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

QuickBites

Have a question? The ODA has an answer

The ODA is Ohio's resource for the dental profession. When a member has a question or needs something, he or she should contact the ODA first. Odds are the information is available through membership.

Members can call the ODA at (800) 282-1526 with questions, plus visit www.oda.org 24/7 for up-to-date information.

The ODA's online resource library, found at oda.org/resource-library/, contains information related to practice management, regulatory compliance, legal questions and more.

So next time your office has a question, remember to contact the ODA first by calling (800) 282-1526, emailing dentist@oda.org or visiting www.oda.org.

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Exhibit Hall at 2016 ODA Annual Session offers comprehensive, efficient shopping experience

By Jackie Best **Managing Editor**

The Exhibit Hall at the 2016 ODA Annual Session will be a comprehensive, efficient way for dental practices to shop for equipment and products. Plus the Exhibit Hall will also be taking part in the ODA's 150th anniversary celebration.

This year's Exhibit Hall will feature over 200 vendors and is one of the largest in the area. The hall will be open from noon to 6:30 p.m. on Thursday, Sept. 15; 10 a.m. to 6 p.m. on Friday, Sept. 16; and 10 a.m. to 2 p.m. on Saturday, Sept. 17.

"In a situation where someone is looking for a lot of equipment or some different small equipment items, the experience is good because the Exhibit Hall gives the opportunity for a dentist to compare almost side-by-side different brands of the same or similar products," said Dr. Mike Winick, 2016 Annual Session exhibits co-chair. "So if you're looking for a new dental chair, you would have an opportunity to see several chairs on the floor all in one place. If you tried to do this at any other time, you would have to travel. It does give a unique opportunity to compare and contrast."

In addition to comparison shopping in one place, the Exhibit Hall also provides attendees with several other opportunities for an efficient, comprehensive shopping trip.

Dentists who bring their entire team with them to Annual Session can shop for products together.



The ODA Annual Session Exhibit Hall will feature more than 200 booths, and attendees will have an opportunity to comparison shop and speak with company representatives.

Exhibit Hall Hours

Thursday, Sept. 15 - noon to 6:30 p.m. Friday, Sept. 16 - 10 a.m. to 6 p.m. Saturday, Sept. 17 - 10 a.m. to 2 p.m.

"You might be able to make some of these purchases a group decision, where that may not be possible outside the Exhibit Hall," Winick said. "If you're there with your whole team, the team could weigh in, and that could

be very beneficial, especially if you're looking for some hygiene items."

Additionally, dentists can check out the online list of vendors, which is always being updated, before visiting the Exhibit Hall to plan out their trip. That way, attendees with limited time can map out a route of the companies they would like to see in the Exhibit Hall. If attendees know their dental supply company will be at the meeting, Winick said

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ODA, ODAF partner with health clinics to provide blood pressure cuffs

By ODA Staff

The Ohio Dental Association and the ODA Foundation have teamed up with the Ohio Association of Community Health Centers (OACHC) to incorporate blood pressure screenings during oral health visits at community health centers. The Ohio Dental Association Foundation is providing funding assistance for this initiative.

The program makes performing blood pressure screenings as part of the dental appointment easier by providing the clinics with blood pressure monitors. OACHC has also developed a blood pressure protocol and reference guide for providers and pamphlets to send home with patients on healthy habits to lower blood pressure.

"The ODA and the Foundation saw the request for the funding of the equipment to check the blood pressure of dental patients, within the confines of community health centers, as an opportunity to support the Blood pressure stats

- · High blood pressure affects almost 1/3 of all American adults.
- · People with high blood pressure are four times more likely to have a stroke.
- · People with high blood pressure are three times more likely to die from heart disease.

gathering of vital information," said Dr. Kevin Laing, ODA president-elect and a member of the ODAF Board of Trustees. "It is important for our members to have information regarding the stress of different dental visits as measured by blood pressure and the value of screening patients for undiagnosed hypertension. The uniqueness of this program is the ability of a community health center to have the patient go down the hall to a physician if the need arises."

OACHC had found that one of the barriers to screening for hypertension is not having blood pressure monitoring devices available in each operatory. The program will provide blood pressure cuffs for each operatory in all 68 FQHCs with dental clinics in Ohio to help OACHC achieve its goal of integrating oral heath with primary care.

"This initiative illustrates the commitment of community health centers to provide comprehensive care, amplifying the dentist's role as a health professional who sees the importance of addressing patients' total health during their oral health visit," said Dr. Ted Wymyslo, chief medical officer of OACHC.

The community health centers that participate in this initiative will collect data including the number of patients screened and how many referrals are made for further screening and treatment. This data will be shared to underscore the value of a broader health perspective during dental visits.



Ohio Dental Association 1370 Dublin Road, Columbus, OH 43215-1098 www.oda.org



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

Celebrating 150 years

When I was young, my mother took me and my brother and sisters shopping at the Montgomery Ward's and Woolworth's stores. She drove us there in my father's Oldsmobile and filled up the tank on the way at the Amoco station. As I got older, my first airplane flight was on Trans World Airlines. Today, you can't find a Ward's or Woolworth's or an Amoco station. Oldsmobiles no longer roll off the assembly lines in Detroit and Lansing, and TWA is out of business too.

All of those iconic companies and brands – and many more (remember Blockbuster video and Borders' Bookstores?) have come and gone since the Ohio Dental Association was founded in 1866. Nonetheless, the ODA continues to thrive 150 years later.

Much has changed since the ODA was founded. In 1866, passenger trains were a primary mode of travel for long distances. In fact, many of the 41 dentists who attended the ODA's founding meeting in Columbus came from across the state via passenger trains. Others traveled by horse drawn buggies or on horseback. The time was right for the formation of a statewide dental association as the Civil War had finally drawn to a close the previous year and things were returning to normalcy in Ohio.

At the time, dentistry was not the profession it is today. Few dentists had formal



ODA Staff

On June 26 and 27, 1866, 41 dentists met in Columbus and developed a constitution and bylaws around the goals of creating a statewide association for Ohio dentists.



Celebrating our past, building our future.

training and many learned as apprentices. The tools were primitive and much of the science related to oral health was yet undiscovered. Some physicians incorporated dental care into their practices, but for many patients at the time, dental care meant tooth-pulling by barbers or blacksmiths.

That changed with the founding of the ODA, and dentistry would never be the same in Ohio. Over the last several months, the "ODA Today," including this column, has covered and celebrated the ODA's long history.

That history includes the fact that the ODA created what is believed to be the first written code of ethics for the dental profession at its founding meeting in 1866, which served as the model for the ADA's code of ethics adopted just a few

months later.

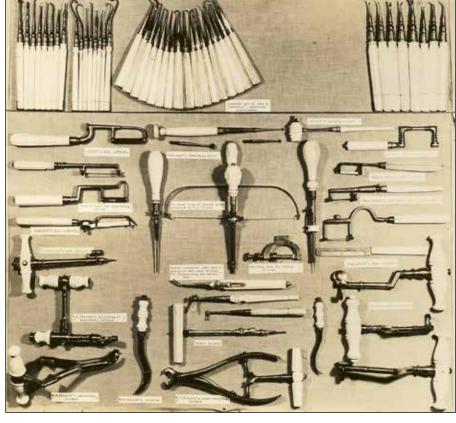
The ODA's advocacy over the past 150 years has helped to make the dental profession what it is today by working to formalize and standardize dental education, limiting unnecessary third-party interference into the practice of dentistry and ensuring dental care in Ohio is delivered by a well-trained team led by a licensed dentist.

Tens of thousands of Ohio dentists have benefited from the ODA's high quality continuing education programs, various ODA insurance programs, including health insurance and malpractice insurance, and the ODA's publications, which provide Ohio dentists with the latest information on regulatory changes and compliance, third-party payer issues, and dental practice trends.

Moreover, Ohio's citizens have benefited from the ODA's work, including our work promoting community water fluoridation, administering access to care programs for the underserved through which ODA member dentists provide millions of dollars in donated care every year, and promoting the highest standards of dental care so Ohioans have the confidence that the care they receive is safe and effective.

The ODA's grand history will be celebrated during the ODA's Annual Session next month. The ODA's 150th Anniversary Gala and Award Celebration will be held on Friday, Sept. 16, from 6:30 p.m. to 11:30 p.m. at the Hyatt Regency in Columbus. As part of the celebration, we will recognize ODA's past presidents, its current president, Dr. Chris Connell, the impact that Ohio's two dental schools, the Ohio State University College of Dentistry and the Case Western Reserve University School of Dental Medicine, have had on dentistry in Ohio, and the 2016 ODA award winners who are helping to make dentistry special in Ohio today. The ADA's President, Dr. Carol Summerhays, will be on hand to celebrate with us, and we will view a special video commemorating the 150 year history of the ODA and dentistry in Ohio.

For more information on the ODA's 150th Anniversary Gala, feel free to visit the ODA's website www.oda.org or call the ODA at (800) 282-1526. We'd love to see you at this wonderful black-tie optional event to celebrate 150 years of organized dentistry in Ohio. See you there!



In 1866, dentistry was not well organized, and dental care was often provided by people with little or no formal training. The tools were primitive and the science related to oral health was yet undiscovered. Dentistry has come a long way since the ODA was founded.

Come celebrate the ODA's 150th anniversary at the ODA Annual Session!

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.

- **Celebrate!** 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 great music and a cash bar will be available. This event is free with registration.
- The ODA 150th Anniversary Gala and Award Celebration Friday, Sept. 16 from 6:30 to 11:30 p.m. The premiere black-tie optional event celebrating the ODA's 150th anniversary. Register with Event Code E94. Visit www.oda.org/events for more information and to register.

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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. Over the last three months, this column has addressed the 10 most common questions received from dental offices.

3. Advertising

State regulations and the profession's ethical code govern all types of dental advertisements. Television and radio spots, websites and all categories of print advertisements, including newspaper, magazines, yellow pages, signs, school or church bulletins, billboards and other mediums, are subject to the regulation. There are several general rules that dentists should follow when engaged in advertising of any kind to avoid difficulties.

First and foremost, advertising must be truthful and accurate. State regulations and the American Dental Association's "Principles of Ethics and Code of Profes-

Top 10 legal issues for the dental office – part 3

sional Conduct" ("Code") require that dental advertisements avoid statements that are false or misleading in nature.

Second, dentists should clearly announce to the public which dental practitioners are offering services in an office. Board rules require that the names and conferred degrees of all dentists offering to practice dentistry within a facility be listed prominently at the front or main entrance of the practice. The names of deceased or retired dentists should not be posted at the front door or main entrance or be utilized in advertisements of any kind.

Dental board rules also require that all advertisements contain the name of the owner(s) of the dental practice and the dental degree that the owner was conferred. This requirement extends to any print, broadcast or Internet advertising (websites, social networking sites, etc.) and to any signs located outside of the office

Third, the public should be aware of the level of training of the dentist advertising services. Accordingly, dental board rules require all specialists to list their ADA recognized specialty directly after or below his or her name in all advertisements. General dentists are also advised to list the term "general dentist" directly after or before their name in all advertisements. This is because board rules prohibit statements made by general dentists that advertise the rendering of specific dental services unless the advertisement also includes the phrase "general dentist."

Use of the terms "family dentist," "cosmetic dentist," or "implant dentist" should be avoided. The board considers these terms misleading because they imply a level of specialty training to the public that

is not recognized by the ADA. However, a dentist could use the phrase "family dental services," "cosmetic services," and/or "implant services" or similar derivations provided the term "general dentist" or the ADA-recognized specialty designation appears directly after or below the dentist's name. General dentists may also advertise the provision of ADA-recognized specialty services if the term "general dentist" is used.

The board's rules also address advertising in telephone books and other directories. Dentists are prohibited from advertising under telephone book headings that are not ADA-recognized specialties unless the dentist is a specialist in that area

Finally, dentists should pay close attention to their advertising practices. A dentist is responsible for all content and placement of advertisements. Board rules require dentists to maintain in the office, for a period of at least two years, a copy of all advertising from print or broadcast media or via the Internet.

2. Patient records

Ohio law defines a medical record as "data in any format that pertains to a patient's medical history, diagnosis, prognosis or medical condition and that is generated and maintained by a health care provider in the process of the patient's health care treatment." Both state law and ADA Code require dentists to safeguard these data and treat the information as confidential. Section 1.B. of the Code states that "dentists are obliged to safeguard the confidentiality of patient records" and requires patient records to be maintained in a manner consistent with the protection of the welfare of the patient.

Although the dentist owns treatment records, a patient maintains an absolute right to access those records. This absolute right means that a patient has a right to view or obtain a copy of their records, regardless of whether they have an existing account balance. State law and the Code require health practitioners to make a patient's records available within a reasonable time upon receiving a request from a patient. The Code also states that "upon request of ... another dental practitioner, dentists shall provide any information in accordance with applicable law that will be beneficial for the future treatment of the patient." When engaging in the disclosure of records to a party other than a patient, it is wise for a dentist to obtain a written, signed release form from a patient prior to disclosing or releasing any records or information relating to a patient's treatment. It is important to note, however, that the provisions of the

Health Insurance Portability and Accountability Act (HIPAA) allow the exchange of health information between providers for the purpose of treatment, payment or health care operations without additional consent from the patient.

Dental offices may choose to charge patients and others for copies of records. However, a patient's failure to pay for the copies is not an excuse to withhold the records. State law sets the maximum fee that health care providers may charge for the duplication of patient records. For a current listing of the maximum allowable charges under state law, visit www.odh. ohio.gov/.

1. Employment issues

Employee problems can disrupt any small business, but they have potential to do significant damage in dental practices where employees work closely with the public and in close proximity to other staff members. One of the most difficult issues a dentist must handle as a small-business owner is confronting problem employees about their deficiencies. However, by implementing a few protocols, dentists can make this difficult process easier and more effective.

First, dentists should remember that Ohio is an employment-at-will state. This means that an employer can hire or fire someone for any reason or no reason as long as they are not doing so in a discriminatory manner. Employees should be made aware of this fact by including a simple employment-at-will statement in the office's employee manual.

Even though Ohio is an employment-atwill state, dentists are still wise to conduct periodic reviews of all employees and utilize a structured, progressive form of discipline

Performance reviews serve an important purpose and should be conducted on a periodic basis, either annually or more frequently for new employees. As part of this process, the dentist must document strong and poor performance areas accurately. But while accuracy is important, the dentist must also be careful to avoid any statements that could be interpreted as discriminatory in nature.

Once a review is complete, employees should be asked to sign it and it should be maintained in the employee's personnel file. The periodic review process is important, but dentists should not hesitate to take disciplinary measures in between those reviews. It is wise to deal with employee issues as they occur. First, it may help to cure the deficiency. Second, it will ensure that there are accurate accounts of

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and the American Dental Association's "Principles of Ethics and Code of Profes-

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 - Practice and Personal Representation



Continued

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they could schedule an appointment to meet with a sales rep from that company. A full list of exhibitors, plus a map of the Exhibit Hall and a product search function, is available at www.oda.org/events.

Attendees will also have an opportunity to go straight to the Exhibit Hall to look at equipment after attending a CE course.

"If you're taking some courses and the lecturer is recommending certain products that would fit into a technique or something new that you've just learned, you could go right to the Exhibit Hall and find these products, and maybe even have a hands-on experience at the exhibit booth," Winick said. "Sometimes you go to a lecture and it might be weeks later until you talk to a rep, this way it's all fresh in your mind and you can go right into a specific exhibitor and see products immediately."

Winick said attendees should be sure to visit the Exhibit Hall because there are always new vendors and products each year.

"The exhibitor list does change somewhat year-in and year-out, it's not just the same old same old," he said. "It's important for people to know that if they're coming to the meeting they should carve out some time to go to the Exhibit Hall because they're going to see some exhibitors that they haven't seen there before. The Annual Session Committee works hard to continually introduce new exhibitors into the hall."

Winick also added that it's important for attendees to check out the Exhibit Hall to ensure that the ODA Annual Session continues to be a strong meeting that exhibitors want to come back to.

"This meeting really comes out of the thought of a service to our members, and it's all connected," Winick said. "Visiting the Exhibit Hall, taking the time to interact with some of the exhibitors, to help them have a better meeting, is going to keep them coming back. The exhibitors put a lot of effort into this, and their reward is the presence of attendees."

New this year, the ODA Annual Session Committee will also be thanking exhibitors who promote the meeting with a chance for them to win the ODA's "MVP (Most Valuable Promoter) Award." Exhibitors will be distributing promotional sheets during sales calls, in mailings, with invoices or products, or however they see fit, that include their exhibitor ID. Attendees who register with that exhibitor ID number will gain points for that exhibitor, and the company with the most credited registrations will win coffee & breakfast delivered to their booth by the committee on Friday

In celebration of the ODA's 150th anniversary, the ODA membership booth in the back of the Exhibit Hall will feature artifacts from the ODA's history, including the minutes from the first meeting of the Ohio State Dental Society, as the ODA was then known. Additionally, there will be lapel pins and pens given away in the Exhibit Hall in honor of the ODA's anniversary.

And on Thursday evening, attendees can head to Union Station Ballroom B right across from the Exhibit Hall after the hall closes at 6:30 for Celebrate!, a special event in honor of the ODA's 150th anniversary to celebrate all that the ODA represents and stands for - dentists and their teams. A DJ will be playing great music and a cash bar will be available. This event is free with registration.

The Exhibit Hall will also feature several special events throughout Annual Session. The Welcome reception will be from 5 to 6:30 p.m. Thursday and will feature hors d'oeuvres and a cash bar, plus members of ODPAC who have a red, white and blue ribbon can stop by the ODA member-

Exhibit Hall Door Prizes

Attendees can drop off their entry ticket at the ODA membership booth each day for a chance to win the following prizes:

Dentists: Thursday, a \$500 gift card to Tiffany & Co.; Friday, a YETI Tundra Cooler; and Saturday, an Apple Watch.

Hygienists: Thursday, a sterling silver Tiffany Paloma Picasso Olive Leaf Heart Pendant; Friday, a Michael Kors handbag; Saturday, a Fossil Q Smartwatch.

Dental staff: Thursday, a sterling silver Tiffany Arrow Pendant; Friday, a Coach North/South Swingpack; and Saturday, a Fitbit Alta.

ship booth for a free drink. After the hall closes, attendees can continue the party at Celebrate! across from the Exhibit Hall.

On Friday, attendees can Take a Break! from 3 to 4 p.m. with ice cream and freshly baked cookies.

Also on Friday, attendees have an opportunity to earn up to two free hours of CE in the Exhibit Hall by attending Table Clinics. Table Clinics are informal, interactive presentations that are educational in nature and last up to 15 minutes, and they will be held Friday, Sept. 16 from 4 to 6 p.m. Presentations are given several times during the two-hour time slot.

And on Saturday from 11 a.m. to 2 p.m., Tailgate! will feature popcorn and a free drink while attendees catch up on the latest football games.

Daily drawings for member dentists, hygienists and staff will take place in the Exhibit Hall each day in the ODA membership booth. Attendees will have an entry ticket printed with their registration materials and will need to visit the membership booth each day to be entered in the drawing. Prizes for dentists include: Thursday, a \$500 gift card to Tiffany & Co.; Friday, a YETI Tundra Cooler; and Saturday an Apple Watch. Prizes for hygienists include: Thursday, a sterling silver Tiffany Paloma Picasso Olive Leaf Heart Pendant; Friday, a Michael Kors handbag; Saturday, a Fossil Q Smartwatch. Prizes for dental

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.

staff include: Thursday, a sterling silver Tiffany Arrow Pendant; Friday, a Coach North/South Swingpack; and Saturday, a Fitbit Alta.

For more information about the Exhibit Hall and ODA Annual Session, including a full schedule of events and registration, visit www.oda.org/events.

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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.





Ms. Saundra 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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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.

NHSC Students to Service Loan Repayment Program opening in August

The National Health Service Corps (NHSC) Students to Service (S2S) Loan Repayment Program will begin accepting applications in August. Previously this program was only open to medical students, but has now been expanded to include dental students.

The program provides up to \$120,000 to dental or medical students in their final year of school in return for a commitment to provide primary health care full time for at least three years at an approved NHSC site in a Health Professional Shortage Area.

For more information about this program, visit http://nhsc.hrsa.gov/loanrepayment/studentstoserviceprogram/.

ODAF raffle tickets support grants, scholarships

The annual ODA Foundation raffle is one of the primary sources of funding for oral health-related grants and scholarships. Raffle tickets are \$100 each, two for \$175 or six for \$500, and only 700 will be sold.

This year's raffle prizes are:

- Winner's choice of a 2 year/10,000 mile lease (terms established by Crown Mercedes) on a 2016 Mercedes GLC300 4MATIC car or \$20,000 cash
- A piece of fine jewelry or watch valued at \$3,000
- \$1,000 cash

The drawing will be held Sept. 17 at 11:30 a.m. in the Annual Session Exhibit Hall. For more information about the raffle and how to purchase tickets, visit http://oda.org/community-involvement/oda-foundation/odaf-raffle/.

Dentists can get posters from ODA

All employers are required to post numerous posters in their offices. The ODA can send all required posters, including posters that have been recently updated, to ODA members for \$6 plus tax, which covers the cost of printing and shipping. To order the posters, call the ODA at (800) 282-1526.

Have a question? Contact the Ohio Dental Association!

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ODA Meeting & Event Calendar

Aug.

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

Sep.

- 5 ODA office closed for holiday
- 14 Annual Session Committee
- 15-18 ODA Annual Session
- 15-16 ODA House of Delegates

Visit www.oda.org for current and archived "ODA Today" stories.

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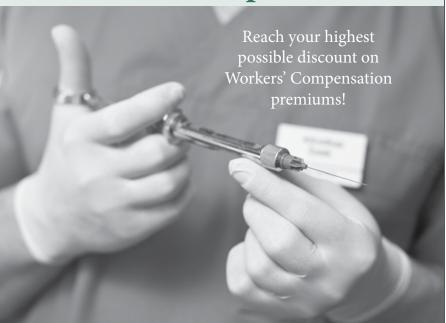
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ODA Foundation aims to strengthen profession, oral health in Ohio through giving campaign in honor of ODA's 150th anniversary

By ODA Staff

For 150 years, the Ohio Dental Association has been an advocate for Ohio's dentists and the improved oral health of all Ohioans. In honor of the Ohio Dental Association's 150th anniversary, the ODA Foundation is asking members to donate \$150 (or more) to the foundation through its "Building Our Future 150 at a Time" campaign.

"The Ohio Dental Association is 150 years old," said Dr. Kim Gardner, chair of the ODA Foundation Board of Trustees. "It is safe to say that none of those dentists who had the foresight to establish our organization are around to see how we are doing. There was no charitable dental foundation 150 years ago. Not many years ago a group saw a need and established the ODA Foundation to support dental education and those who need dental care and can't afford it. Your contribution today is a gift to the future. It will be put to work in the lives of our youngest colleagues. It will be put to work to serve the needs of our most vulnerable citizens. Thank you for your foresight and generosity - THEY certainly will."

The ODA Foundation was created in 1995. To date, the ODA Foundation has given \$955,000 to worthy students and organizations that improve oral health in Ohio. This year, the Foundation will reach the milestone of awarding a total of more than \$1 million in grants and scholarships.

Supporting quality dental education has been a priority of the Ohio Dental Association since its inception. In the 1800s, many dentists had no formal training and learned as apprentices. By 1901, Ohio boasted as many as five dental schools but many were financially strapped and poorly run proprietary schools. The Ohio State Dental Society (as the ODA was then known), working with the board of dental examiners and established universities, sought to stabilize and formalize dental education to ensure the art and science of dentistry was being advanced and taught competently to students. This effort led to the creation of the dental schools that currently exist at The Ohio State University and Case Western Reserve University.

The ODA Foundation has continued this support of dental education by providing scholarships to worthy students. The Foundation began awarding scholarships to dental auxiliary students in the early 2000s, and in 2002 it awarded its first scholarship for a dental student. Since then, the Foundation has provided 298 scholarships totaling nearly \$560,000 to dental and auxiliary students.

Dr. Jim Cottle, an associate professor at the OSU College of Dentistry, recently became a full-time faculty member after having been a part-time faculty member for 30 years while in private practice.

"As a full-time educator, I can tell you the dental students of today are very, very impressive," he said. "They are smart, nice, respectful, fun and very eager to learn. They also have a sense of wanting to reach out and help others in less fortunate situations, many having demonstrated this attribute in previous volunteer work or mission trips. Our profession will be in excellent hands going forward."

Ohio's dental students expect to graduate with an average debt of \$260,000, and for most young dentists, the burden of their debt is much higher than their annual salary.

"I have donated to the ODA Foundation in the past but since I became a full-time faculty member, I see how great the need is to try to help the students ease their debt while pursuing their education,"



Celebrating our past, building our future.

Cottle said. "As I have learned more about the Foundation and its excellent work, I volunteered to help. That is why I recently donated to the 'Building our Future 150 at a Time' campaign. A relatively small donation to the Foundation has a huge impact on so many students."

Dr. Sunny Pahouja, a general dentist in Cincinnati, received a scholarship from the ODA Foundation in 2010.

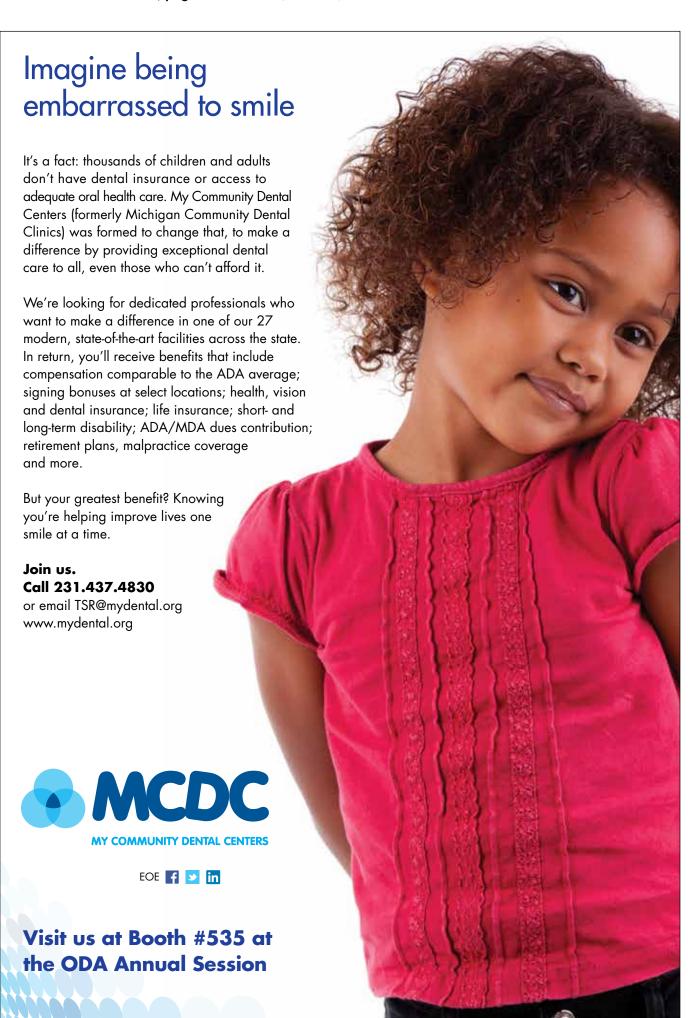
"Earning a scholarship from the ODA Foundation was huge and unexpected," he said. "I had no idea and to be able to get several thousand dollars to help pay for tuition and expenses was very helpful.

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Photo submitted by OSU College of Dentistry.

Dr. Jim Cottle, an associate professor at the OSU College of Dentistry, speaks with a dental student at The Ohio State University. Ohio's dental students expect to graduate with an average debt of \$260,000. The ODA Foundation helps offset that debt by providing scholarships to worthy dental students.



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Dental school is very expensive and most of us have to rely on loans to help pay for dental school. Getting the ODA Foundation scholarship meant I could take out a little less in loans. I am very thankful that I was given the opportunity to earn that scholarship."

Today, Pahouja owns a private practice and employs a team of eight. His office is now active in Give Kids A Smile and other initiatives to help improve access to care for the underserved. Since the office opened in January 2015, it has donated over \$15,000 in dental services.

He said he has always believed in organized dentistry and feels that he can be successful in his private practice with the help of the ODA.

"The ODA advocates on my behalf so that I can practice high quality dentistry the way I envision it," he said. "ODA's voice is one of the strongest in the nation. It works on our behalf at the local, state, and national level. Its advocacy efforts give us a voice to help navigate a very complicated system."

In addition to providing scholarships, the ODA Foundation has provided 72

grants totaling \$396,000 to access to care initiatives in Ohio. The Foundation has provided grants to nonprofits across Ohio to support programs that increase access to needed dental services for the general public and special populations including veterans and children with special needs.

"The support the Foundation provides with the grants awarded each year goes a long way to helping those in underserved areas in Ohio," Cottle said. "This is such important work. We are all so fortunate to have chosen this profession which has provided us the opportunity to serve others and enjoy a great lifestyle. For me, I see the high caliber of dental students today and am encouraged for the future of dentistry in Ohio, but the students need our help, and so do a large underserved population here in Ohio. I strongly encourage all members to look into all the efforts the ODA Foundation has made in the past 20 years. It is truly remarkable. Since 1995, the ODA Foundation has awarded more than \$950,000 in scholarships and grants. All of these generous donations have stayed in Ohio to help promote dental education and help those in need. I strongly encourage all ODA



members (and non-members) to consider giving back to our profession and make a contribution to the ODA Foundation. I can't think of a greater way to help so many for such a small sacrifice. Think of the possibilities."

The ODA Foundation is using the "Building Our Future 150 at a Time" campaign to continue improving upon its legacy and to help ensure the next 150 years of dentistry are great for the dentists of the future.

The "Building Our Future 150 at a Time" campaign has three levels of giving:

- Investor in the Future: \$150-\$499
- Leader of the Future: \$500-\$1,499
- Founder of the Future: \$1,500+

Levels are determined based on cumu-

Submitted photo

Dr. Sunny Pahouja, a general dentist in Cincinnati, received a scholarship from the ODA Foundation in 2010. Today, Pahouja owns a private practice and employs a team of eight. His office is now active in Give Kids A Smile and other initiatives to help improve access to care for the underserved.

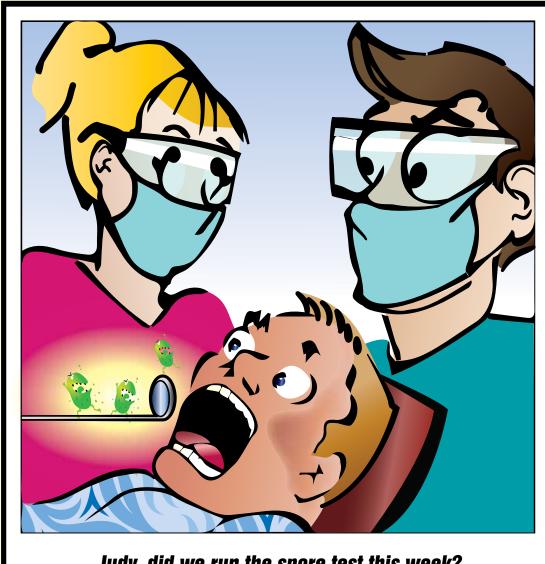
lative giving between Nov. 1, 2015 – Oct. 31, 2016 (with the exclusion of donations to a designated fund), and 2016 ODAF Raffle six-pack tickets are recognized at the Investor in the Future level. Those who have already made a donation to the Foundation in 2016 can combine that gift with an additional donation to reach \$150 or more to be recognized through the "Building Our Future 150 at a Time" campaign.

"Building Our Future 150 at a Time" campaign donors will receive special recognition throughout the year, including in the ODA Foundation's 2016 Annual Impact Report, which is made available to all ODA members.

"A gift to the ODA Foundation shows that you care. You care about the future of your profession. You care about those who cannot afford needed dental services. Our whole profession is built on 'caring,' and the Foundation is built on doing something about it. Thank you for your generosity," Gardner said.

To learn more and make a donation, visit oda.org/community-involvement/oda-foundation/150th-anniversary-campaign/.

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ISSUES, from page 3

the deficiency. Finally, it will provide the dentist with rationale to terminate the employee if necessary.

Most businesses employ some form of progressive discipline, including an oral warning, leading to a written warning explaining the potential consequences if the problem is not corrected. Finally, if the deficiency is not cured, formal action in the form of probation, suspension or termination. This process varies from business to business, but the basic principles remain: the expectations and discipline should be clear to the employee and it should be documented in the employee's personnel file.

Proper documentation of an employee's deficiencies will prove invaluable in the event that termination is warranted. An arsenal of documentation is a great deterrent to potential claims of wrongful termination or employment discrimination.

In addition to containing an employee's periodic reviews and disciplinary history, the dentist may also consider including other items as part of the personnel file. The original employment application and applicant resume, job description, salary history, professional credentials, employment forms, vacation and sick leave requests, notes pertaining to injuries, Hepatitis B vaccination or titer documentation, CE records and jury duty notices can all be included as part of the file.

Dentists should review their office's personnel process to ensure compliance with these protocols.

For more information on these or other issues, please contact the ODA legal department at (800) 282-1526.

Dental Insurance Corner

Dentists concerned about dental insurance companies' response to prescription drug rule; ODA to meet with major carrier on the issue

By Christopher Moore, MA ODA Director of Dental Services

Many dentists have contacted the Ohio Dental Association with questions and concerns about recent mailings from some dental insurance companies concerning the insurers' response to the Center for Medicare and Medicaid Services (CMS) prescription drug rule.

Their questions involve the validity of the information in the carriers' letters while their concerns address the potential impact the insurers' actions will have on the dentists' practices. The fact that dentists are personally calling instead of delegating the call to their staff shows the degree of concern they attach to the matter.

The CMS rule requires dentists to enroll as a Medicare provider, opt out of the Medicare program or enroll as an ordering/referring provider by Feb. 1, 2017, in order to ensure prescriptions they write for patients who are covered by Medicare are not denied.

There are two components to what's going on: regulatory compliance/practice management and dental insurance/third-party payment.

It is important for dentists to fully understand this confusing issue with all of its moving parts in order to make a good decision on the proper course of action to take for their practice.

The third-party payer side of the

equation

A number of insurers that either have or intend to develop a Medicare Advantage Plan have recently sent letters to Ohio dentists that have caused a significant amount of angst within the profession.

Some of the points contained in the letters simply reflect CMS requirements. For instance, CMS requires all providers in Medicare Advantage Plan networks to participate in annual fraud, waste and abuse training. The letters also correctly reflect CMS' relatively newly clarified position that dentists who opt out of Medicare may not receive any reimbursement from either traditional Medicare or Medicare Advantage Plans for any dental services they provide.

Other components of the letters inform dentists of their options concerning the prescription drug rule.

One of the insurers however, has apparently gone well beyond the others by tying participation in its to-be-developed Medicare Advantage Plan to participation in its other private sector preferred provider (PPO) and PPO like products. This insurer's amended contracts are scheduled to take effect Jan. 1, 2017. This action has raised the ire of many dentists across the state.

The multi-state insurer also referenced its Medicaid products in its letter though it does not have any Medicaid products in Ohio.

A representative of the insurance com-

pany participated via conference call in the July meeting of the ODA Council on Dental Care Programs and Dental Practice to discuss the carrier's letter.

"We are grateful to the carrier's representative who joined our meeting," said Dr. Manny Chopra, chairman of Ohio Dental Association Council on Dental Care Programs and Dental Practice. "The information she provided us was helpful, as was her willingness to relay our concerns to the insurer's upper management. We are, however, not satisfied that this is a closed matter and have made arrangements to meet in person with the carrier's upper management in late August."

Chopra added "we want further clarification to some outstanding issues and most of all we want to directly express the concerns we've been hearing from dentists across the state regarding the carrier's actions. This is a heavy handed approach to building a network. It's been done without input from Ohio's dentists and is not mutually beneficial for the involved parties."

Dentists who opt out of traditional Medicare will be unable to participate

in the carrier's Medicare Advantage Plan. As such, they will also be unable to remain in the carrier's other commercial networks. Dentists who have previously opted out of Medicare will not be impacted until their two-year opt out anniversary comes up. At that time the carrier will expect the dentist to change his/her Medicare participation status to something other than opt out. If the dentist does not, then he/ she will not be able to join the carrier's Medicare Advantage Plan and thereby participate in any of the carrier's other commercial networks.

It is unclear what fee schedule or benefit package the insurer intends to utilize for its new Medicare Advantage Plan product. It is similarly unclear if it intends to apply the same non-covered services provision it does with its commercial products to this new Medicare Advantage Plan product.

"Dentists who have contacted the ODA are rightfully concerned that this carrier's actions may convert satisfied

See MEDICARE, page 9

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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Over 600 offices and 1,300 subscribers are already taking advantage of this plan. Call **800-282-1526** or email **insurance@oda.org** today to see how the ODA Wellness Trust can benefit you!

Comparison of The Wellness Trust to an Individual Plan:				
	Wellness Trust	Individual Plan		
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Can payments be made through payroll deduction?	Yes			
Is it tax deductible to the employer?	Yes	No		





MEDICARE, from page 8

patients to reduced fee patients with no offsetting benefit to their practices," Chopra said. "We intend to get clarification and, if need be, convey the membership's concerns relative to the inequity of this matter to the insurer."

The carrier's expectation relative to its contract language that emergency services must be provided 24 hours per day, seven days a week, including holidays and vacation, essentially means that the dentist must minimally have an answering machine with a recording that directs patients what to do when the dental office is closed

It is unclear what impact further delays or even a complete dental exemption to the Medicare prescription drug rule would have on this issue.

Medicare prescription drug rule

Effective Feb. 1, 2017, CMS will start enforcement of its new prescription drug rule, assuming Congress does not exempt dentistry from the rule or CMS does not delay the enforcement of it again.

Once the rule's enforcement date takes effect, CMS will essentially require every dentist who writes prescriptions for senior citizens to take some form of affirmative action with respect to Medicare to ensure coverage of those patients' prescription drugs.

"Dentists who fail to enroll as a provider, formally opt out of Medicare or sign up as an ordering/referring provider will eventually see their patients' claims for otherwise Medicare covered medication denied," Chopra said. "To ensure this doesn't happen, dentists with Medicare covered patients should act before next year's deadline. Dentists who have few or no Medicare covered patients, like some pediatric dentists or orthodontists, could take no action at all since the rule will have little or no effect on their patients."

The new prescription drug rule is similar to an existing rule that calls on Medicare to deny diagnostic service claims, including those for laboratory and diagnostic imaging services, for Medicare covered patients that are ordered by providers, including dentists, who have not taken the appropriate action with Medicare. The difference being that Medicare will not pay the pharmacy for the prescription as opposed to the oral pathology lab or the diagnostic imaging service for the ordered service.

There are several factors for dentists to consider when deciding what course of action to take.

First, it is important to understand what Medicare covers when considering whether to become a Medicare provider or opt out as one.

Medicare neither covers nor pays for most routine dental services such as fillings, cleanings, radiographs and dentures, even if they are provided in a hospital. Payment for these and any other noncovered dental service is the patient's responsibility.

It does cover a very narrow and limited set of dental services - those necessary to provide certain Medicare covered medical services, e.g., extracting a tooth as part of treating a fractured jaw, maxillofacial surgery for pathological or traumatic medical conditions, prosthetic rehabilitation to replace or treat certain oral and/ or facial structures related to covered medical and surgical interventions such as cancer surgery, extracting teeth prior to jaw radiation treatment, oral examination prior to kidney transplantation and certain medical procedures that dentists are licensed to perform such as a biopsy for oral cancer.

Secondly, dentists should consider the impact their decision will have upon patients who are covered by Medicare Advantage Plans.

Medicare Advantage Plans are private health insurance plans that are approved by Medicare and are part of the Medicare program. Individuals have the option of joining a Medicare Advantage Plan or remaining in the traditional Medicare fee-for-service program. Those who join a Medicare Advantage Plan will generally receive all their Medicare-covered health care services through that plan. This coverage can include prescription drug coverage. Medicare Advantage Plans include: health maintenance organizations, preferred provider organizations, private fee-for-service plans, medical savings account plans and special needs plans. Oftentimes Medicare Advantage Plans offer extra benefits and lower co-payments than are found in the Medicare fee-forservice program. Medicare Advantage Plan enrollees, however, may be restricted to seeing participating providers or certain hospitals in order to receive benefits.

Some Medicare Advantage Plans offer enhanced dental benefits as part of their benefit offerings in hopes of enticing individuals to purchase their plans. These dental benefits can range from basic diagnostic and preventive services to comprehensive dental coverage. Certain procedures will also often be accompanied by co-pays and may require the beneficiary to go to a contracting dentist.

It is important for dentists with Medicare Advantage Plan patients who have dental coverage to fully understand what impact the dentist's decision will have on their patients' dental benefits through those plans. Medicare Advantage Plans are not permitted to provide reimbursement for any dental services they may cover if the patient receives those services from a dentist who has opted out. It is unknown what they will do if care is provided by a dentist who has registered as an ordering/ referring provider.

With this in mind, dentists have four options to consider:

· Do nothing. Typically, only a "good" option for dentists, e.g. many orthodontists and pediatric dentists, who do not write prescriptions or order laboratory or diagnostic imaging services for patients covered by Medicare. Doing nothing means the dentist's prescriptions for their Medicare covered patients will be denied. Similarly, oral pathology and imaging services that are ordered by the dentist will not be covered for Medicare covered

- · Enroll as an actual Medicare provider. Dentists who provide Medicare covered services and are willing to accept Medicare's allowed fee as reimbursement should enroll as a Medicare provider. This may be done by completing the CMS Form 855I (which can be downloaded by visiting http://oda.org/resource-library/ and searching for Medicare) and returning the paper form to the Medicare contractor for Ohio (CGS Administrators, LLC, Provider Enrollment Department, P.O. Box 20017, Nashville, TN 37202-0013) or online using Medicare's online Provider Enrollment, Chain and Ownership System (PECOS) at: https://pecos.cms.hhs.gov/pecos/ login.do.
- Opt out of the Medicare program. By submitting an affidavit to the Medicare contractor for Ohio (CGS Administrators, LLC, Provider Enrollment Department, P.O. Box 20017, Nashville, TN 37202-0013) the dentist can opt out of Medicare. Once opted out, the dentist will be out for a two year period of time after which CMS will automatically continue the dentist's opt out status for another two years unless the dentist informs CMS otherwise. Opting out means neither the patient nor the dentist may receive reimbursement from either Medicare or a Medicare Advantage Plan for any service the dentist provides. It also means the patient's prescription drugs, oral pathology and imaging services will be covered. Both an American Dental Association developed sample affidavit and a sample private contract may be obtained at oda.org/resource-library/ by searching for Medicare. The private contract, which essentially is a Medicare specific financial understanding and consent form, must be used by dentists who opt out of Medicare prior to providing Medicare covered services to Medicare eligible patients. The document informs the patient the dentist has opted out of Medicare and that neither the patient nor the dentist may submit a claim to Medicare for the service. A private contract is not necessary if the dentist is only writing a Medicaid covered patient a prescrip-
- Enroll as an ordering and referring provider. If the dentist does not provide Medicare covered services then

he or she may use the CMS Form 8550 (which can be downloaded by visiting http://oda.org/resourcelibrary/ and searching for Medicare) to enroll as an ordering and referring provider. Just like dentists who opt out, patients of dentists who enroll as ordering and referring providers will see their prescription drugs, oral pathology and imaging services covered.

"The overwhelming feedback we've received from dentists is that it is much easier to complete the appropriate paperwork and mail it in to CGS than it is to do it online," Chopra said.

Dentists who either order or provide a Medicare-covered service to a Medicare beneficiary must maintain documentation for seven years from the date of service. Documentation includes written and electronic documents (including the ordering practitioner's national provider identifier (NPI)) relating to written orders and requests for payments for clinical laboratory, imaging or other designated Medicare covered services.

Dentists do not need to enroll, opt out or be an ordering/referring provider in order to simply refer a Medicare-covered patient to a specialist. Similarly, dentists who do not provide services, prescribe or order Medicare-covered services for Medicare-covered patients do not need to enroll, opt out or become an ordering/ referring provider.

The ADA has opposed the creation of these requirements and continues to work toward getting dentists exempted from them. The ADA's efforts have resulted in CMS' announcements that delayed previous enforcement dates of the new rules to Feb. 1, 2017.

Moving? New phone number? New email address?

Let the ODA know!

Contact the Ohio Dental Association Membership Department if you are planning to move your home or practice or if you have changed your phone number, changed your name or changed your email address.

Via email: membership@oda.org By phone: (800) 282-1526

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Marvin Fisk Humanitarian Award: Dr. Elizabeth Mueller

By Jackie Best Managing Editor

Dr. Elizabeth Mueller is involved with improving the oral health of people in need both locally and abroad. In recognition of her efforts, she will receive the Ohio Dental Association Marvin Fisk Humanitarian 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. Mueller is one of those individuals that is always going out of her way to help people in need, without expecting recognition," wrote Dr. Berta Howard, president of the Keely Dental Society, in a nomination letter. "She has had a positive impact on a countless number of people. She not only provides free dental care to various groups of people, but also financial support, including the donation of one of her vehicles to a family in need of transportation."

Mueller said the access to care initiatives she is involved with are really a team effort, and her entire team is deserving of recognition.

"I really feel like the award goes to my entire staff," she said. "There are no projects that I do or places that I go that I do not take one of my staff members."

Mueller said she first thought about becoming a dentist because when she was a child, her dad needed to have a lot of dental work done and found a dentist he really liked and trusted. When he would come home from his appointments, he would often tell Mueller that he thought it would be a good career path for her because she likes people, was a good student, has always liked working with her hands, and as a dentist she could make a good living and set her own schedule.

Mueller got into dental school early after just three years of undergrad at St. Louis University, and she received her DDS from the Creighton University Boyne School of Dentistry in 1981. She then went on to receive her certificate of pediatric dentistry from Cincinnati Children's Hospital Medical Center. She decided to stay in Cincinnati, and now owns two private dental offices.

Mueller and her office are very involved in improving access to care in their local community and also abroad.

About 10 years ago, Mueller began volunteering with Shoulder to Shoulder, a non-profit organization to improve health care in Honduras. Mueller said she has gone almost every year since 2007 for a week or two to provide care to the very poor at a dental clinic built by Dr. Larry Tepe, who is a past winner of the ODA Marvin Fisk Humanitarian Award.

Mueller said her office also works with many local organizations to help provide care to people in need. She works with many different groups who know they can call her office if they have a patient who needs care, including foreign children who are receiving complex medical care at Cincinnati Children's Hospital, children at the Shriner's Burns Hospital, refugees through the Catholic Social Service Bosnian Refugee Project, children who are being cared for through the Safe Families program (which is an emergency foster care program), and others.

Mueller said she finds it is important to give back in her community and abroad because of all that she has received from being born into a great family and receiving a great education.

"Dentistry is so special that we have a skillset that's welcome anywhere in the world," she said. "You have this really good skillset you can offer to other people, and in the third world there's really no access. And in the first world while there

is a safety net, sometimes it's difficult for patients to access that. To whom much is given much is expected. It's all part of the Jesuit training of service to others."

A lot of the opportunities Mueller has found to volunteer have been through organized dentistry, she said.

"Organized dentistry is important because it's only through networking with other dentists that I found these opportunities to go volunteer that I would have never gotten to do by myself," she said.

She added that organized dentistry has also provided opportunities for her staff to attend continuing education courses to become highly trained. She said this helps her staff to have a sense of altruism, and to feel like they are part of a profession with a mission instead of just doing a job. She said organized dentistry has also helped her to be more profitable through resources that it provides and discounts on products and services like insurance, which then allows her to spend more time and resources providing care to people who are in need.

Mueller has been a delegate to the ODA House of Delegates since 2007

and has served on the Annual Session Committee since 2010. She also has been a council member with the Cincinnati Dental Society and chaired the society's Give Kids A Smile event in 2008. She also serves on the CDS Membership Committee and has volunteered with several of the CDS access to care initiatives. She also is a member of the International College of Dentists, a diplomat of the American Board of Pediatric Dentistry and participates in several study clubs and other organizations.

In 2010, Mueller received the American Dental Association International Volunteer Award and the Cincinnati Children's Hospital Medical Center Unsung Hero Award.

"I think people need to be reminded that dentistry can open the door to so many other interesting opportunities in life, not just going to the office every day," Mueller said. "Whether it's participating in the ODA, networking, or mission trips. I really have enjoyed it, and I like having my work family. It's just a great career. I was able to work part time when my kids were little, and full time when they got bigger. It's a great career for a woman who wants



Dr. Elizabeth Mueller is a 2016 ODA Marvin Fisk Humanitarian Award winner.

to have a family."

Outside of dentistry, Mueller enjoys gardening, jazzercise, biking and traveling with her family. She said she especially loves international travel, which works out well for her as she goes on mission trips. Mueller has two adult children, Christine and John



Achievement Award: Dr. Jack Winters

By Jackie Best **Managing Editor**

Dr. Jack Winters has made many contributions to the field of sports dentistry through his research on and promotion of mouthguards. In recognition of his contributions, he will receive the Ohio Dental Association Achievement Award on Friday, Sept. 16, at the ODA's 150th Anniversary Gala and Award Celebration, held in conjunction with the 150th ODA Annual Session.

"Jack is a passionate advocate and was instrumental in the successful battle that resulted in mouthquards being required for contact sports," said Dr. Don Shumaker, who nominated Winters for the award.

Winters said he has worked closely with the ODA over the years, and is very honored and pleased to be receiving the Achievement Award.

In high school, Winters always liked the medical field and working with his hands, so his mother encouraged him to become a dentist. He received his BA from Ohio Wesleyan University in 1961 and went on to receive his DDS from the Ohio State University College of Dentistry in 1965. He then served as a dental officer in the U.S. Air Force for two years, and in 1968 established a dental practice in Findlay. He then went on to complete a Pediatric Dental Residency at St. Christopher's Hospital/Temple Dental School in Philadelphia in 1980. After that, he came back to Findlay and established Findlay Pediatric Dentistry Inc.

"Being a pediatric dentist, it is really neat to see the young people and guide the eruption of their dental arches into position to get them a good healthy smile at a younger age," Winters said. "I'm doing pediatric dentistry with an early involvement in orthodontics."

Winters has also always been involved in athletics and officiated high school and college football. This avocation led to his particular interest in sports dentistry.

While at Ohio State, Winters met Dr. Bill Heintz, who was working on creating a requirement for high school athletes in football to wear a mouthguard. Because at that time Winters was officiating high school football games, they collaborated to work on the project and Heintz became a mentor to Winters

Winters has also been involved with research on the role of mouthguards in concussions for athletes, and recently an article that he wrote, "The Role of mouthguards in reducing mild traumatic brain injury/concussion incidence in high school football athletes" was published in the May/June 2014 issue of "General Dentistry." He has also written articles for several other publications over the years



Dr. Jack Winters is the 2016 ODA Achievement Award Winner.

Winters is continuing his research, and is currently looking into the quality of mouthguards athletes are wearing at the time of concussion to determine if the return to play time is better with one type of mouthguard over another.

"We're not going to stop all concussions with mouthguards, but we're talking about the blow underneath the chin, and cervical vertebrate stabilization" Winters said. "The quality of mouthguards over the years has not been very good. Store bought mouthguards are not good quality protection. The message needs to get out to dentists all across the U.S. to be asking their patients in what sports they participate, and what mouthguard they're using. The challenge is back on the dentist to do a better job of getting a properly fitted mouthguard for their individual patients.

Winters is now a retired NCAA Division I football referee and is a Working Scout for Football Officials for the NFL.

"It's an exciting time for the dental profession, for pediatric and general dentists, to get involved with young patients and ask them and their parents about what sports they're involved with, and if they need a mouthguard to make them a good quality 'properly fitted mouthguard.' That's the message we need to get out there," Winters said

Winters said he has always been a proponent of organized dentistry, and in the 1990s he and Heintz worked with the Ohio Dental Association to create a

Learn about mouthguards from Dr. Winters at **ODA Annual Session!**

Dr. Jack Winters will be presenting the course"The Role of Properly Fitted Mouthguards in Reducing Concussion Injuries in Athletics" twice at the 2016 **ODA** Annual Session.

The course will examine the role of mouthguards in reducing mild traumatic brain injury/concussion incidence in athlete patients. A two-hour fabrication exercise involving a pressure-laminated mouthguard will be included. Support provided by Dentsply Raintree Essix.

Learning Objectives:

- Understanding that all mouthguards are not equal
- · Fabricate a properly fitted pressurelaminated mouthguard
- · Appreciate why pressure-laminated mouthguards can reduce the incidence of some concussion injuries

The course will be offered:

- Thursday, Sept. 15 from 9 a.m. to noon. Register with Course Code
- Thursday, Sept. 15 from 2 to 5 p.m. Register with Course Code T27.

Register for the ODA Annual Session by visiting oda.org/events.



mouthguard awareness program. Through the program, the ODA, the Ohio State Medical Association and the Ohio Osteopathic Association created a video, "Giving Your Mouth a Sporting Chance."

Winters is a member of the American Dental Association, Ohio Dental Association, American Academy of Pediatric Dentistry and Ohio Pediatric Dental Association. He is a past president, fellow, most distinguished member, and historian for the Academy of Sports Dentistry, plus a representative to the Joint Commission of Sports Medicine and Science. In 2003 he was inducted in the Hancock County Sports Hall of Fame.

Outside of dentistry, Winters enjoys scouting for the NFL and playing golf. He and his wife, Nancy, have been married for 52 years, and they have two children and four grandchildren.

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The Explorer

Matthew J. Messina, DDS **Executive Editor**

Social proof

"I brush really well ... so do I really have to floss?" The young NY Daily News reporter asked sweetly, hoping I would tell her it was OK not to.

"You only have to floss if you want to be healthy," I admonished gently. "The ADA recommends that the way to good health is to brush twice a day, floss once a day, eat a healthy diet and see your dentist on a regular basis. It may not be sexy, but we know it works."

"I know. I was just hoping ..." She sighed heavily, "but most people really don't floss, do they?'

That's the heart of the question, isn't it! Now we have the answer.

Duong T. Nguyen, a medical epidemiologist of the Centers for Disease Control and Prevention, wondered as well. After

checking, he noted that, "nobody had ever looked at this before, at least in a rigorous, scientifically valid analysis." He had been assigned to the National Health and Nutritional Examination Survey (NHANES) team. The survey is a representative look at the nation's health habits based upon interviews and physical examinations of 5,000 people a year. One section of the recent survey asked about flossing. Nguyen and his colleagues examined NHANES data from 9,056 U.S. adults age 30 and up, who participated from 2009 to 2012.

The NHANES data indicates that:

- 30 percent of the population floss daily.
- · Just over 37 percent of the population report less than daily flossing (but that they do floss).
- · 32 percent say that they never floss. I have to admit, that's more flossers than I would have expected. Only 32 percent in the "never floss" crowd and 67 percent of people flossing at least some of the time. That's much better than I had been guessing.

The rest of the findings are about as we suspected from our private practice

Males (39 percent) were more likely to report never flossing than females (27

People age 75 and older (45 percent) were more likely to report never flossing than those age 30-44 (31 percent).

Low-income participants (49 percent) were more likely to report never flossing than those in higher income brackets (28 percent). However, the study did not address whether this was because lowincome participants could not afford floss or whether they did not perceive the need and chose not to floss.

The fact that we now have scientific evidence that two thirds of people are flossing helps me to answer my reporter, and it really does matter ... thanks to the psychological phenomenon of social

By definition, social proof is where people conform to the actions of others under the assumptions that those actions are reflective of the correct behavior. We know this as "if everyone's doing it ..." Peer pressure can be a powerful thing.

But it also can be a powerful negative. "If nobody's doing it, then it must be OK for me not to floss." That's what I heard from my young reporter.

Now that we have the data, it's time for us to change our professional opinion, and perspective. We have the ability to amplify social proof, for the good health of our patients.

Trust is a big hurdle, now as always. Trust is a big component to social proof. "Is everyone doing it?" "Is it safe?" "Will I be left out, left behind, feel stupid?" Social proof is a part of the story we end up believing.

We have the benefit that people trust us already. We have earned that as a profession. They are willing to give us "the benefit of the doubt."

What if we can run with "the benefit of confidence" instead? We have the value of trust and the news to support social proof. The public narrative is turning. People do floss! It is important for health, and the public values health. We can show them

I'm pushing back at the media argument that dental care is expensive with the knowledge that prevention is priceless. If people want control of their health care expenses, taking care of their oral hygiene is the best way to keep costs down. And good oral hygiene is key to overall health and wellness

"Do I really have to floss?" she won-

"Yes, it's good for your health," the dentist assured her, "but flossing's OK, everybody's doing it!"

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



It's Your Choice

Robert Buchholz, DDS **Guest Columnist**

"Seriously ... c'mon ... no way! What happened?"

That's my usual reply when someone informs me that a friend has unexpectedly died. Our mortality, as we age, becomes more difficult to ignore and it is a subject that is commonly suppressed in the deepest recesses of our consciousness. That's how we cope and how we survive ... while pushing on to the next sunrise.

Just writing about the subject is an action rooted and filled with denial.

My Christian friends always reassure me that death is a celebration, but frankly, I'm currently not in the partying mood. In fact, as I statistically move closer and closer to judgement day, each friend that has passed away and contributed something I have cherished during my existence, produces more than just a brief moment of angst and melancholy.

And does it really matter how a friend

to reverse what happened that caused their demise.

This past year many Ohio dentists as well as common folks were rocked by the sudden passage of some significant "contributors" to our profession.

Please don't misunderstand me. Every practicing dentist in Ohio, past and current, has or is making a contribution to society and the profession. The individuals I want to pay tribute to, and not all of them are dentists ... I'm going to refer to as "Dentistry's Angels."

In no defining order they include Darryl Dever, Dr. Dick McFarland, Dr. Jim Snelson, Dr. Patty Walter and Dr. Fred Lee.

The memories and opinions I'm sharing are mine, and hopefully I'll stimulate a few of your own if you knew these "Angels." I know each of them would humbly proclaim if they could ..."Geez Bob ... don't write about me ... there are so many others that are deserving!"

To which I say "Baloney" ...

Three of my tributes are for Cincy folks.

Dr. Fred Lee, all 98 years of him, was the CDS's version of George Burns-sans the cigar! Past president dinners won't be the same without his wit and wisdom. He was a past president of the ODA and the Cincinnati Dental Society. I never told him I had a personal nickname for him. I called him the "Ambassador." Back when dental society meetings were regularly attended by most members, if a new member showed up for dinner. Fred more likely died. After all, none of us has the power than not would have the "rookie" on some

CDS committee by evening's end. That's how much he loved the profession and respected those that became involved in it. I'm a betting man and I'll take even odds that Fred is currently trying to convince Jesus to be a dentist when he comes back for his final visit.

Dr. Dick McFarland was also a past president of the ODA and Cincinnati Dental Society. He was a gentle giant ... all 6'4" or more of him! I never observed Dick have a mean word for or with anyone. During dental business meetings, he would observe debates about the profession's vexing issues and would, magically it seemed, craft a solution(s) to the problem and nobody would object. He was a genuine peacemaker.

Dr. Patty Walter was never without a smile. During her time going through the chairs of the CDS and finally when she was president, she along with Dr. Ken Brandt, Linda Smith Krill and CDS past president Tom Scheer initiated a program to provide free dentistry for southwestern Ohio veterans. There wasn't a more noble program begun by any dental society, to my knowledge, anywhere in this country.

Somewhere on some horse trail in this country there's an empty saddle right now. "Happy trails to you, Patty."

And Dr. "Jim" Snelson ... well I don't think there's any entity that he was involved in where he didn't end up being president. Luckily the ODA and Corydon Palmer Dental Society were interests of his. I doubt there was any dental committee at the local, state or national level that didn't benefit from his input.

But years after his ODA presidency in 1993, there wasn't a year that passed by that I didn't hear at the ODA Annual convention ..."Hey Jim - Forward Ever, Backward Never." Whether he did or didn't coin the phrase matters not. Someone would yell the phrase and Jim would raise his fist in the air in happy recognition ... and with a sly twinkle in his eyes!

Darryl Dever wasn't a doctor! I'm damn glad he wasn't.

Daryl never met anyone he couldn't convince that a cow pie was a really "HUGE" (Trump would have loved Darryl) chocolate chip cookie – and that it tasted great and was nutritious. If that's not the defining trait of a lobbyist then email me your definition.

Darryl sat down with me quite a few years ago, at my insistence, and explained why the world needs lobbyists. At some

period in our country's history, politicians stopped having duels and killing each other. Instead, they stopped talking to each other when they disagreed about something. Perhaps the duels stopped because of lobbyists. You see, for quite some time American politicians REALLY haven't liked or respected individuals not affiliated with their respective political party. It's the "Darryl Devers" of the world who sit down with each adversary and present the necessary information so that the politicos don't make horrible decisions. Darryl would take the party affiliations out of the equation. I can imagine Darryl saying "Does the public really benefit from this piece of legislation, and if so is there some common ground we can reach that limits the damage to those individuals, groups, associations etc. who's ox is about to be gored."

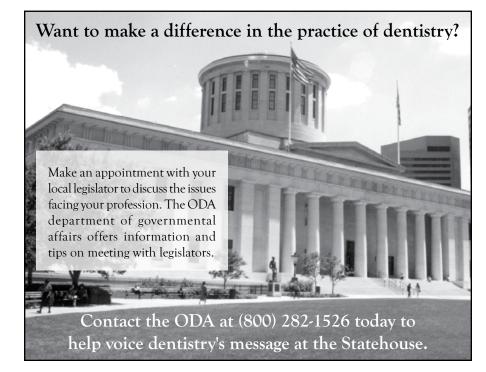
The "ODA Today" has for years devoted a column concerning state and national legislation that affects each of you and your practices. What wasn't visible was Darryl's behind-the-scenes give and take that usually resulted in favorable legislation for our profession. Who do you think has been working the restaurants, bars and back rooms of the Statehouse for the past several years helping stem the midlevel practitioner legislation from gaining momentum?

Somewhere it's 5:00 according to Jimmy Buffet, and Darryl and the Lord are kicking back and knocking one down right now ... I'll bet.

If there's someone you know that you think is one of Dentistry's "Angels," every once in a while take a moment to say thank you while they're still on the right side of the grass. Otherwise you'll end up like me ... saying, "What - you're not serious ... when did it happen?"

Dr. Buchholz may be reached at rbuchh@windstream.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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See CLASSIFIEDS, page 14



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CLASSIFIEDS, from page 13

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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. Dentrix 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.

General Dental Practice for Sale. Located on the east side of Cleveland, the practice had 2015 collections of over \$900,000 with an overhead expense of less than 60%. Please email Mark Nadaud at mnadaud@kingbarrett.com if interested.

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.

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In Office Anesthesia Services-Exceptionally seasoned medical anesthesiologist, national expert in transitioning your Pedo or Adult practice from a hospital/ surgical center to the comfort and ease of your office and parents and dentists both love this! Medicaid (CareSource/ Buckeye/Paramount/Molina, etc.) and most medical insurances accepted. Twenty years experience. Call now (800) 853-4819 or info@propofolmd.com.

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.

Greater Columbus Convention Center

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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ODA Today Classified Advertising

Classified ads appear in each issue of *ODA Today*. The cost is \$55 for members (\$88 for non-members) for the first 40 words. Each additional word is \$1. Ads may be submitted via mail or fax to the attention of Amy Szmania, advertising manager, or by email to amy@oda.org. The deadline to place, cancel or modify classified ads is the 1st of the month prior to the month of publication.

ODA Classifieds can also be found online at http://www.oda.org.





Practice Appraisals & Sales



Pre-Transition Consulting



Associate Placement



Practice Protection Plan

- Free Practice Appraisal& Legal Drafts
- Face-To-Face Consultations
 & Practice Showings
- Structuring of Sale to Minimize Tax Liability

- No Up-Front Fees & Only Paid if Successful
- Founded & Owned by Two Successful Attorneys
- Single Representation-Not Dual Rep

WE ARE PLEASED TO ANNOUNCE WE HAVE SUCCESSFULLY TRANSITIONED THE PRACTICE OF:

JENEEN E. LAPP, DDS ~TO~ YONG-HA KIM, DDS

CONGRATULATIONS TO ALL!

Visit Us

ODA Annual Session Sept 15-18th

Greater Columbus Convention Center

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