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MINUTES OF THE COUNCIL ON DENTAL BENEFIT PROGRAMS
Via Zoom Teleconference
November 6, 2020

Call to Order: The regular meeting of the Council on Dental Benefit Programs (CDBP) was called to order by Dr. Randall Markarian chair, on Friday, November 6, 2020 at 8:30 a.m. virtually, via Zoom teleconference.

Roll Call: Dr. Randall Markarian, Dr. Hope Watson, Dr. Roderick H. Adams, Dr. Dennis Bradshaw, Dr. Kevin W. Dens, Dr. William V. Dougherty, Dr. Stacey Gardner, Dr. Andrew Gazerro, Dr. Hadi Ghazzouli, Dr. Rodney C. Hill, Dr. Mark M. Johnston, Dr. Yvonne E. Maldonado, Dr. Eugene G. Porcelli, Dr. L. King Scott, Dr. Jessica A. Stille-Mallah, Dr. Scott Trapp, Dr. Walter G. Weber, Dr. Julio Rodriguez, trustee liaison, Dr. Amrita Patel, new dentist member, Ms. Joy Nisnisan (ASDA)

Practice Institute (PI) Staff in attendance (for all or part of the meeting): Dr. David M. Preble, Dr. Krishna Aravamudhan, Mr. Paul Bralower, Mr. Patrick Cannady, Ms. Barbara Ferriter, Mr. Dennis McHugh, Ms. Sarah Hughes, Ms. Jean Narcisi, Dr. Diptee Ojha, Mr. Frank Pokorny, Dr. Betsy Shapiro, Ms. Sharon Stanford, Ms. Sarah Tilleman, Ms. Joan Feifar, Ms. Lauren Kirk

Association Staff in attendance for all or part of the meeting: Dr. Kathleen O'Loughlin, Mr. C. Michael Kendall, Ms. Julia Nissim, Mr. Paul O'Connor, Mr. Chad Olson, Ms. Jenn Sutherland, Ms. Roxanne Yaghoubi

Guests present for portions of the meeting: Mr. William Lawrence, Vice President, Prometheus Research; Mr. Phil Langthorne, Associate Business Systems Director, Prometheus Research; Dr. David White, chair, Council on Government Affairs

Following the roll call, the presence of a quorum was noted.

PRELIMINARY BUSINESS

Conflict of Interest Disclosure Statement: The Chair referenced the Conflict of Interest Disclosure Statement included on the agenda and called for disclosures of potential conflicts of interest. None were received.

Approval of Agenda: The Council adopted the agenda by general consent, giving the Chair permission to reorder items as needed.

Approval of Consent Items: A consent calendar was prepared to expedite the business of the Council. Council members were given the opportunity to remove any item from the consent calendar for consideration during the meeting.

Approval of e-ballot Action Items: The Council adopted the following resolution through the consent calendar.

Resolved, that the actions approved through e-ballot since the May 2020 Council meeting be recorded in the minutes from this meeting.

E-ballot 2020-01:
Resolved, that the 2020 May CDBP Draft Meeting Minutes be approved - Approved.
E-ballot 2020-02:

1 **Resolved**, that the 2020 August CDBP Draft Meeting Minutes be approved –
2 Approved

3 E-ballot 2020-03:
4 **Resolved**, that the 2020 September CDBP Draft Meeting Minutes be approved –
5 Approved

6 **CDBP Chair Remarks:** Dr. Randall Markarian, chair, shared that he was looking forward to the new
7 Council year noting the accomplishments of the past year. He expressed the need to continue to
8 advocate on third-party payer issues and explained the importance of collaboration between Councils
9 on specific issues. Responding to comments received after the May virtual Council meeting on the
10 need for additional time to thoroughly discuss some items, Dr. Markarian recommended holding a few
11 shorter calls between Council meetings to adequately cover them. In closing, he stated his strong
12 wish to meet in person for the May 2021 Council meeting if it can be done safely from a health
13 perspective.

14 **Trustee Liaison Remarks:** Dr. Julio Rodriguez, trustee liaison, stated there are great expectations of
15 the work of this council, noting the preponderance of dental benefits issues debated on the floor of
16 the HOD. He expressed a need to mitigate some of the challenges the Pandemic has created for our
17 members. As upcoming chair of the Diversity and Inclusion Committee, he shared his confidence that
18 by collaborating with other Councils, viewpoints can be shared and much can be accomplished.

19 **Vice-President Remarks:** Dr. Dave Preble, senior vice-president, Practice Institute welcomed new
20 and returning members. He expressed the hope that new members, with the increased knowledge
21 gained on the Council, will become the voice of the ADA on dental benefits, sharing the information
22 and having dental benefits conversations with their colleagues and their districts.

23 **2020 House of Delegates De-brief:** Dr. Markarian discussed the resolutions adopted by the 2020
24 House of Delegates (HOD) that pertain to the work of CDBP and noted that some require a response
25 back to the 2021 HOD. On vote, the Council adopted the following Resolution.

- 26 **Resolved**, that the Dental Benefits Information Subcommittee (DBIS) prepare responses to
27 the following resolutions for review at the Council's May 2021 meeting.
- 28 • Resolution 83/83B: Policy for the Elimination of Wait Periods for Children in Dental
29 Benefit Plans
 - 30 • Resolution 85: Dental Benefits Information for ADA Members
 - 31 • Resolution 86: Improved ADA Member Assistance with Third Party Payer Issues
 - 32 • Resolution 105: Inappropriate Recoupment Practices of Dental Benefit Companies

33 **CDBP Operating Plan Results:** The Council accepted (through the Consent Calendar) an
34 informational report detailing the status of the CDBP 2020 Operating Plan highlighting ongoing and
35 new programs.

36 **Confidentiality:** Dr. Aravamudhan, senior director, Center for Dental Benefits, Coding and Quality,
37 discussed the importance of confidentiality regarding content discussed at Council meetings. She
38 reminded the Council of the abundance of information available in ADA Connect and stressed the
39 value of keeping states and districts informed about the work of the Council in an appropriate manner.

40 **RELEVANT ADA INITIATIVES**

41 **Executive Director's Presentation:** Dr. Kathleen O'Loughlin, executive director,
42 acknowledged that the ADA has been very busy handling Covid related issues, but has still
43 been able to move forward with the strategic plan. She noted that the senior executive
44 leadership is prioritizing strategies, with third-party payer issues near the top. Dr. O'Loughlin

1 shared that the ADA is stable financially. She also stressed that although there has been a
2 decrease in the ADA workforce, the important work of the ADA will continue as planned.

3 **EMERGING ISSUES AND TRENDS**

4 **Digital Member Experience:** Ms. Sutherland and Ms. Nissim from the ADA's Division of
5 Communications presented information regarding the new Digital Member Experience (DMX)
6 initiative. They presented the design for the proposed new ADA.org website and anticipated
7 improvement in functionality on mobile devices. As part of the phased approach, content on third
8 party payer/ dental insurance issues has been migrated to the new website and can be accessed at
9 <https://ada.org/dentalinsurance>.

10 Dr. Markarian thanked the Council for testing the new site as part of the preparation for this meeting.
11 He also acknowledged and thanked the Council on Dental Practice for providing input on revised
12 organization of dental insurance content. The Council acknowledged the need to use the term "dental
13 insurance" rather than "third party payer issues" to allow the ADA content to appear on searches
14 through Google. Following discussion, Dr. Markarian requested that DBIS review feedback from
15 CDBP and CDP members and develop new content needed for the new site.

16 **CLINICAL DATA REGISTRY**

17 **Dental Experience & Research Exchange:** Council members received updates on activities related
18 to the Clinical Data Registry, newly named the "ADA Dental Experience and Research Exchange".
19 The updates included a presentation from Mr. Lawrence and Mr. Langthorne of Prometheus
20 Research, Inc., contracted by the ADA to build the ADA Clinical Data Warehouse. The Council also
21 received a demonstration of the registry's practice portal.

22 The Registry Initiative allows dental practices to submit patient data (a Limited Data Set as defined by
23 HIPAA), every two weeks, directly from the practice's patient management systems to a protected
24 cloud-based repository. Using these data, this Initiative will permit participating dental practices to
25 generate reports to help them better understand their practice patterns and treatment outcomes. In
26 the future as data volume builds, ADA researchers and external researchers approved by the ADA
27 would be able to use the data to conduct research supporting the development of quality measures,
28 evidence-based guidelines, and clinical decision support tools.

29 The Council discussed the benefits of such a portal for solo and small group dental practices that do
30 not have the analytics support that larger practices typically have in place. Some Council members
31 noted that dentists could express concerns regarding data sharing and privacy but acknowledged that
32 the success of the program did not require all dentists to participate. A strong value proposition and
33 marketing efforts are needed to support practice recruitment in 2021.

34 **DENTAL BENEFITS**

35 **State Activity: District Reports:** Dr. Walt Weber shared his views regarding the state-specific dental
36 insurance survey completed by several districts. The following issues were noted as being most
37 important from a state perspective:

- 38 ● Regulation of network leasing
- 39 ● Payment for PPE expenses
- 40 ● Reductions to negotiated fees
- 41 ● Assignment of benefits legislation
- 42 ● Non-covered services
- 43 ● Virtual credit card payments

- 1 • Audits

2 Staff reported that aggregate survey results were distributed to all states who responded to the
3 survey. Dr. Weber noted that several of the issues identified by the states needed a legislative
4 solution. He also added that the work being conducted by the ADA's Department of State
5 Government Affairs through the Fight Insurance Interference Strategic Taskforce (FIIST) is
6 continuing to address many of the identified issues.

7

ADMINISTRATIVE EFFICIENCY

8 **Bento:** Council members received a report on the activities following the ADA's endorsement of
9 Bento. Current adoptions metrics shared with the Council included an update that 2,905 dentists have
10 joined Bento's PPO network to date. Another 47 offices have set up Bento In-Office Plans for their
11 patients. Discussion included a brief overview of activities for next year, including the development of
12 a state toolkit, focus on an employer-recruitment strategy to help Bento grow its number of lives
13 covered, as well as outreach to the practice managers. The Council also discussed an initiative of the
14 Council on Government Affairs (CGA) to develop model legislation to allow dentists to offer in-office
15 plans without overly restrictive rules and registration requirements.

16 **Credentialing:** Council members received a report on the activities of the ADA credentialing service,
17 powered by CAQH ProView. Current adoptions metrics shared with the Council included 39,108
18 dentists with current and complete profiles, and another 26,508 with expired profiles—meaning more
19 than 65,616 dentists have fully attested to their information in the system. The ADA is continuing to
20 average 800 new dentist profiles completed each month, well-exceeding the monthly goal of 500 new
21 dentists per month. The program has yielded \$43,714 in revenue to date and will exceed its annual
22 goal of \$44,000 for 2020. Discussion included the mention that the growth curve remains steady and
23 strong 3 years after the initial launch and marketing campaign to roll-out the credentialing service.
24 Even through the pandemic, the numbers remain steady and on-track for 2020.

25 **Eligibility & Benefits Verification:** Dr. Markarian reminded the Council that as part of CDBP's
26 Administrative Efficiencies Initiative that Council had convened two Summits with all the industry
27 partners to begin a dialogue on simplifying paperwork for offices participating with dental plans. The
28 initial focus of this initiative was to improve adoption of electronic funds transfer in 2018 and 2019.
29 For 2020, eligibility and benefits verification was identified as a focus area. However, progress was
30 stalled due to the pandemic.

31 Dr. Markarian noted that the 2020 HOD referred Resolution 102 with a directive to conduct a
32 feasibility study to determine whether a single online app or portal might serve as a solution to
33 providing timely and accurate benefit information across payers. Dr. Greg Zeller, Standards
34 Committee on Dental Informatics (SCDI) joined the Council to discuss SCDI's efforts to develop an
35 implementation guide to support use of existing electronic standard transactions to communicate
36 complete benefits information to participating practices. He notes that SCDI had just begun this effort
37 and that they were convening a few focus group meeting over the next few weeks to gather
38 information from the industry.

39 Following discussion, the Council decided to table further discussion definitely until December 2020
40 to allow SCDI to complete the focus group discussion and present their preliminary findings to the
41 Council. A special meeting of the Council will be convened in December 2020 to identify next steps
42 on Resolution 102.

43 **Claim Attachments:** Dr. Walt Weber led a discussion on the need to streamline the claim
44 attachment requirements across payers as the next project under the Administrative Efficiencies
45 Initiative. He noted that all payers have differing requirements for what attachments may be required
46 for claim adjudication. Some standardization or at least clear information on necessary requirements

1 would allow practices to avoid denials and improve efficiency in the process. Following discussion the
2 Council referred the matter to the DBIS Subcommittee for discussion and report back to the May
3 2021 Council meeting.

4 **ANSI/ ADA Standards Update:** The Council accepted, through the Consent Calendar, a report
5 updating the Council on the activities of the ADA Department of Standards Administration, including
6 those relevant dental informatics standards that impact dental benefit programs.

7 **LEGISLATIVE UPDATE**

8 **Division of Government and Public Affairs/ Washington Office Report:** Ms. Yaghoubi
9 reported on some of the important legislative issues in the current Congress. Of particular note,
10 was Covid-19 advocacy by ADA Washington DC staff. She shared some of the successes in this
11 area since the last Council meeting, adding some of the continuing COVID-19 advocacy efforts.

12 Ms. Yaghoubi reported on other issues of interest to CDBP, including McCarran-Ferguson
13 Reform noting that the House of Representatives passed H.R. 1418, the Competitive Health
14 Insurance Reform Act. She also shared that in September 2020, the Centers for Medicare and
15 Medicaid Services (CMS) appointed Dr. Natalia Chalmers, Chief Dental Officer (CDO).

16 Responding to a question whether there has been any feedback from legislators or other
17 stakeholders regarding a dental benefit for seniors, Ms. Yaghoubi explained that the impact of the
18 2020 elections was unclear and that CGA and the ADA Washington DC Staff will be following any
19 developments closely as the new Congress begins.

20 **Division of Government and Public Affairs/ State Government Affairs Report:** Mr. Chad
21 Olson and Mr. Paul O'Connor provided an update on state legislative proposals. Of note was the
22 recent status of the Dental and Optometric Care Access Act (DOC Access Act). Mr. Olson added
23 that the ADA is working with the American Optometric Association on the DOC Access Act to
24 pass federal legislation preventing insurers from setting prices on procedures not compensated
25 by the patients' plans (non-covered services). He further stated that it would apply to self-funded
26 (ERISA) plans and not to fully insured plans (regulated at the state level) and, if passed, would
27 apply on a national level.

28 Mr. Olson reported that it has been good year in terms of dental benefits legislation around the
29 country noting some of the progress made. He updated the Council on the FIIST program stating
30 additional monies were given to the SPA program, and indicated that state societies can apply for
31 grants specific to Third-Party Payers.

32 Mr. Olson also mentioned efforts at the National Conference of Ins. Legislators (NCOIL) pushing
33 forward with the proposed Transparency in Dental Benefit Contracting Model Act noting that
34 currently, three issues from FIIST priority Top 5, Network Leasing, Prior Authorization and Virtual
35 Credit Cards, are embedded into the model and stated hope that it would get passed this
36 December.

37 Mr. O'Connor highlighted some of the initiatives around the country including the passing of
38 Assignment of Benefits bill in West Virginia, and virtual credit card laws passed in Utah and
39 Nebraska. He, additionally, mentioned that a law was passed in Maine that prohibits health
40 insurance carriers from imposing a waiting period for any dental or oral health service or
41 treatment, except for orthodontic services, for an enrollee under 19 years of age.

1

QUALITY ASSESSMENT AND IMPROVEMENT (QAI)

2

Dental Quality Alliance (DQA) Activities Update: The Council accepted, through the Consent Calendar, an informational report detailing updates on the activities of the DQA. Of note was the addition of GlaxoSmithKline (GSK) as an associate member of the DQA and the newly approved DQA sealant measure currently under consideration to be included into the Core Set of Children's Health Care Quality Measures for 2021. Also noted was the upcoming Quality Measurement Webinar and the 2021 DQA Quality Conference.

8

CODING AND TRANSACTIONS

9

Code Maintenance Committee Submissions: The Council received an oral update on the 19 substantive action requests submitted by CDBP on behalf of the ADA to the Code Maintenance Committee (CMC), as well as an overview of action requests received from other entities by the November 1, 2020 submission closing date. There are 77 substantive action requests and 10 editorial requests to be addressed when the CMC convenes in March 2021.

14

Council members were informed that all substantive and editorial action requests will be distributed to every CMC member by December 1, 2020 so that their due diligence review can proceed in accordance with the CMC's operating protocol. These action request forms will also be posted on the ADA's CDT Code web site (www.ada.org/cdt) at the same time to inform the public of the proposed code set maintenance.

19

The Council's Coding and Transactions Subcommittee (CATS) will perform its due diligence review via conference call. A status report on the CMC's March 2021 meeting decisions to accept or reject the actions requests will be prepared for the Council's next meeting in May 2021.

22

CDT Code for PPE: The Council discussed two separate CDT Code Action requests seeking a new code for documenting Personal Protective Equipment Costs incurred by dentists in the course of procedure delivery. Various perspectives on the matter were voiced by Council members to aid the Coding and Transactions Subcommittee's deliberations on these requests during CATS's due diligence review. This review occurs prior to casting the ADA's vote during the March 2021 CMC meeting.

28

ICD-10-CM Maintenance Submissions: The Council accepted, through the Consent Calendar, an informational report on the status of the ADA's requested maintenance actions concerning Recurrent Caries. Next steps in this code set's maintenance process are controlled by Federal agencies that oversee the ICD-10-CM code set. The ADA's maintenance submissions are expected to be addressed when the Federal oversight agency convenes hearings in 2021, and a status report will be prepared for the next Council meeting.

34

CDT License Fee Adjustments: The Council approved, through the Consent Calendar, the following resolution concerning fee adjustments for the various types of CDT Code licenses.

35

Resolved, that the following CDT License Fee increases for 2022 be approved.

#	CDT License Type	Increase
1.	National Association of Dental Plans (NADP) or America's Health Insurance Plans (AHIP) members	5.5%
2.	Dental Benefit Plans /Third-Party Administrators	5.5%

3.	Electronic Claim Transaction Clearinghouses – Category B	5.5%
4.	Electronic Claim Transaction Clearinghouses – Category C	2%
5.	Practice Management Software Vendors	2%
6.	Healthcare Software Vendors	5%
7.	Publishing	6%
8.	Seminars	10%

1 **SNODENT Maintenance and Implementation:** The Council accepted, through the Consent
 2 Calendar, an informational report of activity concerning maintenance and implementation of the
 3 systematized Nomenclature of Dentistry (SNODENT) since the May 2020 Council Meeting.

4 **LIAISON/ CONSULTANT Reports**

5 **Report of the New Dentist Member:** Dr. Patel provided the Council with an update on programs and
 6 initiatives on behalf of the New Dentist Committee (NDC). She noted that as new dentist membership
 7 is down 1% from 2019 dental student engagement efforts continue. Dr. Patel also shared the focus
 8 and input of the NDC into programs to aid in health and wellness initiatives relative to Covid-19.

9 **Report of the American Student Dental Association (ASDA):** Ms. Nisnisan reported on ASDA's
 10 Strategic Plan and goals for 2018-2020 and discussed national initiatives which included programs
 11 focused on wellness. She shared some of the action taken by ASDA relative to Covid-19 including
 12 reaching out to each state dental board in the US and working with chapter leaders to advocate for
 13 non-patient based alternatives toward licensure that were best for each state.

14 **COUNCIL OPERATIONS**

15 **Subcommittee Appointments:** The Council accepted (through the consent calendar) an
 16 informational report listing subcommittee appointments.

17 **2020-2021 Subcommittee & Major Meeting Dates:** The Council accepted (through the consent
 18 calendar) an informational report on dates for subcommittee meetings

19 **Future Council Meeting Dates:** The Council adopted (through the consent calendar) the following
 20 resolution.

21 **Resolved,** that the proposed dates for the May and November 2021 Council Meetings be
 22 approved.

23 **Appointment of Consultants:** The Council approved the following action through the consent
 24 calendar.

25 **Resolved,** that the following consultants to the Council on Dental Benefit Programs be
 26 approved for the term ending with the 2021 Annual meeting.

27 Acharya, Amit, B.D.S, M.S., Ph.D., Marshfield, WI
 28 Bulnes, Christopher M., D.M.D., Tampa, FL

- 1 Crall, James J., D.D.S., M.S., Sc.D., Los Angeles, CA
- 2 Jurkovich, Mark W., D.D.S., Chisago City, MN
- 3 Mihalo, Mark J., D.D.S., La Porte, IN
- 4 Thyvalikakathm, Thankam, D.M.D., M.D.S., Ph.D., Indianapolis, IN
- Walji, Muhammad, B.S., M.S., Ph.D., Houston, TX

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6 **Adjournment:** 3:50 PM Central