



SB 802 – Testimony of PCC Sylvania Campus President Linda Gerber

Before Senate Committee on Health Care and Human Services

April 8, 2013

MEASURE: SB 802
EXHIBIT: 11
S. HEALTHCARE & HUMAN SERVICES
DATE: 4/8/13 PAGES: 6
SUBMITTED BY: Linda Gerber

My name is Linda Gerber and I am the Sylvania Campus President at Portland Community College. I appreciate the opportunity to testify today in support of SB 802. Each year PCC trains 85 dental professionals: 45 in dental assisting and 40 in dental hygiene.

SB 802 clarifies that accredited college and university dental education programs are not required to name a licensed dental director to oversee their dental education clinics. This proposed change impacts community colleges with dental hygiene and dental assistant programs, as well as private and public Oregon universities and colleges. Not all of these colleges operate clinics that serve the public but their students do study techniques in clinical education settings. These programs were notified in a letter by Oregon Board of Dentistry Executive Director Patrick Braatz in May 2011 that the statute required the naming of an actively licensed dental director. In August 2011, the ten community college presidents with impacted programs sent a response to Mr. Braatz. I have attached a copy of that letter for your information.

This bill does not change the requirement to have a licensed Oregon dentist overseeing procedures performed in clinics as the dentist of record. Dentists by law supervise, diagnose, consult and provide referrals. Dental hygienists do not have authority to diagnose. In fact, community colleges have many dentists who work in our education clinics who serve as the dentist of record on the days they are working or volunteering, and who oversee students who are studying and learning DH/DA skills.

Our accreditation standards, set by the Commission on Dental Accreditation of the American Dental Association (CODA), also require the involvement of dentists in clinical settings and they address patient safety and standards of care. This bill does not change the stringent accreditation standards our programs must meet in any way. In order to be successful when they complete their training, dental hygiene and dental assisting students must understand and abide by the different scopes of practices for

dentists, dental hygienists, and dental assistants. We have a responsibility to teach them this but also to emulate it in clinical education settings.

The current statute ORS 679.020(3)(e) already excludes accredited education programs from the requirement to have a licensed dentist “own, operate, conduct or maintain a dental practice, office, or clinic”. It makes no sense in the case of CODA accredited education programs to have to name a licensed dentist as the dental director of our education clinics when we have many dentists who supervise dental hygiene and dental assisting students and provide dental services in our clinics.

For community colleges, this is about the allocation of resources. We are able to offer dental hygiene and dental assisting education and clinical opportunities working with a committed group of dentists – some who volunteer their time in our clinics. Most of these dentists are not willing to take on the liability of being named “the” dental director of the clinical program, and we don’t have the ability to add a position with this title in our programs due to cost constraints. As actively licensed dentists, the dentists who provide care in our clinics currently are accountable for the students and patients they oversee in a clinic. If a problem arises, they (and their licenses) are on the hook. This bill does not change that accountability.

Community college dental hygiene and dental assisting programs are overseen by program directors and deans as required by CODA, the accrediting body. If a problem arises, these individuals have access to information about a particular dentist who was serving as the dentist of record on a particular day. Any inquiries from the Board of Dentistry could come to the college’s dental program director or dean and they could identify the dentist in question. This is far more appropriate in an education setting than creating a new position of “dental director”. This bill does not prevent OBD from investigating a complaint through its regular process

We urge your support of SB 802 so we can continue our job of educating skilled dental hygienists and assistants.



Oregon

John A. Kitzhaber, MD, Governor

Board of Dentistry

1600 SW 4th Avenue

Suite 770

Portland, OR 97201-5519

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Fax: (971) 673-3202

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May 23, 2011

Josette Beach, R.D.H.
Dental Hygiene/Dental Assisting Program Director
12000 SW 49th Avenue
HT Room 206
Portland, OR 97219

Dear Ms. Beach:

Based on a question the Oregon Board of Dentistry (OBD) received, the OBD reviewed the Dental Practice Act and determined that certain entities who practice dentistry in Oregon must name an actively licensed dentist as its dental director. Pursuant to ORS 679.020(3)(e), institutions or programs accredited by the Commission on Dental Accreditation of the American Dental Association are able to practice dentistry in Oregon to provide education and training. Therefore pursuant to ORS 679.020(4)(a), your program or institution must name an actively licensed dentist as its dental director (see attached).

For our records, the OBD is requesting the name of your institution's or program's dental director. In addition, if at any time in the future your dental director should change, please submit the change to the OBD.

If you have any questions, please feel free to contact us at 971-673-3200.

Sincerely,



Patrick D. Braatz
Executive Director

Enclosure

PDB:tmh





Oregon

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July 8, 2011

Second Notice

Josette Beach, R.D.H.
Dental Hygiene/Dental Assisting Program Director
12000 SW 49th Avenue
HT Room 206
Portland, OR 97219

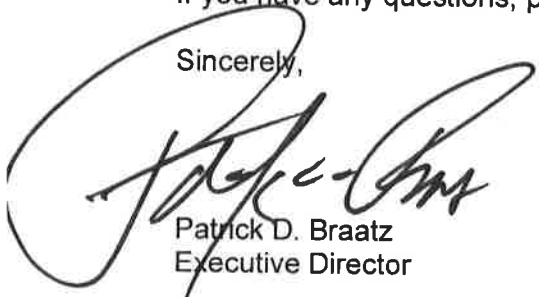
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Sincerely,



Patrick D. Braatz
Executive Director

Enclosure

PDB:tmh





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August 17, 2011

Patrick D. Braatz
Executive Director
Oregon Board of Dentistry
1600 SW 4th Avenue, Suite 770
Portland, OR 97201

Dear Mr. Braatz:

We are writing in reference to the letters you recently sent to our colleges requesting that we send you the name of our programs' dental directors pursuant to ORS 679.020(4). We urge you not to take any further action with regard to this request so we can seek clarification of the statute through legislation we intend to propose to the Oregon Legislature in the upcoming February 2012 session.

As you know, Oregon community colleges offer two types of dental education and training programs: dental assisting and dental hygiene. These programs are accredited by the Commission on Dental Accreditation of the American Dental Association and meet the standards that are set by the accrediting agency. In addition, ORS 679.020(3)(e) specifically exempts these programs from the restrictions relating to ownership and operation of dental clinics in ORS 679.020(2). When this provision was passed in 2003, the legislature intended to expand the types of organizations that can own or operate a dental clinic.

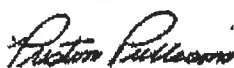
The statute you reference, ORS 679.020(4), only requires exempted organizations to name a dental director if they "own or operate a dental office or clinic". Most of the colleges with dental assisting programs do not own or operate a dental clinic and should not be subject to this requirement. Students in these programs are placed in outside clinics or offices operated by licensed dentists. Several colleges with dental hygiene and dental assisting programs do work with licensed dentists on a part-time basis to offer clinical opportunities to their dental hygiene and dental assisting students through limited clinics at the colleges. Other colleges partner with non-profit organizations to provide clinical training. College faculty and resources are utilized in those settings. We do not believe, however, that it was the Legislature's intent to require the appointment of a full-time licensed dental director in these situations and we will seek a clarification of the statutory intent during the upcoming legislative session.

Patrick D. Braatz
August 17, 2011
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We would also note that the Commission on Dental Accreditation sets stringent standards in regulating dental hygiene and dental assisting programs. These standards do not include the requirement that a dental director be designated by colleges as part of the education and training programs. Adding this requirement now would significantly impact our dental hygiene and dental assisting programs and jeopardize critical clinical training opportunities for our students.

Thank you for your consideration of this request.

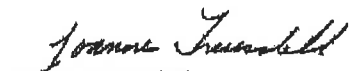
Sincerely,



Preston Pulliams
President, Portland Community College



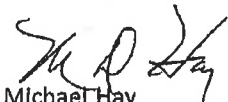
John Turner
President, Blue Mountain Community College



Joanne Truesdell
President, Clackamas Community College



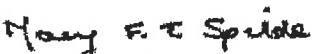
Cheryl Roberts
President, Chemeketa Community College



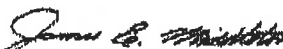
Michael Hay
President, Mt. Hood Community College



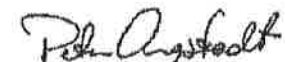
Greg Hamann
President, Linn-Benton Community College



Mary Spilde
President, Lane Community College



Jim Middleton
President, Central Oregon Community College



Peter Angstadt
President, Rogue Community College



Joe Olson
President, Umpqua Community College