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Public Comments for Economic Affairs Interim Committee

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Subject:
Rule Review: MAR Notice Number: 24-138-84

Comment:

The rule regarding additional LAP facilities has been researched, vetted, heard publicly in several board meetings and had the public hearing on Jan. 16th. The proposed rule is a direct result of the Board of Dentistry being under active supervision for nearly 2 years now for restraining trade of dental hygienists, specifically ones who are small business owners. The language has been approved by the governor's office. The Board of Dentistry voted UNANIMOUSLY to support the proposed rule change on December 1, 2023. Voting in favor of the language were dentists Dr. Jill Frazier, Dr. Kyle Wassmer, Dr. Paul Simms; public member Jim Corson, denturist Allen Casteel, and dental hygienist Renee Mulcahy-Parsley. Absent were dentist Dr. Justin Hicks and dental hygienist Diane Klemann. FACTS: • There have been ZERO founded complaints against LAPs in 20 years, thus no public safety issue. • LAPs are already allowed in specific schools by rule, again with NO founded complaints. • DPHHS State of the State's Oral Health report found the prevalence of decay experience among Montana children is higher than the national estimates, especially among low-income and American Indian children • Montana schools with high participation in the national school lunch program had higher experiences of decay and untreated decay • The same report recommended increasing integration of oral health education and PREVENTIVE care in early childhood programming and in schools across Montana. • The report also recommends that the state foster policies that allow dental providers to deliver services in community-based settings to increase utilization of dental care. The legislature codified the LAP practice 20 years ago, with a detailed statute. 37-4-405 spells out what preventive services a LAP may provide, what they CANNOT provide; and to whom they may provide-limited to those who are unable to seek regular dental care due to age, infirmity, disability, or financial constraints. The statute specifically states that the LAP must refer anything out the scope to a dentist. The rule is a safe, common-sense solution to improve access to care for those Montanans who are falling through the cracks because of disability, infirmity, age, or financial constraints, and it is supported by the experts in the dental profession, the Board of Dentistry. Inaccurate information in Rule Review for MAR Notice 24-138-84: Public hearing was YESTERDAY 1/16, not on 1/26 as package states.

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