

ODA Today

A publication of the Ohio Dental Association focusing on dentistry in Ohio

QuickBites

ACA rule requires some dental offices to post notices

Dental offices that accept patients with Medicaid or CHIP are now required to post taglines in multiple languages and nondiscrimination notices in their offices, on their websites and in significant publications and communications.

This requirement is part of a new rule within the Affordable Care Act that prohibits health care entities that receive certain federal financial assistance, including Medicaid, from discriminating based on race, color, national origin, sex, age or disability.

Dentists must have these notices posted by Oct. 16.

The ADA has prepared resources to aid in compliance with the rule, including an FAQ and checklist. Visit Success.ADA.org/1557resources.

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2016 ODA Annual Session pre-registration deadline approaching

By ODA Staff

The pre-registration deadline for the ODA Annual Session is Aug. 1; after that date, registration fees will increase. This year's ODA Annual Session will be the main event celebrating the ODA's 150th anniversary and will be Sept. 15-18 at the Greater Columbus Convention Center.

There are several ways to register for Annual Session:

- Online at www.oda.org.
- Use the registration form provided in the ODA Annual Session preview program that was mailed out in June. Once completed, the form can be mailed or faxed to the address or number on the form.
- On-site at Annual Session – but be aware that the on-site registration fee is higher.

Attendees are encouraged to register by Aug. 1 to avoid increased registration fees, and can continue to register for additional courses after that date because course fees do not change.

Annual Session offers many opportunities for the entire dental team, including an expansive Exhibit Hall, hands-on continuing education courses, unique special events, and more.

This year's speakers include: Dr. Gordon Christensen; Dr. Rella Christensen; The Madow Brothers; Dr. Joyce Bassett; Dr. Alan Atlas; Dr. Hugh Flax; Dr. Jeff Carter; Dr. Jack Griffin; Betsy Reynolds, RDH; and Shannon Pace Brinker, CDA, CDD.

Topics will include practice management,



The 2016 ODA Annual Session will feature a variety of hands-on courses and courses for the entire dental team. *Feinknopf*

restorative dentistry, endodontics, periodontics, motivational speakers, mouth guards, lasers, digital impressions, perinatal and infant oral care, how cellular communication impacts oral health, implants, adhesion, the immune system, practice marketing, billing and coding, oral lesions, biomimetic dentistry, antibiotic prophylaxis and more.

Additionally, CPR for Healthcare Professionals; Infection Control & Regulatory Compliance; Emergency Medicine for the Dental Practice; and Radiography Review for the Dental Assistant will be offered at the event. Annual Session also will feature one of the

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Legislative issues heat up as General Assembly goes on summer break

By ODA Staff

A flurry of legislative activities occurred on dental-related bills in the first half of the year as the General Assembly prepared for its summer break, heading into the fall elections.

Non-covered services

On April 5, the Ohio Senate Insurance Committee held a hearing for opponent testimony regarding House Bill 95, which is supported by the ODA and would prohibit dental insurance companies from being able to dictate the fees that dentists charge for services that the insurer does not even cover.

Representatives from Delta Dental of Ohio, Ohio Education Association, Ohio Association of Health Plans, AFSCME Ohio Council 8, National Association of Dental Plans and Ohio Chamber of Commerce testified against

House Bill 95. The representative from Delta Dental testified that House Bill 95 amounts to "government intrusion into a private contract voluntarily entered into by two willing parties" and that passage of the legislation would "result in a higher cost of dental care for Ohioans."

House Bill 95 was introduced in 2015 and passed out of the Ohio House of Representatives by a 61-33 vote. In November, ODA Vice President Dr. Steve Moore, who is a general dentist in West Chester, testified before the Ohio Senate Insurance Committee providing specific examples of how the insurance companies' non-covered services requirements interfere with the dentist-patient relationship. ODA Executive Director David Owsiany also testified, arguing that House Bill 95 protects small business dental offices from unfair insurance company tactics that interfere with dentists and their patients on

services that the insurers do not even cover.

Dental therapists

On May 17, Sen. Peggy Lehner (R-Kettering) introduced legislation that would create a new dental provider in Ohio. Senate Bill 330 would authorize a "dental therapist" to practice in Ohio after receiving just three years of training after high school. This new provider would have a broad scope of practice, including diagnosis, treatment planning, scaling, irreversible surgical dental procedures, including restorations and extractions, and supervising dental assistants, EFDA's and dental hygienists.

Upon introduction of Senate Bill 330, ODA President Dr. Chris Connell, who is a general dentist from Lyndhurst, announced the ODA's opposition to the bill stating that

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Ohio Dental Association Annual Session

September 15-18, 2016 | www.oda.org/events | Register now!



The Director's Chair

David J. Owsiany, JD
ODA Executive Director

150 years of advocacy



According to our recent membership surveys, ODA members greatly value the advocacy efforts of organized dentistry that help to protect the interests of dentists and their patients and to promote strong oral health. The history of organized dentistry in Ohio effectively advocating for dentistry goes back to the ODA's founding 150 years ago.

In June 1866, 41 dentists met at Naughton Hall in Columbus to form a statewide association for the dental profession with the aims of "mutual fellowship and recognition, the promoting of the honor, usefulness and interests of the profession, the advancement and cultivation of professional science and literature, the encouragement of a more thorough professional education, and the protection of the public from empiricism." One way the newly formed Ohio State Dental Society (as the ODA was then known) achieved these goals was through advocacy. In fact, legislative advocacy was on the agenda of the inaugural meeting in 1866, immediately following the adoption of a constitution and bylaws and the development of a written code of professional ethics.

The attendees at that first meeting discussed legislation to prevent "quacks" from practicing dentistry in Ohio. This proposed legislation was designed to create a state board of dental examiners, the members of which would be elected by the members of the Ohio State Dental Society. This new state dental board would have the authority to give annual examinations and to certify those dentists who passed the exam. The members of the dental society actively lobbied the legislature to pass the legislation, which became law in 1868, making it one of the earliest state dental laws.

In 1892, Ohio's dental law was amended to give the governor the authority to appoint the members of the state board of dental examiners and to give the state board more widespread powers to govern the practice of dentistry. In 1914, the legislature again amended the dental practice act by giving the state board of dental examiners additional authority over dental education. This led to the recognition of the dental schools at The Ohio State University and Western Reserve University and to the closure of private proprietary dental schools, which

were poorly financed and had spotty performance in training dentists. This movement toward more formal dental education was one of the priorities of the ODA as it worked to ensure patients received quality oral health care services and that the dental profession maintained the highest standards.

When scientific evidence in the first half of the last century demonstrated that fluoride in drinking water prevents tooth decay, organized dentistry responded. In 1950, the ADA passed a resolution encouraging water fluoridation and, over the next two decades, the ODA and local Ohio dental societies advocated to fluoridate water systems across Ohio. In 1969, the ODA successfully lobbied to have the state legislature enact a law requiring most municipalities to fluoridate their water systems unless they opted out via a local ballot issue. Today, because of the efforts of the ODA, more than 90 percent of Ohioans live in communities with fluoridated water systems, which is well above the national average of 67 percent. Because of its positive impact on oral health, the Centers for Disease Control and Prevention has declared that water fluoridation is one of the top 10 greatest public health achievements of the 20th Century. The ODA helped to make the promise of water fluoridation a reality in Ohio.

In the last half of the 20th Century, advancements in research on infectious diseases and appropriate sterilization in the dental office led to a better understanding of how to protect patients and dentists and their staff. In Ohio, the ODA pushed for the adoption of science-based infection control laws, regulations and standards to ensure the provision of dental care in Ohio is the safest in the world. And today, Ohioans have complete confidence that the care they receive from their dentist is safe and effective.

As the practice of dentistry has changed, so has the role of the dental team. One hundred and fifty years ago, dentists provided their services with little or no professional assistance. Technological advancements and the expansion of dental assisting, dental hygiene, and EFDA education spearheaded by organized dentistry, have enhanced the dental team, making the delivery of care more

efficient and effective.

In the 1980s and 1990s, runaway litigation led to a malpractice crisis in Ohio where health care professionals regularly faced the threat of frivolous lawsuits and malpractice insurance premiums experienced double-digit increases on an annual basis. The ODA's advocacy team formed a coalition with other health care groups to reform the dental and medical malpractice laws to ensure dentists and other health care providers were treated fairly, including putting time limits on liability and caps on damages. These reforms improved the ability of dentists to provide the care their patients need free from the threat of unfair and unnecessary litigation.

The ODA has a long history of working to ensure third-parties do not interfere with the dentist-patient relationship, including passing prompt payment laws ensuring insurance companies pay claims in a timely manner and mandating streamlined credentialing processes. We are continuing those efforts today as we advocate for House Bill 95 to prohibit dental insurers from dictating fees for services they don't even cover. (See page 1 for more on House Bill 95.)

Throughout its existence, the ODA has led the charge on access to dental care initiatives, including pushing to reform the dental Medicaid program, ensure continued dental Medicaid coverage for adults, create loan repayment programs and other incentives for dentists to serve in underserved communities, provide immunity from lawsuits for volunteer care and many other initiatives to ensure Ohio's most vulnerable citizens continue to have access to high quality dental care.

The recent efforts by outside entities to push the concept of under-trained individuals engaging in the practice of dentistry in Ohio is another example of how the ODA works to protect the public and Ohio's dental patients. While the advocates of Senate Bill 330 argue that Ohio should have a two-tiered system where under-served Ohioans get treated by a lesser trained individual while other more fortunate Ohioans can get treated by a dentist, the ODA is working to ensure ALL Ohioans have access to the full range of dental services provided by a fully trained dentist (see page 1 for more on Senate Bill 330).

As we celebrate the ODA's sesquicentennial, it is a good time to reflect upon, and celebrate, the ODA's 150 year history of advocating for the interests of the dental profession, Ohio's dental patients and the public's oral health needs. Today, Ohioans have access to the highest quality oral health care in the world because of these efforts.

have a terminal distributor of dangerous drugs license from the Ohio State Board of Pharmacy. This new initiative is designed to ensure that all locations that have controlled substances are regulated by the pharmacy board.

On May 24, Owsiany testified on behalf of the ODA before the Ohio Senate Health and Human Services Committee arguing that while the ODA supports reasonable regulation of dangerous drugs especially in light of the burgeoning opiate abuse crisis, the ODA prefers such regulation be handled by the Ohio State Dental Board, which already regulates the practice of dentistry.

Representatives from the Ohio Pharmacy Board testified that the Ohio State Dental Board's regulation of dangerous drugs in dental offices has been inadequate, noting that the dental board does not sufficiently regulate the "security, control and recordkeeping of controlled

substance medications" or conduct regular inspections of dental offices. Senate Bill 319 passed the Ohio Senate by a 33-0 vote and is currently pending in the Ohio House of Representatives.

The General Assembly expects to reconvene in September. Keep an eye on the "ODA Today" for updates on these important legislative issues.

Access articles from
current and past issues of
"ODA Today" by visiting
www.oda.org.



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ISSUES, from page 1

"allowing undertrained individuals to perform irreversible surgical procedures would be detrimental to the oral health of Ohioans and would be an unnecessary distraction from the progress being made in addressing the critical issue of access to dental care in Ohio." Senate Bill 330 has been assigned to the Senate Government Oversight and Reform Committee, which expects to hold hearings on Senate Bill 330 later this year.

Terminal distributor license

On April 25, Sen. John Eklund (R-Munson Township) introduced legislation as part of the governor's initiative to combat opiate abuse. Senate Bill 319 will, among other things, require any health care professionals, including dentists, physicians and veterinarians, who possess Schedule I, II, III, IV, or V drugs in their offices to



Legal Briefs

Nathan E. DeLong, Esq.
ODA Director of Legal &
Legislative Services

Membership in organized dentistry provides numerous benefits, from savings on products and services used in dental offices to CE offerings and networking opportunities. However, your membership also offers you access to valuable information on a variety of issues, including legal and regulatory compliance.

The Ohio Dental Association legal department routinely fields questions from dental offices across the state on a variety of legal and regulatory issues. Many times these questions have common themes. In June, July and August this column will address the top 10 legal issues that most commonly arise in a dental office. Last month, the column addressed the issues of: 10) Antitrust and insurance issues, 9) Interpreters for hearing impaired patients and 8) Interacting with government regulators.

7. Use tax

A use tax is a tax on the storage, lease, rental or purchase of tangible personal property for which no sales tax has been paid. The use tax has been in effect in Ohio for several decades. The purpose of the use tax is to protect Ohio vendors from unfair competition from out-of-state sellers. In-state merchants are required to collect sales tax when selling to an Ohio resident or business. Without the imposition of a use tax, Ohioans would have an incentive to always purchase personal property such as office supplies and equipment from out-of-state merchants.

The use tax is most common with purchases made from an out-of-state vendor who does not charge sales tax; however, the use tax also applies to purchases within Ohio when not enough sales tax is charged. The use tax rate is equal to the sales tax rate in the county where the purchaser uses the property.

Service providers such as medical and dental offices are not exempt from the use tax. In fact, Ohio law specifically mentions dentists as falling within the definition of

Top 10 legal issues for the dental office – part 2

a consumer for purposes of the sales and use tax. The law outlines that those purchases made by dentists, physicians and other health care providers in connection with the practice of medicine and dentistry are taxable.

In most instances, a sales tax is paid by the dentist at the time of purchase of these products. If no sales tax is paid, however, the purchase is subject to the state use tax. It is important for dentists to work with a tax professional to determine if use tax may be due and to begin the process to file payments.

6. Retention of patient records

Dental practices are required by law to maintain adequate patient records. Although Ohio doesn't have a specific statute that requires dental records to be retained for any minimum period of time, there are a number of Ohio and federal statutes that must be considered when determining how long to retain medical records. For example, Ohio Revised Code § 2913.40(D) mandates that a health care provider retain all records dealing with the treatment of a Medicaid patient for a period of at least six years. Provisions of the Health Information Portability and Accountability Act of 1996 (HIPAA) also require covered entities (most health care providers) to retain the patient's signed HIPAA notice of privacy practices for at least six years. As a condition of participation in the Federal Medicare Program, however, a provider agrees to retain all records dealing with the treatment of a Medicare patient for a period of at least seven years.

In addition to considering the various statutory retention requirements, participating provider agreements generally specify the time following the last patient visit that records must be maintained. Your office's professional liability insurance company will also likely have recommendations about retention. Lastly, it is best practice to maintain all medical records for at least a length of time equal to the statute of limitations associated with the treatment that was provided. Pursuant to Ohio Revised Code § 2305.113, an action upon a dental claim must be commenced within one year after the cause of action "accrues." There are limited exceptions to this general one-year statute, however, including a two-year statute of limitations for wrongful death

cases and the tolling of the statute until the age of majority for treatment involving a minor child. Moreover, Ohio law provides a four year statute of repose for certain dental claims. Therefore, your policy for retaining patient records must be adjusted to fit your practice in light of these considerations.

If your office decides to destroy records that have exceeded the proper period of retention, caution must be used in doing so. For example, you have an obligation to protect the patient's privacy and personal health and financial information. Securely destroying inactive patient records generally involves shredding. There are professional services available to do this for you, but you should always insist on a certificate of destruction and, for entities covered under HIPAA, a Business Associate Agreement. Furthermore, make sure that there are no sub-contractor companies involved that do not also agree in writing to adhere to the privacy policies of the practice.

5. Terminating the dentist patient relationship

When terminating a patient relationship, the dentist must avoid "abandoning" the patient. A dentist may be held liable for "abandonment" when he or she fails to provide the patient with adequate notice of the termination and the refusal to provide treatment proximately causes injury. By following a few simple guidelines, dentists can reduce their exposure to liability.

If possible, dentists should avoid terminating their relationship with a patient during the patient's course of treatment. However, if this is not possible the dentist should discuss the issue with the patient, offer to assist the patient in obtaining a new dentist to complete the treatment plan, and obtain the patient's consent. It is important to document all of these efforts in writing and maintain them as part of the patient record.

Terminating the patient relationship should always be done in writing and sent via certified mail. Additionally, adequate notice needs to be given to the patient so that they have time to secure a new dentist. A dentist should not, for example, send a letter of termination when the patient is scheduled for a visit the following week. Preferable timing for termination is when the patient's dental health requires only routine preventive care, giving the

patient several months to set up an appointment with a new dentist.

In the termination letter it is helpful to recommend that the patient visit the ADA's website, www.mouthhealthy.org, for a referral to a new dentist and to offer to provide emergency care for a reasonable period after notice of termination. Finally, the letter should inform the patient of his or her right to view or obtain a copy of their dental records and offer to forward them to a new dentist with the patient's written request and authorization.

4. Treatment of minors with separated, unmarried or divorced parents

Under Ohio law, courts may designate parents into two categories: resident parents and non-resident parents. Different privileges and responsibilities may be assigned to these categories by a court, but both parents should be treated equally from a health care provider's standpoint barring intervening circumstances. The law dictates that dentists, physicians, hospitals and other persons providing medical or surgical care for a child must allow both parents equal access to their child's records.

Moreover, Ohio law considers a record to be any "document, file or other material that contains information directly related to a child," including those records maintained by a treating dentist. This is broader than Ohio's legal definition of a medical record mentioned previously. This subtle distinction in definitions could place an obligation on dentists and other providers to release not only treatment records, but also billing and other records upon the request of a patient.

While dentists are generally required to release the record upon request, there is an important exception to this requirement that dentists should note. A court could determine that allowing a non-residential parent access to those records is not in the best interests of the child and ban that parent from accessing all or a portion of the record.

However, it is not the dentist's responsibility to determine whether a court has issued such a restriction or ban. It is the responsibility of the residential parent to present the dentist with the court order that limits the non-residential parent's ability to access the child's records. Consequently, the dentist does not need to serve as the arbiter in a dispute between the parents.

Once such an order has been shown to the office, the dentist is required to abide by the terms of that court order. Failure to comply could place the dentist in contempt of court. The office should retain a copy of this order for their records.

To avoid problems, dentists should consider speaking with both parents prior to the commencement of treatment, especially if there is a custody issue. The consultation with the parents should clarify which parent would be bringing the child in for treatment, determine who may authorize treatment and who is responsible for payment, and disclose whether there are any applicable court orders or divorce decrees that impact the release of records or responsibility for payment.

Coming next month, the top 3 in the countdown of the top 10 legal issues for the dental office.

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Frank R. Recker, DDS, JD and Todd Newkirk, JD

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Dr. Frank R. Recker has practiced general dentistry for 13 years and served as a member of the Ohio State Dental Board before entering the legal profession. Areas of practice include:

- Administrative Law before State Dental Boards
- Dental Malpractice Defense
- Practice-related Business Transactions

Dr. Recker also represents multiple national dental organizations and individual dentists in various matters, including First amendment litigation (i.e. advertising), judicial appeals of state board proceedings, civil rights actions against state agencies, and disputes with PPOs and DMSOs.



Todd Newkirk was formerly an Ohio Assistant Attorney General representing several Ohio State agencies. Mr. Newkirk has been associated with Dr. Recker since 2007 and has also represented many dentists across the country. Email Mr. Newkirk at newkirk@ddslaw.com.



Ms. Sandra Ertel, paralegal, has assisted Dr. Recker and Mr. Newkirk in preparing for, and attending, depositions, court appearances and hearings in multiple states.

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Annual Session course to help practices design offices for better patient experience, efficiency

By Jackie Best
Managing Editor

When designing a dental office, there are many unique challenges that differ from designing other types of businesses. From efficiency to ergonomics to the patient experience, dental office design can have a big impact on practices.

The Ohio Dental Association Annual Session will feature a full-day CE course this year aimed at helping dentists design their offices for optimal economic benefits and an improved patient experience. The course is intended for dentists considering an upgrade to their current office or designing a new office.

"A New Experience in the Dental Office: Where Your Vision Becomes Your Success" will be presented from 9 a.m. to 5 p.m. on Friday, Sept. 16. The course will be presented by Dr. Jeff Carter, and his wife, Pat Carter. Dr. Carter is a dentist who has been involved with the design and construction of more than 500 dental facilities; Pat is a professional interior designer with a degree in interior architecture and has participated in the design and construction of more than 2,000 dental facilities.

"Patients are sensitive to their dental care experience. A significant part of their experience is based on what they see," Pat Carter said. "If they see current technology and equipment, the office 'presents' well and is well organized, then patients are not hesitant to refer. A dated, disorganized office does not generate enthusiastic patient referrals. In essence, your office becomes your 'brand' and



effectively reflects your high level of care or it doesn't."

The course focuses on three main areas: why you want to remodel or build a new office; common planning and design mistakes; and dental specific design principles.

The first section focuses on viable reasons for remodeling or building a new office and how those reasons should inform your practice vision for a successful outcome.

The second section identifies common mistakes made in the process of creating a new office, including specifics about the plan and design concepts that dental practices should pay attention to, as well as financial mistakes to watch out for. The Carters then give tips on how to avoid these mistakes.

"We want to offer solutions and options that correct the common mistakes," Pat Carter said. "It could be surprising to dentists to realize they have some of these common mistakes in their office and they don't realize patients are reacting. We go



Submitted photo
Jeff Carter, DDS, and his wife Pat Carter, IIDA, will present the course "A New Experience in the Dental Office: Where Your Vision Becomes Your Success" on Friday, Sept. 16 at the ODA Annual Session.

ODA Annual Session Course Preview

"A New Experience in the Dental Office: Where Your Vision Becomes Your Success"

When: 9 a.m. to 5 p.m. on Friday, Sept. 16

Presenters: Jeff Carter, DDS, and Pat Carter, IIDA

CE Hours: 6

OSDB Category: C

Course Codes and Fees:

- F30 for first attendee, \$275
- F30A for up to two additional attendees, \$0
- F30B for fourth attendee and each additional attendee, \$100

Register: www.oda.org/events

Support provided by Midmark

from simple to more dramatic things you can do to be successful in providing a better patient experience."

And finally the course focuses on specific dental design principles, including ergonomics, staff and patient flow, HIPAA implications and practice efficiency. The discussion starts at the dental chair, but also looks at the front desk area, the ap-

propriate size of spaces, flow throughout the office and anticipating future growth of the practice.

For example, Carter said one common issue they see is that practices will expand by adding more operatories, but never consider the impact to the front desk, and

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Dental OPTIONS program restructuring

The Dental OPTIONS program, a partnership between the Ohio Department of Health and the Ohio Dental Association, will be temporarily operated on a limited basis starting in July 2016.

The Ohio Department of Health, which provides annual operational funding for the program to pay for patient coordination and lab expenses, is evaluating the OPTIONS program model and looking for opportunities to restructure the program in order to make it more efficient.

The program has been in existence since 1997 and has grown substantially due to tremendous support from ODA members who provide dental care on a discounted or donated basis to uninsured low-income Ohioans who do not qualify for other dental access programs, including Medicaid. More than 900 dentists currently volunteer through the OPTIONS program and over \$22 million in care has been discounted and donated since the program's inception.

With significant advances in technology since the program was created and possible improvements to the program model, the ODH hopes to modernize the program. The restructuring will help OPTIONS take advantage of new technologies and to improve the flow of the program. In the interim, the ODH will be operating the program on a limited basis. More information on the direction of the program will be provided as available.

ODA members who would like to provide input into areas where the OPTIONS program could be improved during this process can email their ideas to Kristy@oda.org.

Federal government awards grants to 16 Ohio health centers

The U.S. Department of Health and Human Services recently awarded 16 oral health grants to clinics in Ohio, for a total of \$6,489,094.

The goal of the grants is to increase access to oral health services and improve oral health outcomes. The grants are for existing health clinics, and recipients must create a plan to add at least one full-time equivalent licensed dental provider, increase the number of oral health patients and visits, and increase the percentage of health center patients who receive oral health services at the health center.

The following health centers in Ohio received grants for fiscal year 2016:

- Axesspointe Community Health Center, Inc. in Akron
- Butler County Community Health Consortium, Inc. in Hamilton
- City of Cincinnati
- Columbus Neighborhood Health Center, Inc. in Columbus
- Community & Rural Health Services in Fremont
- The Community Action Committee of Pike County in Piketon
- County of Erie
- Health Partners of Western Ohio in Lima
- Healthsource of Ohio, Inc. in Milford
- Hopewell Health Centers, Inc. in Chillicothe
- Lorain County Health and Dentistry in Lorain
- Muskingum Valley Health Centers in Zanesville
- Neighborhood Health Care, Inc. in Cleveland
- Northeast Ohio Neighborhood Health Services, Inc. in Cleveland
- Southeast Community Mental Health Center Inc. in Columbus
- Talbert House Health Center in Franklin

ADA webpage helps members navigate third-party payer issues

The American Dental Association has launched a new webpage dedicated to third-party payer issues. It is a one-stop shop for members looking for resources on plan participation, legislative matters and how the association can help members navigate various dental benefit issues.

The webpage, ADA.org/dentalplans, includes informative videos, information on member support for possible abusive practices by third-party payers, a complaint form, information about legislative advocacy on dental benefits and tips on how to navigate contracts.

ADA cautions dentists to read fine print in contracts that automatically renew

In an "ADA News" article, the American Dental Association is advising dentists to be cautious when entering into contracts containing auto renewal provisions. The ADA has received several calls recently related to contracts with a hazardous waste/infectious waste pickup company.

A number of dentists "have contacted the ADA to report escalating fees that were not explicitly stated in their original contracts and contracts that automatically renew with only a small window to cancel before it re-ups for several more years," according to the article.

The ADA offers guidance on the Center for Professional Success on how to navigate contracts containing auto renewal provisions at Success.ADA.org/contract-auto-renew.

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ODA Meeting & Event Calendar

Jul.

- 4 ODA office closed for holiday
- 8 Council on Access to Care and Public Service
- 12-13 Council on Dental Care Programs and Dental Practice
- 27 Dental Education and Licensure Committee
- 27 ODASC Board of Directors
- 27-29 Executive Committee

Aug.

- 5 Council on Membership Services
- 22 ODAF Board of Trustees (call)
- 22 Executive Committee (call)

ODA Foundation creates scholarship in memory of ODA past president Dr. Ralph E. "Jim" Snelson

The ODA Foundation has created a new scholarship in memory of ODA past president Dr. Ralph E. "Jim" Snelson - the Forward Ever Scholarship.

Snelson always had a focus on creating a positive future for the profession of dentistry and organized dentistry. When he served as president of the ODA, his slogan was "Forward Ever, Backward Never."

He was a trustee of the Foundation and had a major impact on its growth and future direction, so the current ODAF Board of Trustees felt it would be fitting to honor his contributions with a scholarship. Snelson passed away in April of this year.

The scholarship will be awarded annually to one dental student who exemplifies leadership in organized dentistry.

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Toledo dental office serves veterans in need

By ODA Staff

A dental office in Toledo has been working to serve those who have served our country by providing free care to veterans.

Hires Dental Care has been hosting Stars, Stripes & Smiles annually since 2010, and has donated \$155,000 in free dental care to 684 veterans through the events.

"There is a need in this country to improve and expand dental care for our veterans, because many of these men and women fall outside the VA's strict criteria for coverage," Dr. J. Eric Hires said. "We established this non-profit event in order to provide these deserving individuals with quality dental care and possibly some relief if they are having tooth pain. Even though they can receive free treatment during our event, that is only one day and not a solution for long-term oral health. That is why our country needs to greatly improve upon the care it provides to our veterans."

At the event, vets are able to receive a free cleaning, filling or extraction.

"There are patients who served for several years overseas who did not plan a military career long enough to apply for the dental benefit. Unfortunately many of these same veterans have seen their overall health diminish and teeth become lesser priority," Dr. T. Ryan Phipps said. "We've seen infections that I am certain have been painful for years and the pa-

Champions of Oral Health

"Champions of Oral Health" is a feature in the "ODA Today" highlighting access to care initiatives in Ohio. Champions of Oral Health are people, programs and initiatives that go above and beyond to improve access to quality dental care to underserved populations.

tient finally has a chance to take care of it. Our veterans are not complainers, and to see an infection that I know has been that bad for that long reinforces why we need to help them."

This year's event took place May 13, and the office saw 119 veterans for \$22,300 worth of care.

"It's overwhelming the amount of 'thank you's' and hugs we receive during Stars, Stripes & Smiles," said Erica Emery, event director/marketing manager at Hires Dental Care. "But what validates the importance of this day to me is seeing veterans arrive as early as midnight for an event that begins at 8 a.m. Every year, one of our regular Stars, Stripes & Smiles patients arrives at midnight in his camper, where he sleeps until registration begins. This year, as we were setting up for the event, another gentleman arrived at 4:50 a.m. to get in line. More trickled in soon after. Because the event is only one day, patients want to ensure that they receive



Submitted photo

Dr. Nithya Nagaraj, Dr. T. Ryan Phipps, Dr. J. Eric Hires, Dr. Lauren Czerniak, Dr. Eric Johanssen and Dr. Raymond Blackford volunteered for Stars, Stripes & Smiles to help veterans in need of dental care.

treatment, so getting their place in line is very important."

The volunteers felt that talking to the veterans, hearing their stories and being able to thank them for their service is one of their favorite parts of the event.

"My friends in the military have made it clear that dental care is difficult to access through the VA unless certain criteria is met," Phipps said. "The veterans who receive care on this day are extremely appreciative and have let our office know that they would not be able to afford the treatment without the event. We take so many of our freedoms and security as a nation for granted in the U.S. We owe it to all of our veterans to return the favor however possible."

The group is very grateful to have the support of the community behind its

efforts.

"As a non-profit, Stars, Stripes & Smiles runs solely on donations," Emery said. "We are so fortunate to have many local businesses and individuals get behind this event each year. We received donations from 36 businesses and individuals that included monetary gifts, food, beverages, dental supplies, raffle prizes and more. As the vets wait to be seen, they are treated to free food, a DJ, raffle prizes, games and more. We also get support from Promedica, who provides free blood pressure screenings; The Dental Center of NW Ohio, which helps veterans with further dental treatment if needed; and OH Veteran Job Services, who discuss employment opportunities with veterans."

See VETERANS, page 9



Submitted photo

Hires Dental Care saw 119 veterans for \$22,300 worth of care at this year's Stars, Stripes & Smiles event on May 13.

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ANNUAL SESSION, from page 1

largest Exhibit Halls in the area, where attendees can comparison shop and speak to knowledgeable sales reps who can answer questions about their products. The Exhibit Hall will contain more than 200 booths. An interactive online floor plan is available at www.oda.org/events, where attendees can search for products and companies and locate their booths.

In addition to the lineup of speakers and opportunities to shop in the Exhibit Hall, Annual Session will also feature special events for attendees, including a new dentist reception for dentists in practice for 10 years or less, and The Bash! for all attendees.

In honor of the ODA's 150th Anniversary, the ODA Annual Session will feature a special event to celebrate all that the ODA represents and stands for – dentists and their teams. Celebrate! is Thursday, Sept. 15 from 6:30 to 8 p.m. in Union Station Ballroom B at the Greater Columbus Convention Center. A DJ will be playing



The 2016 ODA Annual Session will feature an Exhibit Hall with more than 200 booths. Visit www.oda.org/events for more information.

Feinknopf

great music and a cash bar will be available. This event is free with registration.

In place of the Callahan Celebration of

Excellence, this year Annual Session will feature the ODA's 150th Anniversary Gala and Award Celebration as the premiere

Register now!

There are several ways to register for Annual Session:

- Online at www.oda.org.
- Use the registration form provided in the ODA Annual Session preview program that was mailed out in June. Once completed, the form can be mailed or faxed to the address or number on the form.
- On-site at Annual Session – but be aware that the on-site registration fee is higher.

Attendees are encouraged to register by Aug. 1 to avoid increased registration fees. Visit www.oda.org/events for full details.

event celebrating the ODA's 150th anniversary. The event will recognize ODA past presidents, current ODA President Dr. Chris Connell, the ODA Awards of Excellence winners and the Callahan Memorial Award winners. The event will be from 6:30 to 11:30 p.m. Friday, Sept. 16. Register with Event Code E94.

New this year, Annual Session will feature morning yoga classes on Friday and Saturday from 7 to 8 a.m. The yoga classes are free, but registration is required. Register for Morning Yoga with Rachel Kerr – Deep Stretch Vinyasa on Friday, Sept. 16, using Event Code E92. Register for Morning Yoga with Rachel Kerr – Slow Burn + Strong Core on Saturday, Sept. 17, using Event Code E96. Support provided by Bend. For more details on these classes, visit www.oda.org/events or check out the preview program that was mailed in June.

To register for ODA Annual Session and for more details including a full schedule of events, speaker bios and course descriptions, visit www.oda.org/events.

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Dental Insurance Corner

PPO audit finding questioned

By Christopher Moore, MA
ODA Director of Dental Services

It is not uncommon for dental insurance companies to audit and/or subject contracting and, at times, non-contracting dentists to audit and/or utilization review procedures. These activities are conducted by both publicly and privately funded third-party payers.

Dentists who have gone through these audit/review procedures have reported a wide range of outcomes from simply having to read a letter from the payer to spending a significant amount of time and resources to respond to the payer's review.

In addition to the time spent addressing the payer's concerns, some dentists have reported monetary repercussions. Reports have ranged from payers requesting money to be returned on a dollar-for-dollar basis to requests for money to be returned on an extrapolated basis. In both scenarios the payer justified its monetary request by post payment questioning of the appropriateness of paying the initial claims. The reasons the initial payment was later contested ranged from the patient was not a covered beneficiary at the time of service to the payer's questioning of the necessity of the work in question to questions about the accuracy of the initial claim.

Payers typically make their determinations by comparing the initial submitted claims with the documentation contained in the patient's chart and/or the dental benefit coverage contained in the patient's benefits plan.

Dollar-for-dollar requests are the most common and have been made by both publicly and privately funded programs. They have occurred in both Ohio and other states across the country.

Extrapolated requests, however, are not as common. Extrapolated requests essentially involve the payer reviewing a limited number of patient records, questioning the appropriateness and/or accuracy of some of the claims and then applying a dollar figure that is based upon the payer's entire patient population within the dentist's practice.

Monetary repercussions for the

dentist have been reported to range from none to having to return money for services previously paid that the payer later questioned. In another state a publicly funded plan sought to recover funds on an extrapolated basis. In these cases the payer sought to recover a far greater amount of money than it initially paid for the claims it actually reviewed based on the premise that if the identified claims were inappropriately paid to begin with then the dollar figure associated with them for the service(s) in question should be extrapolated out onto the total amount the payer paid the dentist for the services identified as being a problem. These extrapolated cases often result in the payer seeking recovery of very significant sums of money. The ODA is aware of extrapolation being used by a publicly funded payer in the early 1990s and more recently by an agent of a publicly funded payer in another state. The ODA had been unaware of any privately funded payers in Ohio or any other state using extrapolation ... possibly until now.

The ODA has received a first-hand report from an ODA member dentist who is currently undergoing a "review" by a nationwide, privately funded preferred provider organization (PPO) he contracts with. Correspondence from the PPO to the dentist indicated that the PPO was "conducting a review of some claims billed by" the practice. It did not provide the reason it decided to review this particular dentist.

After reviewing the records of 10 patients, the PPO informed the dentist it "periodically reviews our records to ensure that claims submissions and payments are correct. [The PPO] reviewed resin-based composite restorations involving multiple surfaces for each tooth treatment billed by your practice ... The evaluation of the patient records identified many of the multi surface resin-based composite restorations billed by your practice were not warranted, and in some cases the service was not rendered. Also, there were a number of restoration services for which it appears you rendered the services for cosmetic purposes, which is not a [PPO] covered benefit...[the PPO is] seeking reimbursement from your office."

The PPO went on to state that since it had paid the dentist over \$32,000 since 2011, its review indicated the PPO was

at a financial loss of over \$24,000. It did not use the term extrapolation, nor did it provide a clear explanation for how it arrived at its financial loss dollar figure.

The PPO then offered the dentist the opportunity to discuss the review results and bring the matter to a conclusion.

The PPO subsequently conducted additional reviews of a limited number of patient files using "two independent dental consultants" but left its initial findings totally unchanged.

Attorney Paul-Michael La Fayette, who is representing the dentist, provided the ODA with the following statement: "I have reviewed a number of instances of concerns raised by dentists involving demands from dental plans for reimbursement for services rendered and claims previously paid by the plan. The review and evaluation process employed by the plans appears to be deeply flawed. Subsequent to prior approval and payment, dental plans employ an in-house dentist to review of a select few charts and radiographs, and offer opinions that treatment was not 'warranted' or properly rendered. As an example and as I have found in many instances, the dental plan's in-house dentist offers an opinion that a three- or four-surface restoration was not warranted and, instead, finding that only a one- or two-surface restoration was appropriate. Obviously, relying upon a radiograph alone is insufficient to determine whether a particular treatment was warranted. Notwithstanding this flawed review process and the conclusion that perhaps a one or two-surface restoration was appropriate, the dental plan demands reimbursement for the entire treatment – even for the treatment that was determined to be 'warranted.' Furthermore, the amount of reimbursement has, on more than one occasion, exceeded the total billings for all treatment rendered to the patients who were the subject of the select charts reviewed. How can the

dental plan justify this? For the select few charts that the plan reviews, they establish a percentage of treatment that they find unwarranted or not rendered and extrapolate that percentage across all patient billings by the dentist for that dental plan. Thus, the result is an entirely arbitrary calculation not based in fact, as the dollar demanded in reimbursement encompasses patient treatment that was not even reviewed. If you have been or are the subject of such a review, I encourage you to contact the ODA or contact me directly at plafayette@isaacwiles.com or (614) 221-2138."

Dr. Manny Chopra, chair of the ODA Council on Dental Care Programs and Dental Practice, said that "while the PPO does not utilize the term extrapolation in its correspondence, it certainly has not provided a detailed accounting or reasonable explanation for the large dollar figure it wants returned. If our fears are true, then this is unwarranted and disturbing. They also certainly do not appear to have considered the information the dentist provided in adjudicating his case."

The ODA Dental Insurance Working Group has considered information the dentist provided the ODA and has written the PPO to express the ODA's concerns over the entire matter. In a letter to the PPO, Chopra said "it appears [the PPO] has not adequately considered [the dentist's] documentation, relied too heavily upon radiographs and is inappropriately utilizing some type of extrapolation to determine the dollar amount it wants returned. We have been unable to identify any substantive justification that [the PPO] has provided [the dentist] to support the method it utilized to come up the dollar figure it wants returned." Chopra went on to request that the PPO immediately discontinue its flawed process.

ODA members who would like to submit a dental insurance related question, problem or concern may do so by sending the appropriate information to the ODA Dental Insurance Working Group, 1370 Dublin Road, Columbus, OH 43215, or 614-486-0381 FAX, or chrism@oda.org. To see past issues of the Dental Insurance Corner, visit www.oda.org/news and choose the category "ODA Today" and subcategory "Dental Insurance Corner."

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Update on prescription drug regulations, education initiatives in Ohio

By ODA Staff

Ohio is currently working to implement a recently-passed law regarding terminal distributor of dangerous drugs (TDDD) licensing. The law requires prescribers that either personally compound drugs or possess compounded drugs to obtain a TDDD license from the Ohio Board of Pharmacy.

This law impacts all prescriber practices that were previously exempted from licensure. Based on the pharmacy board's recent interpretation of "compounding," this law even impacts those who are engaged in a form of compounding commonly referred to as "reconstitution" (which can include vaccines).

As of June 2016, the pharmacy board had received a significant amount of feedback regarding this law and is continuing to evaluate how to best implement it. The board is expected to have further guidance following its July meeting, according to an update on its website.

The Ohio Dental Association recently submitted a letter to the pharmacy board expressing concerns with its interpretation of the new law. The letter stated, "While the ODA supports the regulation of compounded drugs, we are concerned that the pharmacy board's interpretation of what consti-

tutes 'compounding' in Ohio is overly broad based on the original intent of the regulation."

More specifically, guidance recently issued by the pharmacy board indicates that Ohio law does not differentiate between compounding and reconstitution. National compounding rules and guidelines, however, explicitly state that compounding does not include reconstitution or other acts that are performed in accordance with the manufacturer's instructions. Accordingly, these new rules go beyond national compounding rules and guidelines and are not based on any scientific evidence that the current practice is unsafe or otherwise dangerous for patients.

The letter also acknowledged that dentists already possess a license from the OSDB that allows the rendering of treatment and care within the scope of practice, which includes performing injections. Dentists are also required to routinely utilize the OARRS database and those who prescribe dangerous drugs are required to have a DEA license. The letter concluded, "With these regulations in place, and in light of the fact that there is no evidence to suggest that in-office compounding as practiced today is dangerous, we are confident that a revised, less restrictive, rule will allow dentists in Ohio to continue the safe practice of dentistry, including the administration of

diluted or reconstituted drugs, without subjecting them to unnecessary regulatory requirements and expense."

Pending Legislation

Additionally, pending legislation would expand the TDDD licensure requirement mentioned above to include any health care professional (including dentists, physicians and veterinarians) who possess Schedule I, II, III, IV, or V drugs in their offices. This new initiative is designed to ensure that all locations that have controlled substances are regulated by the pharmacy board. Learn more about Senate Bill 319 on page 1.

Opioid Prescribing Guidelines

Earlier this year, the Governor's Cabinet Opiate Action Team issued new opioid prescribing guidelines designed to help fight prescription drug abuse. The team recently sent an email to health care providers asking them to complete an online training module regarding the new Acute Pain Opioid Prescribing Guidelines.

The online training module includes a 10-minute training video that summarizes the new guidelines, plus a pre- and post-training quiz to gauge the effectiveness of the training videos.

More information on the new guidelines can be found at opioidprescribing.ohio.gov.

ODA Foundation announces effortless way to help support grants, scholarships

By ODA Staff

The Ohio Dental Association Foundation has recently teamed up with Kroger Community Rewards to create a new way for dentists to support the foundation, without having to spend any extra money.

Dentists, students, residents and spouses can now support the Foundation simply by shopping at Kroger. The ODA Foundation receives donations from Kroger based on the number of shoppers who link their card to the Foundation and the amount those shoppers spend at Kroger stores.

"The Trustees recently opened up another option for giving to the Foundation," said Dr. Kim Gardner, chair of the ODA Foundation. "This arrangement with Kroger rewards the ODA Foundation for our members' purchases. It is easy, quick and painless – like our members' injections."

Donations to the Foundation go toward providing grants to nonprofit organizations that meet the needs of Ohioans through access to needed dental care or oral health education and scholarships to worthy dental students.

Those who shop at a Kroger store in one of the following Ohio counties can link their Kroger Plus Card to the ODA Foundation for Kroger Community Rewards and the Foundation will receive donations: Athens, Belmont, Champaign, Crawford, Delaware, Erie, Fairfield, Fayette, Franklin, Hancock, Hardin, Hocking, Jackson, Jefferson, Knox, Licking, Logan, Lucas, Madison, Marion, Morgan, Morrow, Muskingum, Ottawa, Perry, Pickaway, Pike, Richland, Ross, Sandusky, Scioto, Seneca, Union and Wood.

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- Kroger will send a link to your email to verify your new account. Click the link in your email from Kroger to verify your new account.

To link your account to the ODA Foundation:

- On your account, click "Enroll" in Community Rewards
- Search for "Ohio Dental Association Foundation" or enter 41024, check the box next to the Foundation's name and click "Enroll."

DESIGN, from page 4

because of this, the practice doesn't get the full benefit of the remodel.

"Dentists need to look at their facility as a reflection of their expertise and improving that patient experience," she said. "It is incredible the skill sets it takes to perform dentistry well, and patients can't really appreciate that. They take their cues from the facility, how they are treated, that their smile looks good. It's about how you present yourself, and how you present that practice."

Carter said that even small steps can make a huge difference in the patient experience. For example, just clearing off a desk and removing any clutter will make a practice appear neat, tidy, well organized and more professional.

She said that as dentists are focused on treating their patients, sometimes they may not realize what kind of impression their facility is leaving on their patients.

"It's a wake-up call as to the impact the facility has on the patient experience," she said.

The course will provide an overview of the design process, and will include time for general questions. The Carters also will be available to answer more questions from attendees about their own specific projects during breaks and after the course.

The course is supported by Midmark. Midmark is an official Ohio Dental Association Sesquicentennial Sponsor and an exhibitor at this year's Annual Session (booth #714). ODA Sesquicentennial Sponsors are outstanding companies who have joined the celebration to honor the ODA's 150th anniversary.

"Working in the health care space, we understand the challenges facing today's health care providers inside the office and in the governing bodies outside the office walls," said Tom Evans, a dental products sales representative with Midmark. "An organization like the ODA is critical in representing its members at the state and federal level of government, supporting their members' interests by providing access to quality education and enriching the health within communities through-

out Ohio. We're happy to be part of the celebration of such a great organization."

He said that Midmark is extremely honored that so many Ohio dentists have chosen to partner with Midmark.

"As a family owned, Ohio-based business, Midmark shares a lot of the same goals as the ODA and its members. As a leader in dental, medical and animal health markets, we are focused on re-defining the clinical space while creating innovative solutions to make a positive difference in the practice of health care," he said. "Secondly, with offices in Dayton, Versailles and Cincinnati, we live and work in the same communities as many of our members. The majority of our 1,600 teammates and their families are patients of the dentists the ODA represents. Midmark teammates take great pride in seeing the equipment they work so hard to design, develop and manufacture put in use."

This course allows up to three attendees to register for a total of \$275, and each additional attendee in that group will cost \$100. To register for this course and to learn more about the full schedule of events at this year's ODA Annual Session, visit www.oda.org/events.

VETERANS, from page 6

Hires said the Toledo community has been very supportive of Hires Dental Care for over 40 years, which has allowed the practice to continue to grow. Because of this, he feels it's important to give back to the community.

"Being able to give back and provide the local veteran community with free dentistry is very rewarding for all of us volunteers," he said.

The dentists who participated in this event include Dr. J. Eric Hires, Dr. Nithya Nagaraj, Dr. T. Ryan Phipps, Dr. Lauren Czerniak, Dr. Eric Johansen and Dr. Raymond Blackford. Their next Stars, Stripes & Smiles event is planned for May 12, 2017.

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Distinguished Dentist Award: Dr. Joseph Mellion

By Jackie Best
Managing Editor

Dr. Joseph Mellion has been involved with organized dentistry since he began his career. In recognition of his efforts, he will receive the Ohio Dental Association Distinguished Dentist Award on Friday, Sept. 16, at the ODA's 150th Anniversary Gala and Award Celebration, held in conjunction with the 150th ODA Annual Session.

"Dr. Mellion's involvement as a leader in organized dentistry has spanned over 25 years and continues today," Dr. Stephen Moore, president of the Akron Dental Society, wrote in a nomination letter. "From his early participation on the Council on Membership Services at both the local and state levels, through his presidency in the ODA, and to his continued leadership as the executive director of the Orthodontic Education and Research Foundation (OERF) at Saint Louis University, he has demonstrated a commitment to advancing the dental profession."

Mellion said he's very humbled and honored to receive the award and be recognized for his efforts.

"I am honored and humbled to receive the award," he said. "It's very special to be recognized by your peers."

Mellion started on the path to becoming an orthodontist when he was a sophomore in high school and met a local



Dr. Joseph Mellion is the 2016 Distinguished Dentist Award winner.

orthodontist who had just started practicing. The orthodontist needed someone to do lab work, so Mellion worked doing lab work for the orthodontist for about five years.

After high school, Mellion attended the University of Akron, and then went to dental school at Case Western Reserve University. While there, he worked in the orthodontic lab at Case and met Dr. Lysle Johnston, who was the head of the orthodontics department at CWRU at that time and became a mentor to Mellion. Mellion earned his DDS from CWRU in 1978, and followed Lysle to the St. Louis University

Department of Orthodontics to study under him and earned his MSD in 1980.

At that time, he decided to move back home and open an orthodontic practice with his younger brother in Akron. Today, Mellion continues to practice with his two sons Zachary and Alex in Fairlawn, Medina and Brunswick.

Mellion said his favorite part about being an orthodontist is the people.

"Since orthodontics is such a long term and difficult procedure with a lot of people, you get pretty close. It's really something when they walk in and they come up and give you a great big hug," he said. "To me, at this point in my life, you work hard to get where you are, but it's all about the people. Yes we've all worked hard, yes we've all made a good living in this profession, but it's all about the people you meet and the friends you make."

Mellion became involved with organized dentistry as soon as he went into practice.

"I think organized dentistry is so important because it is our voice," he said. "It is so difficult as an individual to try to make changes, but as a group that has solidarity and speaks with one voice, we are much more powerful. I don't know how you can be a professional and not belong to your professional organization."

Mellion has served as president of the Akron Dental Society and Ohio Dental As-

sociation, and has served on many councils and committees. He became involved with the membership councils at the local and state levels early on, and served as chair of both councils. He also has served on the ODA Annual Session Committee and Finance Committee among others, and currently serves as the chair of the Callahan Memorial Awards Commission. He also serves as a delegate to the American Dental Association and is executive director of the Orthodontic Education and Research Foundation in St. Louis.

"I always feel it's important to get involved in your profession," Mellion said. "When you're asked to serve on different committees or councils, people have taken the time to recommend you for that position, so I think you need to take that seriously. No matter how much time and effort you give, you will receive tenfold that number in return. The people on my Executive Committee were exceptional the years we went through. I lost my youngest brother during that time, and they stepped up and supported me. We had quite a strong team, and that's what I think it's about. It's important to give back."

Mellion is also a member of the American Association of Orthodontics, the American Board of Orthodontics, the International College of Dentists, the

See MELLION, page 11

N. Wayne Hiatt Rising Star Award: Dr. Tyler Scott

By Jackie Best
Managing Editor

Tyler Scott has been involved in organized dentistry since he was a dental student. For his efforts, he will receive the Ohio Dental Association N. Wayne Hiatt Rising Star Award on Friday, Sept. 16, at the ODA's 150th Anniversary Gala and Award Celebration, held in conjunction with the 150th ODA Annual Session.

"I highly recommend Dr. Scott for this award," wrote Dr. Darrel Scott in a nomination letter. "I believe he encompasses high levels of leadership qualities, and service and commitment to the profession that this award demands. Dr. Scott has been a leader in dentistry since dental school and will be leading us into the future."

Scott said he feels fortunate to be receiving the N. Wayne Hiatt Rising Star Award.

"I feel fortunate to be chosen and nominated for the award," he said. "I know looking back how many great people have gotten the award, and I feel fortunate to be nominated and to be able to accept it."

Scott said he has always wanted to be a dentist because he spent time with his dad, Dr. Darrel Scott, at his dental office as a kid. Dr. Tyler Scott said that when he was about 3 years old, he went with his dad to treat an emergency. His dad needed to remove the patient's tooth, and when the tooth came out Scott screamed because he was so excited. Now, 30 years later, Scott practices with his dad and that same patient came back and had Scott remove a tooth.

Scott received his DDS from The Ohio State University College of Dentistry in 2009. While he was there, he was very active in the American Student Dental Association (ASDA). During his first year, he became the local chapter president and helped bring ASDA enrollment to an all-time high at OSU. The chapter was recognized as one of the most improved chapters in the country at that time. He also organized several ASDA programs including the annual golf outing, recruited

students to participate in ODA events and served on several ODA councils and committees.

Scott was then elected as a national ASDA trustee and chaired the ASDA Council on Professional Issues. During his time, the council published a white paper on ethics and professionalism in dental education.

After graduating from dental school in 2009, Scott moved back home to practice with his dad in Loudonville.

At their office, Scott and his dad feel it's important to give back to the community. Because Scott speaks Spanish, he sees some Spanish migrant workers. He also participates in the Give Kids A Smile and Dental OPTIONS programs to treat adults and children in need. Additionally, the

practice sees some Medicaid patients, and Scott is a participant in the Ohio Dentist Loan Repayment program, which provides loan repayment for dentists who practice in a designated shortage area, treat Medicaid patients and provide care to patients regardless of their ability to pay to help improve access to dental care.

"I think it's our responsibility as community leaders to give back to the community as much as we can," Scott said. "It's only right to do things for the community that we work in."

Scott also serves on the Board of Ashland County Career Center dental assisting program and is a national speaker on CAD/CAM dentistry.



Dr. Tyler Scott is the 2016 N. Wayne Hiatt Rising Star Award winner.

See SCOTT, page 11



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ODA event to help match new dentists, students looking for a job with dental offices looking to hire

By ODA Staff

This year's ODA Annual Session will feature a new event to help newer dentists and fourth-year dental students who are looking for a job match up with more seasoned dentists who are preparing for a practice transition or looking to expand their practice.

MATCH @ ODA Annual Session is a free event hosted by the ODA Subcouncil on New Dentists and will take place from noon to 1 p.m. on Saturday, Sept. 17.

"The Subcouncil on New Dentists believes that new dentists are the future of organized dentistry and the tripartite is here to serve its members," said Dr. Lauren Czerniak, chair of the subcouncil. "The subcouncil wanted to host an event to remind new dentists that their membership in organized dentistry has value and that as members, they are valued. We recognize after having gone through it ourselves, that the transition and pro-

cess of being a dental student to finding your first job to becoming a partner or an owner can often times be confusing, difficult and nerve racking. Our goal as a subcouncil is to host an event for new member dentists to help alleviate some of these issues."

Those looking to sell a practice, buy a practice, hire an associate or become an associate are all invited to attend this unique event.

After registering, attendees will be contacted by the ODA to gather more information to enhance and personalize the process.

"We have modeled MATCH after similar successful events hosted by the Colorado and Maryland state dental societies," Czerniak said. "The MATCH event being hosted on Saturday at Annual session will allow for new dentists to network and meet existing ODA members who are looking to hire associates, to find partners, or to transition and sell their practices. We

are providing this unique opportunity to new dentists in hopes of decreasing the stress that is involved with finding a job. Hopefully, the MATCH event will open doors to successful futures for our new dentists."

No outside companies or vendors will be included in this program, and attendees are not required or guaranteed to make a "match" at the event. Register for this event using code E97. A light lunch will be served.

To register for the ODA Annual Session and for more information, visit www.oda.org/events.



Like the ODA Annual Session Facebook page!

MELLION, from page 10

American College of Dentists and the Pierre Fauchard Academy. He received the Distinguished Dentist Award from the Pierre Fauchard Academy in 2008 and the Distinguished Alumni Award from the St. Louis University Department of Orthodontics in 2000.

"Throughout his service in the ADS, ODA and OERF, Dr. Mellion's skills and experience have been constantly called upon. His continued leadership on the Annual Sessions Committee, Finance Committee, Membership Committee, and the Executive Committee of the ODA has demonstrated the leadership qualities of staying focused on the challenges at hand, courage to make the tough decisions, and the building of the foundation for future success," Moore wrote. "During Dr. Mellion's time on the Executive Committee and as President of the ODA, he worked within the committee to transition the ODA to a strategically driven organization whose budget reflects its priorities."

Outside of dentistry, Mellion enjoys spending time with his children and grandchildren, playing piano, hiking and riding bikes and motorcycles.

Mellion and his wife Dianne have three children, Zachary, Sarah and Alex, and three grandchildren.

The Distinguished Dentist Award is the ODA's most prestigious award. It is given to a leader in the profession committed to the advancement of dentistry who is dedicated and committed to organized dentistry at the local, state and national level.

SCOTT, from page 10

Scott said his favorite part of being a dentist is interacting with his patients and being able to learn something new every day.

"I love interacting with the people, and I just love to do the things that I do every day," he said. "I like that I'm learning every single day; every single day there's something new that you learn or improve upon, and I like having some excitement every day and to be able to help people."

Scott has also continued his involvement in organized dentistry since graduating from dental school. He has served as president of the Central Ohio Dental Association since 2009 and is a delegate to the Ohio Dental Association. He also serves on the board of the Ohio Academy of General Dentistry.

"I always just kind of knew organized dentistry from my dad, so I always knew it was important," he said. "It really hit home when I went to dental school and was part of ASDA and a national leader. When I got into those roles I really figured out that it's important. Organized dentistry is there for protecting our profession, not only giving back with programs like Give Kids A Smile and OPTIONS, but also protecting our profession from threats that are out there like midlevel providers."

Outside of dentistry, Scott enjoys golfing and spending time with his family. He also officiates wrestling events for middle school and high school. He and his wife Paola have twin daughters and a son.

The Rising Star Award recognizes a young leader in dentistry with outstanding leadership and initiative and a strong commitment to volunteerism within the community and the profession. This person must demonstrate promise for continued and future accomplishments within the dental profession, and must have been in practice for 10 years or less.



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The Explorer

Matthew J. Messina, DDS
Executive Editor

The fate of the Republic

Thomas Jefferson said, "We in America do not have a government by the majority. We have a government by the majority who participate."

A recent report from ADPAC, the American Dental Political Action Committee, stated that 31 percent of dentists are not registered to vote. That's nearly one in three of our colleagues that has chosen not to participate. Maybe that's you?

Let me begin by stating very clearly that I don't care about your party affiliation. Nor do I want to influence your decisions on for whom to vote. I want to encourage you in the strongest terms to become engaged in the process. The country needs you to participate!

I know there are many reasons for people not to vote. The most common one is the feeling that your vote doesn't count ... that the system is too big. The problem with complaining about the system is that the system can't hear you. Only people can. When we band together – parents, families, dentists, staff, educators, health care workers, employers, employees, young people, seniors – we can speak loud enough to get attention.

The "government" may be big and impersonal, but it is made up of people. Bureaucracy doesn't mistreat us, misrep-

resent us, waste money, govern poorly, create an unfair status quo, or generally make a mess of things – people do. If we care enough, we can make them, and by extension, the government change.

Another reason why people don't vote is general apathy. However, if you don't voice your opinion, then you should hold your tongue with complaints when things don't go the way you want them to. Partisan bickering in politics is difficult, but it won't go away if you ignore it. Even if you don't like any of the candidates, I guarantee that one of them still will be elected.

If the presidential election still turns you off, then don't forget to research and vote for candidates and issues on the rest of the ballot. The value of each individual vote is at its greatest in local contests. That's also where we can effect the most immediate change in our lives and our communities.

People say that the candidates are all bad and that it's like voting for the lesser of two evils. Well, voting in a democracy is not supposed to be easy. You need to research the positions of the candidates and find the one that more closely fits your vision. Politicians are people too, and it would be unreasonable to expect to find someone who agrees with you 100 percent. We need to work to find candidates who share similar values to ours.

Another common theme is that money rules politics today and that the government is run by a few big, powerful, special interests who don't care for the little guy. Money is an issue, as it has always been, but nothing gets a politician's attention more than votes. Also, an effective way to fight money is with money, well placed contributions paired with information. That's where the PACs come in. ADPAC, ODPAC, and local political support groups allow us to pool our resources and achieve the kind of access to legislators

that we could not achieve individually. Our track record is one of outstanding success in representing the profession.

Every day I see that people are turned off by the highly negative nature of campaigns. It's distressing how nasty political campaigns have become – with personal attacks and distorting records. It's almost as if campaigns were designed to turn people off. On one level, you're right. One strategy of campaigns is to ensure that only their voters go to the polls. Don't let it happen – get out and vote and prove them wrong. Ignore the negative ads or tell the campaign airing them that you don't like the ads, and won't vote for the candidate. Hold them accountable for the nature of their campaign. Negative elections alienate voters and negative ads can confuse and distort the values of candidates. Demand that campaigns tell the truth and speak up about what their candidate is for ... not just what their opponent is against.

The growth of cable TV and the Internet was supposed to make us more informed as a society. That opportunity is there, but it has also fostered a tribal arrangement in the USA now. If you want, you can only hear the opinions of people who agree with you. To broaden our ability to reason and make informed decisions, we need to begin reading and hearing opinion from multiple sources. From all sides of the political spectrum. I encourage you to watch Fox News and CNN. Read the New York Times, Washington Post, as well as the

National Review. If we seek out opinions that differ from ours, we can then sharpen our own arguments in response. That way we can have meaningful discussions as a society. Debate begins with listening first, then speaking. That's something we have forgotten.

After the conclusion of the Constitutional Convention in 1787, Benjamin Franklin was asked, "What type of government have you given us?"

"A Republic," he replied, "if you can keep it!"

I am reminded of the saying by Abraham Lincoln that, "the ballot is stronger than the bullet." The time is now for all of us to be engaged in the process. A vote means that, "I care." We need to affirm that we are ready to become informed and debate the future of our country. The future is at stake. Please join us! Register ... and then make sure to vote!

Dr. Messina may be reached at docmessina@cox.net.

The views expressed in the monthly columns of the "ODA Today" are solely those of the author(s) and do not necessarily represent the view of the Ohio Dental Association (ODA). The columns are intended to offer opinions, information and general guidance and should not be construed as legal advice or as an endorsement by the ODA. Dentists should always seek the advice of their own legal counsel regarding specific circumstances.

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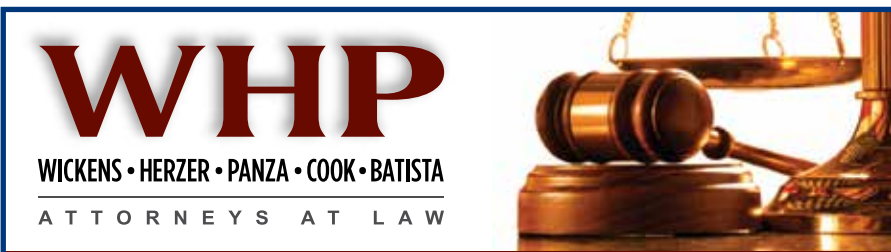
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MATCH @ ODA Annual Session

- Interested in selling or buying a dental practice?
- Looking for an opportunity to become an associate?
- Do you need to hire an associate?

Join us at the 2016 ODA Annual Session for a unique event organized by the ODA Subcouncil on New Dentists and designed to help newer dentists meet seasoned dentists who are preparing for a practice transition or looking to expand their practice.

Saturday, September 17
12:00 p.m. to 1:00 p.m.
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Once you register you will be contacted by the ODA prior to the event to provide additional information which will enhance your participation in the matching. MATCH @ ODA Annual Session is free and for members only, but registration is required. A light lunch will be served.

No outside companies or vendors will be included in this program and no final commitments or arrangements are required or guaranteed.

For more information and to register for this unique event, please visit www.oda.org/events.

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Great Dentists Wanted – Lorain & Macedonia OH – \$\$\$\$ signing bonus: Midwest Dental is seeking great dentists to lead our Merit Dental practices in Lorain and Macedonia. This position offers excellent compensation and benefits, a great work-life balance, and unlimited opportunity for professional development. Our support team handles the administrative details, allowing you to lead your team while focusing on dentistry. If you possess a passion for providing quality care and are looking for a rewarding career opportunity, please contact Brad Smith at (715) 590-2467 or bsmith@midwest-dental.com.

Immediate start for General Dentist. Our office is looking for an associate to join our busy, general practice in Westlake, Ohio. Healthy, new patient flow, quality staff and facility. Starting 2 days / wk to expand as the position demands. Please contact Dr. David LaSalvia at (440) 871-8588 or lasalviadds@aol.com.

Independent Lead Dentist opportunity available with Dayton Dental Solutions. We are seeking a kind hearted and personable person, who believes in optimal dentistry, is a team player and loves helping others. As a lead dentist in our practice, you will be responsible for patient care and be an advocate for dental health. Excellent listening and communication skills are desired to successfully treat patient's dental needs, as well as manage the day to day activities of our hygiene, clinical and administrative teams. This opportunity has an amazing potential for you to grow as a professional and learn skills in dental care, management, excellent patient care and interpersonal relationships. Our doctors meet weekly to coordinate philosophy, discuss case management and receive mentorship from each other, as well as, Dr. Greg Shelhouse, a well respected dentist in southwest Ohio. Dr. Shelhouse currently hosts the Dawson Academy, an advanced dental training

program at his facility as requested by Dr. Pete Dawson, Founder and Dr. John Cranham, Clinical Director for the Dawson Academy. For more information or to schedule an interview please reply to jennifer@smileddc.com. Excellent earning opportunity. This position is available September 2016.

North Coast Dental and Assoc. is seeking a n experienced and enthusiastic dentist for a well established 35 year old practice on the east side of Cleveland. This position offers excellent income potential for part time flexible hours. Enjoy practicing with a friendly staff that includes EFDA'S. Dentist must have both a current Medicaid and Caresource number. For a rewarding and professional position call Dr. Elliot Zeaman at (216) 225-5222 or email at ezeaman@ameritech.net.

Northeast Ohio Private Practice in search of Part-time Oral Surgeon to work 2-4 days per month. Offices located in Chardon, Painesville and Jefferson. We are a thriving, family practice originally started in 1969 with a robust patient base. Our patients are extremely loyal, and prefer to stay in-house for their treatment. Adding an oral surgeon will improve our ability to meet this need. Recent graduates and residents will be considered, competitive compensation will be offered. Please contact Jennifer at (440) 728-0236 or email at pdgsater@att.net.

Private practice opportunity, long term. Large well established group private practice in Fremont OH (near Toledo) is looking for a full time experienced dentist: Great Employers and team! Private practice has been in the community for 21 years. Comprehensive dentistry, endo, crown and bridge, and implant services. Newer technologies such as E4D , Digital x-rays in use and practice poised for growth. Digital orthodontic systems, passive ligation systems used. The practice currently has 8 operatories, friendly staff, and great team. This is a great long term opportunity. State of the art 6000 sq ft facility by end of 2016. Fee for service and some PPO insurance. Once in a lifetime opportunity! Exceptional pay: Between 33-35 % of collections. Career Job. Long term candidates only. Base pay offered. Candidates with no experience but willing to learn and be mentored considered. Job Type: Full-time. DDS/ DMD Required. Ohio License. (734) 686-1091 or recruitmentdag@gmail.com.

Tiffin, OH dental practice is in search of an associate. Very busy practice with dentist's schedule booked ahead 2 months. Flexible schedule available for associate for 2 - 4 days/week. Thriving practice with a majority of fee-for-service patients. Staff is experienced and associate will be working with an EFDA. High income potential. Candidates with endodontic and oral surgery experience

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preferred but not required. Please send CV and inquiries to ohdentist70@gmail.com.

Tired of the associateship or buyout that never seems to work out? If yes, then we have the associateship or fair buyout for you. Seeking a motivated, caring and hardworking general dentist for the Clayton/Englewood area of Dayton immediately. Please send CVs to daytontdentist@hotmail.com or call Sharon at (740) 644-0571.

UC Health - University of Cincinnati Medical Center has the following full-time opportunity available: Staff Dentist. This position is responsible for providing comprehensive general dentistry services to a diverse patient population in a clinical practice setting. It will also require a varying amount of resident teaching/supervision, as well as the potential for treating special needs patients in the operating room. The ideal candidate will have comprehensive knowledge and experience in all aspects of general dentistry, including, but not limited to, implant dentistry, oral surgery, endodontics, and crown and bridge. They should be willing and able to work well in group settings, and be motivated to contribute to the overall success of the practice. Minimum qualifications are a graduate of an ADA accredited dental school and successful completion of a post-doctoral general dentistry residency program. The candidate should also have experience and be comfortable treating medically compromised patients and be willing to expand their knowledge of such patients. Ohio Licensure is required. The position is open and applications will be accepted until the position is filled. We offer a competitive salary and comprehensive benefits package. It is the policy of UC Health to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, genetic information, ancestry, military status, sexual orientation or any other status protected by applicable law. Interested individuals please forward your resume to: Jerome McMahon DDS, UCMC Dental Center, ML0803, 234 Goodman Ave, Cincinnati, OH 45219. Phone: (513) 584-6660. Email: jerome.mcmahon@uchealth.com. www.uchealth.com.

We are looking for and enthusiastic dentist to care for our patients in our Englewood and Troy Ohio practices. Both are general practice, digital x-ray, cerec technology, established practices. Please contact Mr. Sullivan at 937-430-4317.

We're overwhelmed! Our five location multi-specialty group practice has grown to the point that we simply have too many patients. Our full time General Dentists are currently seeing 80+ new patients per month with an average annual income ranging from \$150,000 initially to \$300,000 for the more seasoned doctor. Our doctors providing specialty care are receiving significantly greater levels of compensation. Doctors receive an initial salary, incentives and a full benefit package while enjoying the freedom that our experienced management team

provides. Enthusiastic, quality oriented professionals seeking independence, growth and financial stability may contact Dr. Michael Fuchs at (513) 505-9987, (513) 697-2640 or fdca1.jmf@gmail.com. Full or part time positions are available. No evenings after 7pm and no weekends. We very much look forward to speaking with you.

Wisconsin opportunities. General Dentists and Specialists - Dental Associates is opening new locations in Wisconsin. We foster a culture which invites our patients into our "dental home" and provides them with a caring and empathetic approach to dentistry. At Dental Associates you will not only experience the support and stability of working within a group, but also the flexibility of managing your own schedules and running your own practice. Dental Associates will ensure you have everything you need to be the best - state of the art technologies, guidance, staffing, scheduling, IT, patient financial services, accounting, marketing, continuing education and more. You will always be on the forefront of technologies and innovations and you will be able to develop relationships with other dentists and specialists. "Your practice within our practice". It's a win-win for all involved. Become part of this dynamic team and consider joining the other dentists practicing with us today. Signing bonus and relocation allowance available. Current positions available in Milwaukee, Appleton, Greenville and Green Bay, Wisconsin. Call Susan today at (800) 315-7007 or email sbulen@dentalassociates.com.

Associateships. Whether you are a dentist looking for an associate position, or a practice owner looking to hire an associate, NPT has created a free job posting board to assist you with your search. Visit www.NPTdental.com/associateships to learn more.

Equipment for Sale

1927 antique dental cabinet, \$975. Contact Andy at drandrewtoth@aol.com.

For sale: used Jeter chart racks, 3 wall mounted units and a mobile on track. (330) 343-9557.

GENDEX & DEXIS INTRAORAL X-RAY SENSOR REPAIR. We specialize in repairing Gendex & Dexis dental x-ray sensors. Repair & save thousands over replacement cost. We purchase old/broken Sensors! www.RepairSensor.com, (919) 924-8559.

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Sirona Cerec AC Blue Cam and Cerec 3 milling unit, both barely used. Any reasonable offer. (419) 764-9147.

Practice for Sale

Cincinnati Metro-in Burlington, KY. Practice For Sale. Growing area! Great facility. Collected ~\$397,000 in 2015 on 3 to ~3 1/2 day work-week. No Medicaid. 5 operatories. Dentrax software. Active hygiene recall. Contact George Stollings (304) 486-5714, george@gdstollingsassoc.com.

For Sale: #OH-1293, Lawrence County. 6 Operatories. Collections \$956,242. Net \$404,217. Experienced staff. Excellent hygiene recall. Lease or purchase real estate. OH-1267, Warren County. Price INCLUDES two practice locations. Collections \$741,000. Strong growth & well-established. OH-1180, Clark County. 4 Operatories. Collections \$423,148. Net \$179,479. Loyal patient base. Reasonable commute to Columbus. OH-1245, Lake County. 4 Operatories. Collections \$368,437. Net \$155,031. Well-established client base. Real Estate available for purchase. Jason Gamble. National Practice Transitions 614.648.8118 x229, j.gamble@NPTdental.com, www.NPTdental.com.

Medina County. \$650K. No medicaid or DMO. Fast-growing community. 6 ops in upscale facility. Digital pan & intraoral. Many amenities. Brief transition period. Call (330) 283-0946.

Own your practice. Great patients in affluent Cleveland suburb. Includes practice, equipment and property. All inquiries and discussions to be confidential. Mail phone number or address to: Interest, PO Box 41458. Brecksville, OH 44141.

Practices for Sale – Ohio. Please call Steve Jordan, (330) 335-9042 or visit pmagroup.net.

Senior Doctor looking to Retire and sell my Dentistry Practice, which is located. In Monroe, MI. 11 miles North of Toledo. Will help with mentoring and Transitioning from Employee to Employer. Very successful Practice, seeking highly

motivated Dentist. Candidate needs to be a good communicator, have a good attitude, be a team player and be experienced in All phases of Dentistry. Practice has 5 equipped op's with ability to expand. We are Digital! Office is approx. 2,000 sq. ft. With full basement for storage. Would also like to hear from possible Associate w/ intent to buy. Contact information: Dr. Martin Drozdowicz, Home: (734) 242-2182, Cell: (419) 356-8496. Email: mkdroz@iCloud.com.

Southern Ohio-Ironton, OH region- Practice for Sale. Annual collections in \$900,000 to \$1 million range. Modern building. Nicely equipped. Dentrax software. Digital x-ray. CO2 laser. CT scanner. Good hygiene recall. Contact George Stollings (304) 486-5714, george@gdstollingsassoc.com.

Very modern, paperless, general practice for sale South of Akron. All the bells and whistles with great patients and the best staff you could ever ask for! Gross Collections \$800K. Please contact Tom at pfsmolar@gmail.com for more information.

Space Available

For lease: approx. 2600 sq ft. dental office; Mentor, Ohio. Great location - 18,000 cars daily, near Wal-mart, Bob Evans, Applebee's, K-Mart etc. Features 6 ops, lab, private Dr. office w/ private bath, customer and employee bath. Renovated approx 5 years ago, great condition. Call TR Hach (owner/agent) for details (440) 479-1607.

Opportunities in Northeast Ohio. Equipped dental office space for rent in specialty practice in Beachwood Ohio. Please call (216) 464-8985 for more information.

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