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Governmental Affairs Update

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ADA ADVOCACY

Dentistry Building on Last Year's ADA Lobbying Accomplishments

The MDA advocacy team mostly concentrates on political and regulatory affairs here in Michigan. On the federal level, however, dental advocacy is the domain of the American Dental Association.

The first half of the 118th Congress ended in 2023 with some worthwhile accomplishments helping the dental profession — even during these divided partisan times in Washington, D.C. Interestingly enough, only 27 bills passed both chambers of Congress and were signed into law during that time period.

The ADA recently released the following listing of its activities and accomplishments in our nation's capital — here's what the ADA did, grouped by category:

Workforce issues

- Urged the U.S. House of Representatives to pass the Lower Costs, More Transparency Act to extend programs that are integral to bolstering the dental and medical workforce, and to increase access to health care, particularly in underserved communities.

- Worked to advance the Bipartisan Primary Care and Health Workforce Act out of the Senate Health, Education, Labor and Pensions Committee. The bill includes funding extensions for the State Oral Health Workforce Improvement Grant Program (Action for Dental Health), Community Health Center Fund, the National Health Service Corps, and the Teaching Health Center Graduate Medical Education Program.

- Advanced the Action for Dental Health Act out of the House Energy and Commerce Committee. This passed by a vote of 50-0. The bipartisan reauthorization of the ADH program through 2028 would direct funding to state and local organizations through a Health Resources and Services Administration oral health workforce grant program. The bill has also been introduced in the Senate.

Dental insurance reform

- Continued efforts to improve the dental insurance landscape by getting the Dental and Optometric Care Access Act reintroduced in the Senate and House. This bipartisan federal legislation would prohibit dental and vision plans from setting the fees that network doctors may charge for services not covered by insurers.

- Urged elected leaders to reconsider preemption of current dental insurance laws, after a recent Supreme Court Decision that ruled the Employee Retirement Income Security insurance plans can be regulated. The ADA is positioned to impact possible upcoming legal cases in the area of ERISA case law.



Access to care

- Testified at a hearing of the Subcommittee on Health Care of the U.S. Senate Finance Committee, titled “An Oral Health Crisis: Identifying and Addressing Health Disparities.”

- Advocated on payments for hospital outpatient and ambulatory surgical centers to the Centers for Medicare & Medicaid Services.

- Received agreement from the Centers for Medicare & Medicaid Services that clinical evidence supports dental services being paid for when they are linked and related to the success of other covered services. Examples would include treatment for head and neck cancers through treatment of chemotherapy, chimeric antigen receptor T-cell therapy, and the use of high-dose bone modifying agents, or antiresorptive therapy, as well as for medically necessary diagnostic and treatment services to eliminate oral/dental infections prior to or at the same time as such treatments.

- Partnered with the American Academy of Pediatric Dentistry to successfully call for the Health Resources and Services Administration to retain a national performance measure for oral health in Title V programs, rather than transitioning to a state measure.

Student loan debt

- Ensured the House and Senate reintroductions of the Resident Education Deferred Interest Act. The ADA has co-lead on REDI with the American Association of

Oral and Maxillofacial Surgeons and has expanded a coalition of other medical and dental organizations to collectively advocate for REDI's passage. Those efforts have led to tripling the number of co-sponsors since the bill's early 2023 reintroduction.

- Secured a favorable Department of Education rule that eliminates certain "capitalizing events" that cause a borrower's accrued, unpaid interest to become part of the principal balance of their student loan and implements reforms to the Public Service Loan Forgiveness program.

Medicaid

- Pushed to make comprehensive dental care a mandatory component of Medicaid coverage for adults in every state and reform administrative barriers within the Medicaid program through our support of the Medicaid Dental Benefit Act of 2023 and the Strengthening Medicaid Incentives for Licensees Enrolled in Dental Act.

- Wrote to the Centers for Medicare & Medicaid's chief dental officer regarding CMS not exercising its oversight abilities as they pertain to Medicaid managed care organizations reporting of medical loss ratios, and encouraging them to publish and pursue more data in this area.

Practice management

- Prevented the Occupational Safety and Health Administration from rushing to finalize a rule that would remove the small practice exemption from adopting more-specialized infection controls to prevent the spread of COVID-19.

- Advocated for the House passage of the Protect Small Business and Prevent Illicit Financial Activity Act, which would extend key deadlines under the Corporate Transparency Act.

- Joined with other groups representing small businesses to push for lengthened reporting periods for dental practices under the Corporate Transparency Act. While the ADA is continuing to advocate for the passage of the federal Protect Small Business and Prevent Illicit Financial Activity Act for further needed extensions of key deadlines, ADA advocacy led to a final rule implementing the Corporate Transparency Act, which increased time to report for new businesses.

Veterans

- Collaborated with congressional staff to amend the VET CARE Act, which would create a pilot program and study that would provide VA dental care to veterans with Type-2 diabetes and study the potential correlation between oral health care and chronic disease outcomes.

Health information technology and artificial intelligence

- Positioned the ADA as an essential resource for Congress and federal agencies in their efforts to regulate the use of artificial intelligence.

- Advocated for increased interoperability for all health information technology, which resulted in new policy adopting the Code on Dental Procedures and Nomenclature, or Current Dental Terminology, among minimum standards and code-sets in the ONC Certification Program, and streamlining, clarifying, and reducing the burdens of the prior authorization process for patients and providers, and adoption of standards that take dental procedures into account.

Public health

- Secured a scientifically sound U.S. Preventive Services Task Force evidence review indicating that the evidence was insufficient to recommend oral health screenings and interventions in primary medical care settings.

- Convinced the assistant secretary for Health to scrutinize a National Toxicology Program report claiming a causal relationship exists between fluoride exposure and neurodevelopmental and cognitive health, based on fatally flawed studies, questionable analytical methods, and an unorthodox peer review process.

State government affairs

The ADA has worked closely with most states, including Michigan, to assist in policy development and strategy, and a high majority of these states received financial support from the ADA's State Public Affairs program (as did Michigan).

ADPAC accomplishments

- Educated 600 dentists and students on advocacy and legislative issues and held more than 315 meetings with members of Congress during the 2023 ADA Dentist and Student Lobby Day.

- Facilitated 20,100 ADA members in sending 57,059 letters to members of Congress on important legislative issues.

- Supported 185 members of Congress and dispersed \$600,000.

*Compiled by MDA legislative staff.
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advocate for oral health



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