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Senate Committee on Public Health and Welfare
Senate Bill 121
Testimony

Gianna Nawrocki, on behalf of the American Association of Orthodontists

J. Kendall Dillehay, DDS, MS
President



316.683.6518
kdillehay@aaortho.org

Norman Nagel, DDS, MS
President-Elect

805.581.2480
nnagel@aaortho.org

Myron Guymon, DDS, MS
Secretary-Treasurer



435.757.4542
mguymon@aaortho.org

Lynne Thomas Gordon, CAE
CEO

314.292.6512
lthomasgordon@aaortho.org

Chair Hilderband, Vice-Chair Gossage, and Ranking Minority Member Pettey:

Good morning and thank you for the opportunity to speak today. My name is Gianna Nawrocki, and I am the Government Affairs Associate at the American Association of Orthodontists. I am speaking today on behalf of our 19,000 members, but more specifically, the Kansas Association of Orthodontists and its 105 members, in support of Senate Bill 121.

Telehealth is becoming increasingly used in providing dental services to patients. As such, it is just as important that telehealth is being provided in a way that is safest for patients. The AAO supports legislation that it believes will best protect patient health and safety, regardless of modality, and we believe that is accomplished with SB 121.

Orthodontic treatment is a complex biological process and not just a cosmetic procedure. The complexity of the process of moving teeth requires a trained orthodontist or dentist to have all necessary information at their disposal, which can only be gained through a physical examination, before starting treatment. SB 121 highlights this standard of care that applies to all Kansas licensed dentists, and it does not hinder the ability of Kansas orthodontists or dentists to provide orthodontic treatment to patients, nor does it restrict their ability to make decisions about treatment plans.

SB 121 also ensures that patients are aware of who their treating dentist is at all times, regardless of modality. This provision creates parity; a patient receiving care in a dental office is provided this information, so it is important that regardless of modality, the patient has this basic information about their dental provider.

Under the dental practice acts of Kansas and every other state, state dental boards are the primary state entity with jurisdiction over enforcing the laws governing dental practice. When patients are required to sign an agreement waiving their ability to file a dental board complaint, they lose the ability to contact the board with primary jurisdiction over their problem. Providers should not be permitted to sidestep the enforcement authority of the dental board by requiring these unconscionable contract provisions from patients, and SB 121 would serve to end this practice.

In summary, the AAO and KAO believe that SB 121 allows telehealth advancements to continue to grow in a thoughtful way, while still maintaining a standard of care that is in the best interest of the health and safety of Kansas patients. This bill allows Kansas patients to utilize telehealth without foregoing the right to know who their dentist is and the right to seek assistance from the Kansas Dental Board. Additionally, this bill maintains a standard of care for all dentists regardless of modality. As members of this Committee, if you have any additional questions or would like to review the scientific research about the standard of care for orthodontic treatment, please visit orthofacts.org and we are always willing to answer questions and provide evidence-based resources for patient health and safety.

Thank you for your time and your continued work on behalf of Kansas citizens.

Sincerely,

Gianna Nawrocki
Government Affairs Associate
American Association of Orthodontists