

← Represents direct competitor\$

GET THE FACTS

AB 1998 (Low) Direct-to-Consumer (DTC) Orthodontics

Opposition claim: AB 1998 will mandate unnecessary X-rays are taken, exposing patients to unnecessary radiation and cost Californians an additional \$1,000 to access teledentistry services.

The facts:

- The bill does not mandate new X-rays are taken before orthodontic dental treatment is approved.

1. Yes it does!
See p. 8, line 33-35 (ah) (i)

2. Also takes treating dentist OUT of decision!

...the Legislature passed AB 1519 (Low), to require review of X-rays for orthodontic treatment to determine if a patient is healthy enough to have their teeth moved. The DTC orthodontic companies fought it tooth and nail because they didn't want to review X-rays, even though they require patients to certify X-rays have already been taken.

...merely clears up an unintentional loophole to ensure that if a patient does not have recent X-rays, appropriate bone imaging is performed by a general dentist. If a patient has not seen a dentist in the past year, DTC orthodontic companies already require these individuals to see a dentist for an exam and set of x-rays. Even without insurance, this would cost \$300, which will allow for safe treatment for a service that would otherwise cost a total over \$2,000.

Since when is a treating dentist's clinical judgment a "loophole"??

Opposition claim: The decision to order x-rays should be left to the discretion of the treating dentist.

The facts:

[Reviewing X-rays before moving teeth is as basic of a concept as there is in orthodontics. Not doing so puts patients in danger. A dentist cannot in good conscience move a patient forward with orthodontic treatment to move teeth through bone without understanding the underlying structure.]

- All DTC orthodontic companies already require consumers to attest to the fact that X-rays taken by a dentist in the past year and that they have good oral health, absent of many counter indicators, including gum disease. These companies are well aware of the importance of X-rays and an initial visit prior to orthodontic treatment, and there is no legitimate reason for them to oppose a requirement that the X-rays they already require be reviewed by the treating dentist.

1. ADA/FDA guidance does NOT agree.

2. Notice NO clinical studies mentioned.

this is incorrect!

...these companies are shirking their professional responsibility and passing the burden to patients. Without AB 1998, these companies will continue to argue that if something goes wrong, they were not certified that they were an orthodontist.

1. CA-licensees must meet the standard of care or risk their license.

2. The Dental Board already has the authority they need.

- This logic is equivalent to a patient undergoing invasive surgery, the physician

blaming the patient for any subsequent contraindications that should have been evaluated by the doctor in the first place.

Opposition claim: AB 1998 will hurt access to dental health care for low-income Californians and communities of color.

This is so true the bill author himself said it in national news.

(MarketWatch 7/20/20)

them at greater risk of harm.

There are several structural impediments that prevent these communities from receiving the fundamental and prerequisite dental care needed to be appropriate candidates for clear aligner therapy. Examples include: appropriate nutrition education, employment with meaningful dental benefits, and flexible jobs and reliable transportation to attend regular dental appointments.

Opposition claim: DTC orthodontic companies use a teledentist to provide essential dental care to underserved communities.

Underserved communities are responsible for their own lack of access??

The facts:

- The companies like to tie themselves to "teledentistry" and technology, like the virtual dental home, to provide access to underserved and rural communities. In fact, by their own advertisement, DTC orthodontics provide only "cosmetic" or "mild to moderate" orthodontics.
- Their platforms do not provide or link patients to comprehensive or preventive dental care of any kind. While the value of a discounted, many communities throughout California lack access to essential and basic dental care for

Innovators are reaching people that have been ignored by offering a multitude of products.

If CDA was concerned about low-income patients, more than 15% of CA dentists would accept Medi-Cal

(Second lowest % in US)

groups are supporting this bill just to squash competition.

- CDA has a long history of sponsoring and supporting laws that establish and fund telehealth dental programs to ensure patients who are underserved, disabled, or simply low-income. Examples: AB 648 - that created teledentistry in California (AB 1174 - 2014).
- Teledentistry is, critics are abusing the law, violating the most basic principles of orthodontics and causing serious harm to patients.

875 Dental Board actions against dentists. None are DTC, even with 150K patients in CA!

Why no footnotes to support various clinical claims? "THE FACTS" are not on CDA's side!