice Nurses in

Texas."

TAGD will be monitoring a hearing on this issue that will be held on February 23.

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