

March 18, 2020

The Honorable Eugene Scalia  
Secretary  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Dear Secretary Scalia:

On behalf of the membership of the undersigned dental organizations, we are writing to express our concern about provisions in H.R. 6201, the Families First Coronavirus Response Act, to address family and medical leave and paid sick leave for workers affected by the novel coronavirus (COVID-19) outbreak.

We respectfully ask you to consider using your discretionary regulatory authority to exempt small businesses, including dental offices, which are experiencing significant financial challenges during this difficult time.

Dentist owners care deeply about the welfare of their employees, especially those employees who are parents, however, the majority of private dental practices are small businesses with only 5-10 people on staff. The leave requirements currently being negotiated may create an extreme hardship for these small businesses that do not have additional staff to cover for necessary employees who are out and that are already facing economic turmoil as a result of COVID-19.

Under both the Emergency Family and Medical Leave Expansion and the Emergency Paid Sick Leave sections of the Families First Coronavirus Response Act, the Secretary of Labor has the regulatory authority to exempt small businesses with fewer than 50 employees "when the imposition of such requirements would jeopardize the viability of the business as a going concern."

The ADA urges the Secretary to immediately act to issue these exemptions, and, recognizing that these requirements would jeopardize the viability of dental offices, issue them for all dental practices with fewer than 50 employees. We ask that the Secretary not require each dental practice to apply for an exemption, as that would be a hardship on businesses that are already short-staffed and do not have the time to go through a lengthy application process.

Thank you for your consideration of these important issues. The ADA appreciates your work on behalf of small businesses, and looks forward to continuing to work with you to ensure that the viability of dental offices is not jeopardized by the requirements of the Families First Coronavirus Response Act. Should you have any questions, please contact Ms. Roxanne Yaghoubi in the ADA's Washington office at (202) 415-0187 or [yaghoubir@ada.org](mailto:yaghoubir@ada.org).

Sincerely,

American Dental Association  
Academy of General Dentistry  
American Academy of Pediatric Dentistry  
American Association of Oral and Maxillofacial Surgeons  
American Association of Orthodontists

American Association of Women Dentists  
American Society of Dentist Anesthesiologists  
American Student Dental Association  
National Dental Association  
Alaska Dental Society  
Arizona Dental Association  
Arkansas State Dental Association  
Colorado Dental Association  
Connecticut State Dental Association  
Delaware State Dental Society  
Florida Dental Association  
Georgia Dental Association  
Hawaii Dental Association  
Idaho State Dental Association  
Illinois State Dental Society  
Indiana Dental Association  
Iowa Dental Association  
Kansas Dental Association  
Kentucky Dental Association  
Maine Dental Association  
Maryland State Dental Association  
Massachusetts Dental Society  
Michigan Dental Association  
Minnesota Dental Association  
Mississippi Dental Association  
Missouri Dental Association  
Montana Dental Association  
Nebraska Dental Association  
Nevada Dental Association  
New Hampshire Dental Society  
New Jersey Dental Association  
New York State Dental Association  
North Dakota Dental Association  
Oklahoma Dental Association  
South Carolina Dental Association  
Tennessee Dental Association  
Texas Dental Association  
Utah Dental Association  
Vermont State Dental Society  
Virgin Islands Dental Association  
Washington State Dental Association  
West Virginia Dental Association  
Wisconsin Dental Association  
Wyoming Dental Association