

May 21, 2019

Representative Andrea Salinas and the House Health Care Committee,

On behalf of the Oregon Society of Oral and Maxillofacial Surgeons, the Oregon Society of Periodontists, the Oregon Society of Orthodontists, the Oregon Academy of Pediatric Dentists, and the Oregon State Association of Endodontists, we are asking you to **Support Senate Bill 835**.

Last year, the U.S. Court of Appeal in the 5th Circuit, upheld the decision in the *American Academy of Implant Dentistry vs. Parker* case. The Court ruled that the Texas Board of Dentistry inappropriately recognized "specialties" in the state by delegating all authority to determine a dental specialty to the ADA, a non-governmental entity (or unlawful delegation of a state function). As a result, Oregon's Department of Justice advised the Oregon Board of Dentistry (OBD) to delete the reference to the ADA in their rules for "specialty recognition", leaving Oregon in a vulnerable position. Senate Bill 835 addresses this problem and defines "specialists" in Oregon as adopted by the Oregon Board of Dentistry, without subjecting the state to a potential lawsuit.

Our chief concern in relation to specialty recognition is its impact on the safety of the public and universal standard of care. A patient has a right to know the level of training a dentist has accomplished within reason. Recognizing dental specialties that satisfy stringent criteria enables the public to understand their options in choosing a provider. The public often misunderstands the difference between a dental specialist versus a medical specialist. Most general physicians are prohibited from performing many medical specialty procedures. Since a general dental license allows a practitioner to perform almost any procedure that a specialist is trained to do, the public often assumes the level of experience and training is similar between the generalist and the specialist.

For example, recently the Oregon Board of Dentistry formed the implant work group in response to data from case submissions that imply a concerning trend in the increasing number of complaints and injuries reported by patients who had implant surgeries performed by a general dentist. Notably, there are injuries and complaints toward specialists as well, but it was communicated that there is a disproportionate number of complications, injuries, and complaints from patients who were treated by a general dentist versus a specialist. Another disturbing trend is the increasing number of complaints that patients thought all along they were being treated by a specialist.

As Oregon recognized specialties in dentistry, **We support Senate Bill 835** to ensure specialty recognition is appropriately defined within statute, promoting safety and a universal standard of care to the public as they inquire whether to seek the services of a specialist or a general dentist.

Very Respectfully,

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