

**MEETING MINUTES OF THE
AMERICAN DENTAL ASSOCIATION
COUNCIL ON GOVERNMENT AFFAIRS
ADA OFFICE, WASHINGTON, DC
JANUARY 19-21, 2023**

CALL TO ORDER

The meeting of the Council on Government Affairs (CGA) was called to order by Dr. Dan Gesek, CGA chair, at 12:30 PM EST on January 19, 2023.

ROLL CALL

Members: (District 1) Dr. Abe Abdul, 2024; (District 2) Dr. Ray Miller, 2023; (District 3) Dr. James Tauberg, 2025; (District 4) Dr. Elisa Velazquez, 2026; (District 5) Dr. Leigh Kent, vice chair, 2024; (District 7) Dr. John Roberts, 2025; (District 8) Dr. Cheryl Watson-Lowry, 2024; (District 9) Dr. David Clemens, 2024; (District 10) Dr. Doug Erickson, 2025; (District 11) Dr. Heather Willis, 2026; (District 12) Dr. David Hildebrandt, 2026; (District 13) Dr. John Blake, 2023; (District 14) Dr. Darren Chamberlain, 2025; (District 15) Dr. Matthew Roberts, 2023; (District 16) Dr. Mark Crabtree, 2023; (District 17) Dr. Dan Gesek, chair, 2024; (New Dentist Member) Dr. Sean Aiken, 2023.

Liaisons: (Board of Trustees) Dr. Gary Oyster, sixteenth district trustee; (Council on Advocacy for Access and Prevention) Dr. Jim Mancini, chair; (American Dental Political Action Committee) Dr. Giorgio Di Vincenzo, chair; (Alliance of the American Dental Association) Ms. Sue Hadnot; (American Student Dental Association) Ms. Nicole Anderson.

Not In Attendance: (District 6) Dr. Darren Greenwell, 2026.

Council Staff: Mr. Michael Graham, senior vice president, Government and Public Affairs; Ms. Roxanne Yaghoubi, director, Legislative and Regulatory Policy; Mr. Robert Burns, senior manager, Strategic Advocacy and Public Policy; Mr. David Linn, manager, Legislative and Regulatory Policy; Mr. Corey McGee, manager, Legislative and Regulatory Policy; Ms. Margaret Tucker (MT) Fogarty, senior project assistant.

Other ADA Representatives Present for All or Part of the Meeting: Dr. George Shepley, president; Dr. Linda Edgar, president-elect; Dr. Raymond Cohlma executive director; Mr. Robert Quashie, chief operating officer; Dr. Dave Preble, chief strategy officer, senior vice president, Practice Institute; Dr. Krishna Aravamudhan, senior vice president, Practice Institute; Mr. Chad Olson, director, State Government Affairs; Mr. Paul O'Connor, senior legislative liaison, State Government Affairs; Mr. Matt Rossetto, legislative liaison, State Government Affairs; Ms. Alison Weems, administrative assistant, State Government Affairs; Ms. Katherine Merullo, senior manager, Public Affairs and Analysis; Ms. Jennifer Garvin, Washington editor, ADA News; Dr. Marko Vujicic, chief economist and vice president, Health Policy Institute; Mr. Chris Tampio, director, Congressional Affairs; Ms. Jennifer Fisher, lobbyist, Congressional Affairs; Ms. Natalie Hales, lobbyist, Congressional Affairs; Ms. Megan Mortimer, lobbyist, Congressional Affairs; Dr. Elizabeth Lense, manager, Equity and Prevention; Dr. Tony Ziebert, senior vice president, Education and Professional Affairs; Ms. Karen Hart, senior director, Education Operations; Dr. Meaghan Strotman, director, Council on Dental Education and Licensure; Ms. Sandy Eitel, senior director, research, analytics, and member growth; Ms. Sarah Milligan, director, American Dental Political Action Committee; Mr. Peter Aiello, senior manager, American Dental Political Action Committee and Political Affairs; Mr. Michael Kendall, senior associate general counsel, Legal Affairs; Mr. Paul Sholty, chief financial officer; Ms. Kathy Clary, manager, Business Administrative Services; Ms. Molly Savory, intern.

Special Guests: Dr. Jeff Van Drew, representative, Second Congressional District of New Jersey; Dr. Adam Barefoot, chief dental officer, Health Resources and Services Administration; Dr. Natalia Chalmers, chief dental officer, Centers for Medicare and Medicaid Services; Dr. Mark Bronson, chair, ADA

Presidential Task Force on Medicaid; Dr. Jessica Meeske, vice chair, ADA Presidential Task Force on Medicaid; Dr. James Nickman, chair, Council on Dental Education and Licensure; Dr. Prabha Krishnan, chair, Council on Communications; Dr. Sharukh Khajotia, chair, Council on Scientific Affairs; Dr. Stacey Gardner, vice chair, Council on Dental Benefit Programs; Dr. Manny Chopra, chair, Council on Dental Practice; Dr. Debra Peters, vice chair, Council on Ethics, Bylaws, and Judicial Affairs; Dr. Nipa Thakkar, chair, Council on Membership.

January 19, 2023

The meeting was called to order by Dr. Gesek at 12:30 PM EST on January 19, 2023.

Adoption of Agenda and Approval of Consent Calendar: Upon vote, the agenda and consent calendar were approved.

- **Resolved**, the agenda is adopted.
- **Resolved**, the consent calendar is adopted.

Conflict of Interest (Disclosure) Policy: Dr. Gesek asked the Council members to fill out the conflict of interest and non-disclosure forms. He also requested that they disclose any conflicts during the meeting.

2024 Council Elections and Meeting Dates: Dr. Gesek announced the elections for the 2024 CGA chair and vice chair. He also asked the Council if there were any conflicts with the proposed 2024 meeting dates. Upon hearing of a potential conflict, Dr. Gesek said that the Council would postpone voting on the meeting dates.

Welcome and Report of the chair: Dr. Gesek gave examples of issues the Council has been working on, and will continue to focus on, including Medicaid, hospital operating room access, veterans, and dental insurance reform.

Report of the ADA president: Dr. Shepley spoke about the need for the ADA be bold. He spoke about his plans for 2023, including the Task Forces on ERISA, dental support organizations (DSOs), and sugar and nutrition. He also talked about his meeting with Senator Bernie Sanders on the dental team workforce shortages.

Remarks by Congressman Van Drew: Representative Van Drew said there will be a lot of activity on Capitol Hill in 2023. He answered questions from the Council on issues including partisanship in the House of Representatives, the healthcare workforce shortages, the debt ceiling, and Medicare Advantage.

Report of the senior vice president and director: Mr. Graham and Ms. Yaghoubi spoke about the ADA's government affairs accomplishments in 2022, and urged the Council to share information about this work with dentists in their states and districts. They emphasized that the ADA is on the offense and is well positioned to continue to make a difference in Washington in 2023.

Report of the Board of Trustees: Dr. Oyster talked about the board's work on diversity and inclusion, with dental students, and on increasing the ADA's membership.

Discussion on Strategic Alignment: Dr. Preble spoke about the ADA's strategic alignment across the public/profession customer group. Additionally, he discussed the need to focus on, and measure, impact.

Presentation on Massachusetts Ballot Initiative: Dr. Abdul and Mr. Olson talked about the Massachusetts ballot initiative on Medical Loss Ratio (MLR), including the support for the initiative from the ADA and the state dental associations. They also discussed other states that are now working on MLR legislation.

Report on State Government Affairs and Discussion: Mr. Olson spoke about the State Public Affairs (SPA) grant program. Mr. O'Connor and Mr. Rossetto talked about legislation in the states on issues

including dental insurance reform, workforce, and the dentist and hygienist licensure compact, as well as the technical assistance the Department of State Government Affairs provides to the state dental associations on those bills. Additionally, Mr. Rossetto talked about the ADA's Native American Initiative.

Report of the Alliance: Ms. Hadnot discussed the work and mission of the Alliance, including dental health education in communities, legislative advocacy and fundraising, wellness, and philanthropy.

January 20, 2023

Dr. Gesek called the meeting to order at 8:00 AM EST.

Presentation and Discussion Led by the ADA Health Policy Institute: Dr. Vujicic presented the latest data on economic recovery in the dental sector. He also talked about the Health Policy Institute's (HPI) research on dentist participation in Medicaid. Lastly, he discussed long-term trends in dentistry, including the generational divide and the accompanying shift away from practice ownership.

Presentation and Discussion Led by the ADA executive director: Dr. Cohlma emphasized the need for change at the ADA and said it's a new day for dentistry and the ADA. He outlined his goals, including customer-focused governance, collegiality and synergy, and the ADA digital transformation. He described the strategic forecasting implementation plan, and talked about the ADA's five key values: customer/member focus, global presence, sustainability, innovation, and nimbleness.

Report on Public Affairs: Ms. Merullo talked about the Oral Health is Health digital ad campaign, as well as the ADA's earned media coverage on topics such as COVID-19 and marijuana use by dental patients. She also discussed the media coverage on the Massachusetts ballot measure. Ms. Garvin spoke about the top national and state advocacy stories in ADA News.

Update on Congress and Lobbying: Mr. Tampio and Mr. Kendall spoke about ERISA and McCarran-Ferguson reform. Additionally, Ms. Fisher discussed her lobbying on appropriations and health equity. Ms. Mortimer spoke about her lobbying on issues including student loans, the military, veterans, taxes, and small business. Lastly, Ms. Hales talked about her lobbying on Medicaid, fluoride, vaping, and opioids.

Discussion on Student Loan Reform: The Council was briefed on the ADA's student loan reform accomplishments in 2022, including: preventing a reduction in the student loan interest deduction, establishing the Bio-Preparedness Workforce Pilot Program, eliminating interest capitalization on certain student loans, and reforming aspects of the Public Student Loan Forgiveness program. Mr. Burns and Ms. Mortimer also forecasted how student loan reforms might proceed in 2023 with the Biden administration and new Congress.

Report of the American Student Dental Association: Ms. Anderson discussed the American Student Dental Association's (ASDA) membership and initiatives. She also talked about ASDA's advocacy work, including its certificate program, action alerts, webinars, and the Dentist and Student Lobby Day. The Council spoke about ways to mentor dental students and get them interested in advocacy.

Report of the New Dentist Committee: Dr. Aiken sought ideas from CGA on how to give new dentists leadership opportunities and present new dentists with tangible benefits to ADA membership. He also spoke about the New Dentist Committee's (NDC) initiatives on diversity, equity, and inclusion, as well as on wellness. He emphasized that the NDC's top priority for CGA is student loan reform.

Update and Discussion on Federal Regulations: Ms. Yaghoubi, Mr. Burns, Mr. McGee, and Mr. Linn talked about the ADA's work on regulations on issues including social media reviews of dental practices, COVID-19, community water fluoridation, Medicare Advantage, and health information technology.

Federal Dental Services Workgroup: Dr. Miller spoke about the Workgroup's activities, including its work on the VETSmile pilot program, reserve/guard toolkit, TRICARE dental program, federal dental

services chief dental officers, and Give Veterans a Smile summit. Upon vote, the amendment to the Workgroup charge statement was approved.

- **Resolved**, the amendment is approved.

Upon vote, the amended charge statement was approved.

- **Resolved**, the amended federal dental services charge statement is approved.

Presentation by a Federal Dental Services Representative: Dr. Barefoot presented on the Health Resources and Services Administration's (HRSA) structure and its work on oral health, including Community Health Centers, oral health workforce training programs, the National Health Service Corps, the Ryan White HIV/AIDS program, maternal and child health, and oral health literacy.

Update from CMS: Dr. Chalmers talked about the Centers for Medicare and Medicaid Services' (CMS) oral health vision, including its focus on equity. She presented CMS data on oral health, and spoke about the need to reduce Emergency Department visits for dental pain. She talked about the connection between oral health and overall health and discussed CMS' recent expansion of postpartum Medicaid dental coverage. She also gave an update on CMS regulations and the ADA's comments on those rules.

Report of the Medicaid Task Force: Dr. Meeske presented on the Medicaid Task Force's reform agenda, including credentialing, funding and reasonable reimbursement, benefit design and administration, appropriate auditing practices with auditor training, coordination of managed care organization (MCO) activities, and best practices and model programs to use as references. She asked CGA to advocate for a comprehensive Medicaid Improvement Act. Dr. Bronson talked about the need to add to the ADA's policies on Medicaid.

January 21, 2023

Dr. Gesek called the meeting to order at 8:00 AM EST.

Public Insurance Advocacy Workgroup: Upon vote, the Workgroup charge statement was approved.

- **Resolved**, the Public Insurance Advocacy Workgroup charge statement is approved.

The Council discussed Medicare Part T and Medicare medically necessary.

Private Insurance Advocacy Workgroup: Upon vote, the Workgroup charge statement was approved.

- **Resolved**, the Private Insurance Advocacy Workgroup charge statement is approved.

Policy Review Workgroup: Dr. Roberts presented the Policy Review Workgroup's recommendations to retain, rescind, or amend 20 Association policies, in accordance with the policy titled Regular Comprehensive Policy Review (*Trans.*2010:603; 2012:370). The Council agreed to retain nine policies and amend eight policies, pending review by the councils with secondary jurisdiction. The Council also formally voted to rescind three policies, pending review by the councils with secondary jurisdiction. See addendum for more information.

Presentations by Council chairs and vice chairs:

- Dr. Nickman spoke about the Council on Dental Education and Licensure's (CDEL) work on the interstate licensure compact. He also talked about the Dental Licensure Objective Structured Clinical Examination (DLOSCE), as well as CDEL's specialty licensing map.
- Dr. Khajotia spoke about the Council on Scientific Affairs' (CSA) work on four areas of priority: the dissemination of high-quality clinical research and tools; growth opportunities for current CSA programs; growing and improving the dental research pipeline; and continuing to use and expand the growth of primary and secondary clinical research data.

- Dr. Chopra spoke about the Council on Dental Practice's (CDP) subcommittees on practice management and policy, elder care, wellness, and technology.
- Dr. Peters spoke about the Council on Ethics, Bylaws, and Judicial Affairs' (CEBJA) work on ethical questions, bylaws review, and judicial hearings.
- Dr. Thakkar spoke about the Council on Membership's (CM) subcommittee on grants, as well as its subcommittee on large groups. She also discussed the Council on Membership's work with other Councils on dental faculty, as well as on having an ADA presence at dental conferences and meetings. Lastly, she discussed the Council's work on philanthropy in dentistry and service-oriented organizations.
- Dr. Gardner spoke about the Council on Dental Benefit Programs' (CDBP) subcommittee on coding and transactions and the enhanced CDT project. She also discussed CDBP's dental benefit information subcommittee.
- Dr. Krishnan spoke about the topics the Council on Communications (CoC) is working on, including its culture of change communication plan, the fourth annual communications trend report, and the Council's Workgroup on communications innovations.

ADPAC Report and Discussion on Lobby Day: Dr. Di Vincenzo presented on the American Dental Political Action Committee's (ADPAC) main functions, which include raising money, raising branding and visibility on Capitol Hill, distributing contributions, political education, and grassroots advocacy. CGA discussed Lobby Day and the issues the dentists and students will be talking about on Capitol Hill.

Report of the Council on Advocacy for Access and Prevention: Dr. Mancini spoke about the Council on Advocacy for Access and Prevention's (CAAP) areas of bylaws responsibility, as well as the Council's history at the ADA. He also talked about CAAP's subcommittees and its work with other organizations. He highlighted areas of collaboration between CAAP and CGA, including Medicaid reform, community water fluoridation, HRSA grants, and Federally Qualified Health Centers (FQHCs).

Report and Discussion on the Health Equity Action Team: Dr. Lense presented on health equity, including CAAP's work with the National Coalition on Health Literacy in Dentistry, the National Fluoridation Advisory Committee, and the Health Equity Action Team. She talked about each of these groups' major health equity initiatives for 2023. She also gave suggestions on how dentists could promote health equity in their dental practice.

Discussion on CGA Priorities: The Council talked about the issues discussed at the meeting, and identified the following as its top priorities for 2023:

- Student loan reform
- Dental insurance reform (both public and private)-assisting the Medicaid task force to advance their directives
 - Access to care:
 - Medicaid reform
 - Ensuring Lasting Smiles Act (ELSA)
 - Developmental disabilities
- Workforce
- Maximizing funds going towards veterans
- Lead testing

The Council spoke about the need to make sure it was aligning with other Councils on these issues and not duplicating efforts.

New and/or Unfinished Business and Open Forum: Dr. Gesek reminded the Council about future events, including a call with the Association of Dental Support Organizations (ADSO), Workgroup meetings, Club 137 events, Lobby Day, and the July CGA meeting.

Dr. Gesek adjourned the meeting at 11:33 AM EST on January 21, 2023.

ADDENDUM

Dr. Roberts presented the Policy Review Workgroup’s recommendations to retain, rescind, or amend 20 Association policies, in accordance with the policy titled Regular Comprehensive Policy Review (*Trans.*2010:603; 2012:370). The Council agreed to retain nine policies, pending review by the councils with secondary jurisdiction.

RETAIN, AS WRITTEN				
<i>Topic</i>	<i>Policy</i>	<i>Last Action</i>	<i>Council Recommendation</i>	<i>Secondary Reviewer(s)</i>
Access/ Safety Net	39H-2019. General, Pediatric and Public Health Dental Residency Programs (<i>Trans.</i> 2019:298)	Amended 2019	Retain	CDEL
Elder Care	70H-2020. Oral Health Care for the Elderly (<i>Trans.</i> 2020:279)	Adopted 2020	Retain	(CDBP) CDP
Medicaid/ CHIP	37H-2014. Advocate for Adequate Funding Under Medicaid Block Grants (<i>Trans.</i> 2011:498; 2014:499)	Retained (2019)	Retain	(CAAP) (CDBP)
Medicaid/ CHIP	49H-2020. Federal Medicaid Funding (<i>Trans.</i> 2020:338)	Amended (2019)	Retain	CAAP (CDBP)
Medicaid/ CHIP	50H-2020. Tax Incentives for Medicaid Participation (<i>Trans.</i> 2020:338)	Retained (2019)	Retain	CAAP (CDP)
Medicaid/ CHIP	51H-2020. Support for the Children’s Health Insurance Program (<i>Trans.</i> 2020:339)	Amended (2021)	Retain	CAAP (CDBP)
Medicaid/ CHIP	9H-2021. Fee-For-Service Medicaid Programs (<i>Trans.</i> 1999:957; 2021:313)	Amended (2019)	Retain	(CAAP) CDBP
Medicaid/ CHIP	10H-2021. Medicaid and Indigent Care Funding (<i>Trans.</i> 2006:338; 2014:499; 2021:313)	Amended (2019)	Retain	(CAAP)
Medicaid/ CHIP	27H-2021. Support for Adult Medicaid Dental Services (<i>Trans.</i> 2004:327; 2021:313)	Amended (2019)	Retain	CAAP (CDBP)

The Council also agreed to amend eight policies and formally voted to rescind three policies—pending review by the councils with secondary jurisdiction.

RESCIND OR AMEND					
<i>Topic</i>	<i>Proposed Resolution</i>	<i>Affected Policies</i>	<i>Last Action</i>	<i>Council Recommendation</i>	<i>Secondary Reviewer(s)</i>
Grassroots Advocacy	Res. A. Proposed Policy, Opposition to Unlicensed Dental or Dental	74H-1999. Activity to Stop Unlicensed Dental or Dental Hygiene Practice (<i>Trans.</i> 1999:949)	Referred (2022)	Amend	CDP (Legal)

	Hygiene Practice				
Access/ Safety Net	Res. B. Proposed Policy, Public Funding of Oral Health Care Services Provided at Academic Dental Institutions	36H-2002. Legislation to Increase Federal and State Funding of Oral Health Care Services Provided at Academic Dental Institutions (<i>Trans.</i> 2002:405)	Retained (2016)	Amend	(CAAP) CDEL
Access/ Safety Net	Res. C. Proposed Policy, Availability of Dentists for American Indians and Alaska Natives	36H-2004. Dental Program for Remote Alaskan Residents (<i>Trans.</i> 2004:323)	Retained (2016)	Amend (Consolidate)	CAAP
		46H-2016. Incentives for Dental School Graduates to Work in Tribal Areas (<i>Trans.</i> 2006:338; 2016:316)	Amended (2016)		
		50H-2016. Utilization of Dentists by Indian Health Service (<i>Trans.</i> 1987:519; 2016:317)	Amended (2016)		
Access/ Safety Net Access/ Safety Net	Res. D. Proposed Policy, Engaging Community- Based Health Centers	40H-2016. Community Health Centers (<i>Trans.</i> 2002:415; 2016:314)	Retained (2022)	Amend (Consolidate)	CAAP
		55H-2016. Health Centers (<i>Trans.</i> 2005:338; 2016:338)	Retained (2022)		
		11H-2021. Use of Dentist-To- Population Ratios (<i>Trans.</i> 1984:538; 1996:681; 2021:313)	Amended (2021)		

Elder Care	Res. F. Rescission of the Policy, Reduced Fee Programs for the Elderly Poor	95H-1980. Reduced Fee Programs for the Elderly Poor (<i>Trans.</i> 1980:591)	Retained (2012)	Rescind	(CDP)
Elder Care	Res. G. Rescission of the Policy, Education of AARP on Benefits of Oral Health Agenda	61H-1989. Education of AARP on Benefits of Oral Health Agenda (<i>Trans.</i> 1989:568)	Retained (2017)	Rescind	(CAAP) (CDP)
Other	Res. H. Rescission of the Policy, Dentists as Providers in All Public and Private Health Care Programs and Discrimination in Payment for Services Performed by a Licensed Dentist	36H-1990. Dentists as Providers in All Public and Private Health Care Programs and Discrimination in Payment for Services Performed by a Licensed Dentist (<i>Trans.</i> 1990:559)	Retained (2021)	Rescind	(CAAP) (CDBP) (CDP)

**Council on Government Affairs
Unofficial Report of Major Actions
January 19-21, 2023**

The Council on Government Affairs (CGA) met in the ADA's Washington Office on January 19-21, 2023. The following is a summary of the major actions taken by the Council:

1. The Council voted to approve the amended federal dental services workgroup charge statement.
2. The Council voted to approve the public insurance advocacy workgroup charge statement.
3. The Council voted to approve the private insurance advocacy workgroup charge statement.
4. The Council agreed to retain nine policies and amend eight policies, pending review by the Councils with secondary jurisdiction. The Council also formally voted to rescind three policies, pending review by the councils with secondary jurisdiction.
5. The Council identified the following issues as its advocacy priorities in 2023:
 - a. Student loan reform
 - b. Public dental insurance reform
 - c. Private dental insurance reform
 - d. Workforce
 - e. Veterans
 - f. Lead testing

Council Members:

Dr. Dan Gesek, chair, FL
Dr. Leigh Kent, vice chair, AL
Dr. Abe Abdul, MA
Dr. Sean Aiken, KY
Dr. John Blake, CA
Dr. Darren Chamberlain, UT
Dr. David Clemens, WI
Dr. Mark Crabtree, VA
Dr. Doug Erickson, MN
Dr. Darren Greenwell, KY
Dr. David Hildebrandt, LA
Dr. Ray Miller, NY
Dr. John Roberts, IN
Dr. Matthew Roberts, TX
Dr. James Tauberg, PA
Dr. Elisa Velazquez, NJ
Dr. Cheryl Watson-Lowry, IL
Dr. Heather Willis, AK

Liaisons:

Ms. Nicole Anderson, American Student Dental Association, CA

Dr. Giorgio Di Vincenzo, chair, American Dental Political Action Committee, NJ
Ms. Sue Hadnot, Alliance of the American Dental Association, MT
Dr. Jim Mancini, chair, Council on Advocacy for Access and Prevention, PA
Dr. Gary Oyster, trustee-liaison, Sixteenth Trustee District, NC

The Council will meet on July 20-22, 2023 in Washington, DC.

**MINUTES OF THE
CGA SPECIAL MEETING ON THE MEDICARE POLICY AMENDMENT
March 29, 2023**

The virtual call of the Council on Government Affairs (CGA) special meeting on the Medicare policy amendment was called to order by Dr. Gesek at 8:02PM EST on March 29, 2023.

Council Members In Attendance: (District 1) Dr. Abe Abdul, 2024; (District 2) Dr. Ray Miller, 2023; (District 3) Dr. James Tauberg, 2025; (District 4) Dr. Elisa Velazquez, 2026; (District 5) Dr. Leigh Kent, vice chair, 2024; (District 8) Dr. Cheryl Watson-Lowry, 2024; (District 9) Dr. David Clemens, 2024; (District 10) Dr. Doug Erickson, 2025; (District 11) Dr. Heather Willis, 2026; (District 12) Dr. David Hildebrandt, 2026; (District 13) Dr. John Blake, 2023; (District 14) Dr. Darren Chamberlain, 2025; (District 15) Dr. Matthew Roberts, 2023; (District 16) Dr. Mark Crabtree, 2023; (District 17) Dr. Dan Gesek, chair, 2024.

Council Liaisons In Attendance: (Board of Trustees) Dr. Gary Oyster; (Council on Advocacy for Access and Prevention) Dr. Jim Mancini, chair; (Alliance of the American Dental Association) Ms. Sue Hadnot; (American Student Dental Association) Ms. Nicole Anderson.

ADA Staff In Attendance: Mr. Michael Graham, senior vice president, Government and Public Affairs; Ms. Roxanne Yaghoubi, director, Legislative and Regulatory Policy; Mr. Chris Tampio, director, Congressional Affairs; Ms. Margaret Tucker (MT) Fogarty, senior project assistant; Ms. Natalie Hales, lobbyist, Congressional Affairs; Ms. Megan Mortimer, lobbyist, Congressional Affairs; Mr. David Linn, manager, Legislative and Regulatory Policy; Mr. Michael Kendall, senior associate general counsel, Legal Affairs.

Discussion:

- The group discussed how an updated ADA Health Policy Institute (HPI) survey of ADA members on Medicare is needed.
- The group talked about taking Part B out of the second sentence of the first resolving clause.
- The group discussed changing the percentage in the third bullet point from 50 to 80.
- CGA also talked about the need to better define the term 'chronic medical conditions' in the policy.
- In addition, CGA said that, if a few of the bullet points from the 2020 policy on "Financing Oral Health Care for Adults Age 65 and Older" are included in the new policy's second resolving clause, then the bullet point on means testing the benefit for beneficiaries under 300% of the Federal Poverty Level (FPL) should be included as well.
 - The Council also said that the 2020 policy's bullet point on freedom of choice should be added to the new policy.

Actions:

- Upon vote, the Council agreed to remove the first bullet point.
 - Upon vote, the Council agreed to reconsider removing the first bullet point.
 - The Council agreed to not remove the first bullet point.

CGA SPECIAL MEETING ON MEDICARE POLICY AMENDMENT

Minutes
March 29, 2023

- Upon vote, the Council agreed to accept the policy with the edits made during the call (attached).

Next Steps:

- CGA members will send their comments to Ms. Yaghoubi. Based on those comments, Ms. Yaghoubi will draft a cover letter. The cover letter will be put up on ADA Connect for CGA to vote on before being sent to the Council on Dental Benefit Programs (CDBP) along with the edited policy.

Dr. Gesek adjourned the call at 9:36PM EST.

**CONFIDENTIAL DRAFT ONLY FOR TRANSMISSION FROM CBDP TO CGA, CDP AND CAAP
FOR COMMENT BY APRIL 17, 2023.**

Resolution No. 301 New
Report: N/A Date Submitted: June 2023
Submitted By: Council on Dental Benefit Programs
Reference Committee: B (Dental Benefits, Practice and Related Matters)
Total Net Financial Implication: None Net Dues Impact: _____
Amount One-time _____ Amount On-going _____
ADA Strategic Plan Objective: Public Goal Obj-10: Dental benefit programs will be sufficiently funded and efficiently administered.
How does this resolution increase member value: See Background

1 **PROPOSED POLICY: PAYMENT FOR SERVICES FOR MEDICALLY COMPROMISED INDIVIDUALS**
2 **IN PUBLICLY FUNDED PROGRAMS**

3 **Background:** The Council on Dental Benefit Programs proposes rescinding the following policies and
4 replacing them with a proposed new policy.

- 5 • Elimination of Disparities in Coverage for Dental Procedures Provided Under Medicare
6 (*Trans.1993:705*)
- 7 • Modifying the Existing Medicare Dental Coverage: Statutory Dental Exclusion
8 (*Trans.2020:347*)
- 9 • Oral Health Care for the Elderly (*Trans.2020:279*)

10 The Council concluded that these policies were so similar in content that all three could be combined and
11 that the intent of these policies could be retained with revisions for brevity and clarity.

12 On November 1, 2022, Centers for Medicare & Medicaid Services (CMS) finalized the Calendar Year
13 2023 Physician Fee Schedule (PFS) rule, which codified payment for certain dental services that are
14 considered “inextricably linked” integral to specific Medicare Covered Medical Services beginning January
15 1, 2023. Access the [final rule](#):

- 16 • Reconstruction of a ridge when performed as a result of and at the same time as the surgical
17 removal of a tumor.
- 18 • Stabilization or immobilization of teeth when done in connection with the reduction of a jaw
19 fracture.
- 20 • Extraction of teeth to prepare the jaw for radiation treatment of neoplastic disease.
- 21 • Dental splints only when used in conjunction with medically necessary treatment of a medical
22 condition.
- 23 • Dental services — including both examination and treatment — prior to cardiac valve
24 replacement, valvuloplasty or organ transplant procedures.

25 Even though these changes to the PFS rule only currently impact a small number of Medicare recipients,
26 the scope of dental services that are covered is broader. The final rule stated that Medicare payment
27 would be provided if these procedures were done on an outpatient or an inpatient basis. Coverage would
28 also be provided for ancillary services such as radiographs, anesthesia, or the use of an operating room
29 for medically necessary procedures that fall under the rule.

30 In response, the Council in conducting its due diligence recommends that the above ADA policies be
31 rescinded and replaced by a new comprehensive and updated policy on payment for services for

**CONFIDENTIAL DRAFT ONLY FOR TRANSMISSION FROM CBDP TO CGA, CDP AND CAAP
FOR COMMENT BY APRIL 17, 2023.**

1 medically compromised individuals in publicly funded programs. This new policy supplements and
2 supports existing policy titled Financing Oral Health Care for Adults Age 65 and Older (*Trans.2020:285*),
3 especially in light of the changes to the PFS that went into effect on January 1, 2023. This will also allow
4 for a more efficient and combined policy making it easier to find during a search.

5 The Council on Dental Benefit Programs recommends that the following resolution be adopted:

6 **Resolution**

7 **Payment for Services for Medically Compromised Individuals in Publicly Funded Programs**

8 **xx. Resolved**, that the American Dental Association support payment for dental services under
9 ~~Part B of~~ Medicare for medically compromised individuals requiring clearance of dental infection
10 before medical procedures, and be it further,

11 **Resolved**, that if legislators or regulators seek to support payment for regular dental care for
12 older adults with chronic medical conditions in any taxpayer funded public program, then the ADA
13 shall support a program that:

- 14 • Covers chronic medical conditions that have evidence supporting improved health outcomes
15 with regular dental care.
- 16 • Covers the range of services necessary to achieve the desired improvement in health
17 outcomes.
- 18 • Is adequately funded to support an annually reviewed reimbursement rate such that at least
19 ~~85~~90% of dentists within each geographic area receive their full fee (~~85~~90th percentile) to support
access to care.
- 20 • Includes minimal and reasonable administrative requirements including the use of the CDT
21 Code for reporting dental procedures and use of the dental claim form (837D electronic
22 standard or the ADA paper claim form).

23 ~~Allows freedom of choice for patients to seek care from any dentist while continuing to receive the full
program benefit~~

2224 ~~Covers individuals under 300% FPL~~

2325 and be it further

2426 **Resolved**, that the following ADA policies Elimination of Disparities in Coverage for Dental
2527 Procedures Provided Under Medicare (*Trans.1993:705*), Modifying the Existing Medicare Dental
2628 Coverage: Statutory Dental Exclusion (*Trans.2020:347*) and Oral Health Care for the Elderly
2729 (*Trans.2020:279*) be rescinded.

2830 **WORKSHEET ADDENDUM**
2931 **POLICIES TO BE RESCINDED**

3032 **Elimination of Disparities in Coverage for Dental Procedures Provided Under Medicare**
3133 (*Trans.1993:705*)

3234 **Resolved**, that the Association seek legislation to provide fair and equitable treatment to all
3335 Medicare recipients by eliminating disparities in coverage for dental procedures, and be it further

3436 **Resolved**, that the Association seek legislation which would provide for payment of dental
3537 services under Part B of Medicare in cases where the dental procedure is necessary and directly
3638 associated with a medical procedure or diagnosis.

3739 **Modifying the Existing Medicare Dental Coverage: Statutory Dental Exclusion**
3840 (*Trans.2020:347*)

3941 **Modifying the Existing Medicare Dental Coverage: Statutory Dental Exclusion**

4042 **Resolved**, that the appropriate ADA agencies should consider conducting a review of the current

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**CONFIDENTIAL DRAFT ONLY FOR TRANSMISSION FROM CBDP TO CGA, CDP AND CAAP
FOR COMMENT BY APRIL 17, 2023.**

4143 _____ scientific evidence that would support expanding the oral health services provided to medically
4244 _____ frail recipients prior to major medical or surgical treatments available through Medicare in order to

**CONFIDENTIAL DRAFT ONLY FOR TRANSMISSION FROM CDBP TO CGA, CDP AND CAAP
FOR COMMENT BY APRIL 17, 2023.**

1 determine next steps for modifying the Medicare statutory exclusion, with the recommendation
2 that the review include but not be limited to the following:

- 3 1. head and neck radiation therapies
- 4 2. Osteoclast inhibitor therapy
- 5 3. organ transplants
- 6 4. cancer chemotherapy including hematopoietic cell transplantation
- 7 5. joint replacement
- 8 6. cardiac valve replacement

9 **Oral Health Care for the Elderly (*Trans.2020:279*)**

10 **Resolved**, that the American Dental Association supports the development of policy at the
11 federal, state, and local levels that supports the fair, equitable, choice-driven provision of dental
12 care to promote improved health and well-being in elderly patients.

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**MEETING MINUTES OF THE
AMERICAN DENTAL ASSOCIATION
COUNCIL ON GOVERNMENT AFFAIRS
JULY 20-22, 2023**

CALL TO ORDER

The meeting of the Council on Government Affairs (CGA) was called to order by Dr. Dan Gesek, CGA chair, at 12:29 PM EDT on July 20, 2023. Council members attended in person.

ROLL CALL

Call to Order: The meeting was called to order by Dr. Gesek, CGA chair, at 12:31 PM EST on Thursday, July 20.

The Council on Government Affairs (CGA) met on July 20-22, 2023, at The Madison Hotel in Washington, D.C. The following is a summary of major actions taken by the Council.

Roll Call: The following Council members were present for all or part of the meeting: (District 1) Dr. Abe Abdul, 2024; (District 2) Dr. Ray Miller, 2023; (District 3) Dr. James Tauberg, 2025; (District 4) Dr. Elisa Velazquez, 2026; (District 5) Dr. Leigh Kent, vice chair, 2024; (District 6) Dr. Darren Greenwell, 2026; (District 7) Dr. John Roberts, 2025; (District 8) Dr. Cheryl Watson-Lowry, 2024; (District 9) Dr. David Clemens, 2024; (District 10) Dr. Doug Erickson, 2025; (District 11) Dr. Heather Willis, 2026; (District 12) Dr. David Hildebrandt, 2026; (District 13) Dr. John Blake, 2023; (District 14) Dr. Darren Chamberlain, 2025; (District 15) Dr. Matthew Roberts, 2023; (District 16) Dr. Mark Crabtree, 2023; (District 17) Dr. Dan Gesek, chair, 2024; (New Dentist Committee) Dr. Sean Aiken, 2023.

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

Liaisons (for all or part of the meeting): (Board of Trustees) Dr. Gary Oyster; (American Dental Political Action Committee) Dr. Giorgio Di Vincenzo, chair; (Alliance of the American Dental Association) Ms. Sue Hadnot; (American Student Dental Association) Ms. Nicole Anderson.

Council Staff (for all or portions of the meeting): Mr. Michael Graham, senior vice president, Government and Public Affairs; Ms. Roxanne Yaghoubi, director, Legislative and Regulatory Policy; Mr. Robert J. Burns, senior manager, Legislative and Regulatory Policy; Mr. David Linn, manager, Legislative and Regulatory Policy; Mr. Corey McGee, manager, Legislative and Regulatory Policy; Ms. Margaret Tucker (M.T.) Fogarty, senior project assistant.

Other ADA Officers and Staff (for all or portions of the meeting): Dr. George Shepley, president; Mr. Robert Quashie, chief operating officer, Dr. Dave Preble, chief strategy officer; Dr. Krishna Aravamudhan, senior vice president, Practice Institute; Dr. Marko Vujicic, chief economist and vice president, Health Policy Institute; Mr. Chris Tampio, director, Congressional Affairs; Ms. Megan Mortimer, lobbyist, Congressional Affairs; Ms. Natalie Hales, lobbyist, Congressional Affairs; Ms. Katherine Merullo, senior manager, Public Affairs and Analysis; Ms. Sarah Milligan, director, ADPAC; Mr. Peter Aiello, senior manager, ADPAC and Political Affairs; Mr. Chad Olson, director, State Government Affairs; Mr. Paul O'Connor, senior legislative liaison, State Government Affairs; Mr. Matt Rossetto, legislative analyst, State Government Affairs; Dr. Meg Strotman, director, Council on Dental Education and Licensure; Ms. Nicole Catral, director, Social Responsibility and Philanthropy; Ms. Briana Rowland, senior manager, Philanthropic Programs and International Engagement; Ms. Elizabeth Bronson, senior manager, Federal Dental Services and Specialty Membership Growth; Ms. April Kates-Ellison, chief client services and tripartite relations officer; Ms. Sandy Eitel, senior director, Research, Analytics, and Member Growth; Ms. Cathy Haibach, senior manager, DSO and Practice Group Membership; Ms. Susana Galvan, senior manager, Diversity Equity and Inclusion Program Innovation and Engagement; Mr. C. Michael Kendall,

1 senior associate general counsel, Legal Affairs; Ms. Kathy Clary, manager, Business Administrative
2 Services; Ms. Pamela Fryer, project assistant; Mr. Hunter Anderson, intern.

3 **Special Guests (for all or part of the meeting):** U.S. Representative Aaron Bean (R-FL); Rear Admiral
4 Michael Johnson, Public Health Service; Dr. Paul Cordts, Defense Health Agency; Colonel Donald
5 Sheets, Defense Health Agency; Dr. Daniel Ross, Defense Health Agency; Colonel Russ Methvin, Army;
6 Captain Susan Johnson, Navy; Colonel William Baez, Air Force; Dr. Scott Trapp, VA; Dr. Natalia
7 Chalmers, Centers for Medicare and Medicaid Services; Dr. Sharukh Khajotia, chair, Council on Scientific
8 Affairs; Dr. Jim Nickman, chair, Council on Dental Education and Licensure; Dr. Stacey Gardner, vice
9 chair, Council on Dental Benefit Programs; Dr. Bruce Burton, chair, Council on Ethics, Bylaws and
10 Judicial Affairs; Dr. Mark Vitale, chair, Give Veterans a Smile National Advisory Committee; Dr. Mark
11 Bronson, chair, Presidential Task Force on Medicaid; Dr. Randall Markarian, chair, ERISA Committee; Dr.
12 Chad Leighty, chair, DSO Task Force; Dr. James Boyle, member, DSO Task Force; Dr. Rich Rosato,
13 member, DSO Task Force; Dr. Manish Chopra, member, DSO Task Force; Dr. Ralph Howell, member,
14 DSO Task Force; Dr. David Lustbader, member, DSO Task Force; Dr. Kelly Ryals, member, DSO Task
15 Force; Dr. Kerry Simpson, member, DSO Task Force; Dr. Emily Vanney, member, DSO Task Force; Mr.
16 Chris Borgerding, director of government relations, Association of Dental Support Organizations; Dr. Mina
17 Kim, nominee for CGA membership from the Second District; Dr. Duc Ho, nominee for CGA membership
18 from the Fifteenth District; Dr. Frank Luorno, nominee for CGA membership from the Sixteenth District.

19 **Remarks by Member of Congress:** Congressman Aaron Bean (R-FL 4th) gave an update on Congress'
20 work in 2023. He discussed small business loans, transparency in health care billing, federal spending,
21 education, relations with China, and appropriations. He observed how important it was for dentists to be
22 represented in Washington.

23 **Prayer and Pledge:** Dr. Leigh Kent led a prayer.

24 **Adoption of Agenda:** Upon vote, the Council approved the agenda.

- 25 • **Resolved**, that the agenda is adopted.

26 **Approval of Consent Calendar:** Upon vote, the Council approved the consent calendar.

- 27 • **Resolved**, that the consent calendar is adopted.

28 **Conflict of Interest (Disclosure) Policy:** Mr. Kendall reminded Council members to adhere to the ADA's
29 Conflict of Interest policy.

30 **Welcome and Report of the Chair:** Dr. Gesek welcomed the Council to the meeting and thanked the
31 members for the opportunity to serve as chair. He reflected on the Council's work during his term, noting
32 the issues of ERISA, Medicaid, and DSOs, as well as SPA, FIIST, and the ADA's Dentist and Dental
33 Student Lobby Day.

34 **Report of the ADA President:** Dr. Shepley discussed his year as president, highlighting the White
35 House Conference on Hunger, Nutrition, and Health, the NIDCR 75th Anniversary Symposium, and the
36 National Council on Disabilities panel. He observed it was a transformative time for the organization,
37 noting shifting attention to DSOs and large-group practices. Dental insurance reform and workforce seem
38 to be the highest interest among members. He also stated it was possible that an emergency virtual
39 House of Delegates could be convened to amend bylaws, depending on the outcome of the California
40 Dental Association's vote to make ADA membership optional.

41 **State Government Affairs Update:** Mr. Olson, Mr. O'Connor, and Mr. Rossetto discussed the legislative
42 activity and state-level successes on dental insurance reform, network leasing, assignment of benefits,
43 virtual credit cards, and disallow clauses. They also discussed state bills filed on medical loss ratio,
44 auxiliary scope of practice, student loan forgiveness and scholarships, dental therapy, dentist and dental
45 hygienist licensure compacts, and ADA-ADSO cooperation. Upon vote, the Council approved the
46 following resolution.

- 1 • **Resolved**, that the Council on Government Affairs urges the Board of Trustees to allocate a
2 minimum of \$3.25 million to support the State Public Affairs program.

3 **ADSO and the ADA DSO Task Force:** Mr. Borgerding discussed the work of the Association of Dental
4 Support Organizations. Dr. Leighty and Ms. Haibach shared the findings and recommendations in the
5 final report of the ADA Task Force on DSO Engagement. Ms. Haibach noted that the ADA's qualitative
6 research indicated DSO leaders considered the ADA's advocacy and lobbying power critical, particularly
7 on the issues on dental insurance reform, credentialing, and workforce. No actionable items were
8 presented.

9 **Licensure Compact Update:** Dr. Strotman and Mr. Rossetto discussed the progress of dentist and
10 dental hygienist licensure compacts. Iowa, Tennessee, and Washington enacted compact legislation in
11 2023. Legislation is also likely to pass in Ohio and New Jersey. Upwards of ten states are expected to
12 consider the compact in 2024. An advocacy toolkit is available at ddhcompact.org.

13 **NTP Report on Fluoride-IQ:** Mr. Burns discussed the Association's efforts to improve the integrity of a
14 National Toxicology Program report synthesizing the literature on fluoride exposure and IQ. Mr. Burns
15 noted the agency's research methods, conclusions, clarity, and transparency have been highly
16 unorthodox. Without major revision, the report could be taken out of context by a federal judge, who could
17 order an immediate nationwide ban on community water fluoridation. Ms. Merullo discussed coverage in
18 the news media.

19 **Public Affairs Update:** Ms. Merullo discussed earned media coverage of the ADA in 2023,
20 communications efforts to promote dental insurance reform, ADA-owned and targeted social media, ADA
21 Lobby Day engagement, and the reorganization of ADA News staff. Council members expressed interest
22 in using the ADA member app, social media, web search results/targeted advertising, and ASDA
23 communications to reach prospective members.

24 **Policy Review Workgroup:** Dr. Matthew Roberts shared the Policy Review Workgroup's
25 recommendations to transmit seven resolutions to the House of Delegates. Dr. Roberts noted the
26 councils with secondary jurisdiction reviewed and approved all seven resolutions, which would update or
27 rescind ten current policies. Upon vote, the resolutions in Appendix A were approved.

- 28 • **Resolved**, that the Policy Review Workgroup resolutions be transmitted to the 2023 House of
29 Delegates.

30 **Election of Council Chair and Vice Chair:** Dr. Leigh Kent was elected chair and Dr. James Tauberg
31 was elected vice chair for the 2023-2024 term.

32 **2023-2024 CGA Orientation:** Ms. Yaghoubi presented the 2023-2024 Council on Government Affairs
33 onboarding and orientation plan. The plan includes providing advanced opportunity for nominees to view
34 a council meeting, three orientation modules, an onboarding questionnaire, and mentoring by immediate-
35 past members.

36 **ADPAC:** Dr. Di Vincenzo provided an update on the activities of the American Dental Political Action
37 Committee. He noted that ADPAC is on track to reach \$2 million in contributions in 2023. He asked
38 Council members to be "boots on the ground" to recruit new ADPAC contributors, especially younger
39 dentists. This could include sharing action alerts and pushing constituent societies to be more active.

40 **Give Veterans a Smile National Advisory Committee:** Dr. Vitale provided an update on the Give
41 Veterans a Smile campaign. He noted that approximately 65 clinicians, program planners, VA staff, and
42 ADA leaders attended the Give Kids a Smile Summit, held May 5-6, 2022, at ADA Headquarters. The
43 GVAS National Advisory Committee is continuing to meet monthly to refine goals, objectives, timelines, a
44 budget, and desired outcomes. The Committee agreed that any ADA veterans care program should be
45 based on the Give Kids a Smile framework and include a best practices toolkit. No actionable items were
46 presented.

1 **Medicare:** Dr. Aravamudhan discussed Resolution 305-2023, a Council for Dental Benefit Program
2 resolution transmitted to the House of Delegates to address payment for dental services prior to certain
3 medical procedures (e.g., cardiac value replacement, head and neck cancer therapy, etc.). She answered
4 questions about billing codes, benefit parameters, payment parity, and the role of the American Medical
5 Association's Relative Value Scales (RVS) Update Committee (RUC). Dr. Aravamudhan noted that CDBP
6 plans to brief the districts prior to the House of Delegates.

7 **ADA Health Policy Institute:** Dr. Vujicic shared research from the ADA Health Policy Institute (HPI), with
8 an emphasis on dentist economic confidence, busyness, and barriers to reaching full capacity. He noted
9 that dentists identified their top three short-range challenges as staff shortages, inflation, and low
10 compensation. He opined that trends for dentistry will be shifting practice models, intensified
11 consumerism, emerging technologies, and payment reform (e.g., value-based payment).

12 **Congressional Lobbying:** Mr. Tampio, Ms. Hales, and Ms. Mortimer discussed the ADA's lobbying
13 activities and the current political landscape, with an emphasis on workforce and dental insurance. The
14 lobbyists highlighted the Action for Dental Health Act reauthorization, the Sanders and the Cassidy bills
15 on workforce issues, NHSC reauthorization, and the REDI Act. They also fielded questions about
16 implementation of the Competitive Health Insurance Reform Act, ERISA, and non-covered services.

17 **ADA Chief Operating Officer Update:** Mr. Quashie updated the Council on the ADA's new business
18 model to attract younger dentists. He emphasized restructuring around customer groups (e.g.,
19 Public/Professional, Direct-to-Dentist, Tripartite, Business, Enterprise, etc.), Agile governance, digital
20 experiences, quarterly business reviews. He also provided an update on strategic forecasting and fielded
21 questions about how delegates are expected to respond to its complexity.

22 **Student Loan Reform:** Dr. Aiken, Ms. Anderson, and Ms. Mortimer discussed the political landscape of
23 student loan reform in the 118th Congress, with an emphasis on the REDI Act, the student loan interest
24 deduction, the POST Grad Act, and the NHSC reauthorization. Ms. Mortimer observed that the ADA is
25 characterizing student loan reform as a workforce issue. She further observed that sizable number of
26 dental students and new dentists are unaware of the federal government's many educational loan
27 repayment and loan forgiveness programs.

28 **Diversity and Inclusion:** Ms. Galvan discussed the Association's diversity and inclusion activities,
29 including the Champions Network, the Amplifying Voices webinar series, the five-year diversity and
30 inclusion plan, the ADA Institute for Diversity in Leadership, and the Spectra Diversity and Inclusion
31 Assessment. Ms. Galvan noted that the ADA currently falls in the middle of Spectra's diversity, equity,
32 and inclusion scale (intentional inclusion).

33 **Public Insurance Advocacy Workgroup:** Dr. Blake, Dr. Velazquez, Dr. Abdul, Dr. Chamberlain, Dr.
34 John Roberts, and Mr. Linn provided an update on the activities of the Public Insurance Advocacy
35 Workgroup. The Workgroup examined compensation and administrative burdens in Medicaid and sought
36 to identify best practices that could be shared among states. The Workgroup urged the ADA to develop a
37 model Medicaid dental benefit that could be presented to lawmakers. The Workgroup also strongly
38 supported CDBP Resolution 305-2023, which addresses payment for dental services prior to certain
39 medical procedures (e.g., cardiac value replacement, head and neck cancer therapy, etc.). Council
40 members expressed interest in developing a voucher program (or similar concept) as an alternative to
41 Medicare Advantage dental benefits. Upon vote, the Council approved the following resolution:

- 42 • **Resolved**, that the Council on Government Affairs urges the Council on Dental Benefit Programs
43 to ~~explore the concept of~~ develop a sliding scale voucher program (or similar concept) to help
44 adults with incomes under 300 percent of the federal poverty level pay for dental care, for the
45 purpose of presenting such a plan to lawmakers.*

46 **CMS Update:** Dr. Chalmers discussed dental-related trends in the Medicare, Medicaid, CHIP, and ACA
47 Marketplace programs. Dr. Chalmers noted that CMS added oral health as a cross-cutting initiative

* The resolving clause was subsequently amended by E-Ballot 2023-05.

1 across all its programs, which is a significant achievement for dentistry. Dr. Chalmers also observed that
2 workforce shortages are impeding access to dental care.

3 **Presidential Task Force on Medicaid:** Dr. Bronson and Dr. Grover discussed the activities of the
4 Presidential Task Force on Medicaid, including a newly restructured Medicaid Provider Advisory
5 Committee and selection of priority states to improve Medicaid participation. Strategies could include
6 “boot camps” for dental school seniors entering practice. They also highlighted a resolution transmitted to
7 the 2023 House of Delegates that will create a comprehensive Medicaid policy. No actionable items were
8 presented.

9 **Private Insurance Advocacy Workgroup:** Dr. Crabtree, Dr. Tauberg, Dr. Willis, Dr. Aiken, Dr.
10 Hildebrandt, Dr. Watson-Lowry, and Mr. Linn provided an update on the activities of the Private Insurance
11 Advocacy Workgroup. The Workgroup discussed the need to expand the Association’s advocacy beyond
12 medical loss ratio (MLR), as well as McCarran-Ferguson enforcement, leasing and down-coding,
13 coordination of benefits, non-covered services, transparency, the DOC Access Act, and the Ensuring
14 Lasting Smiles Act. No actionable items were presented.

15 **Federal Dental Services:** RADM Johnson, COL Sheets, Dr. Cordts, Dr. Ross, COL Baez, COL Methvin,
16 CAPT Johnson, and Dr. Trapp discussed the activities of the federal dental services.

- 17 • RADM Johnson discussed the activities of the U.S. Public Health Service Dental Corps, including
18 the deployment experiences of USPHS dentists and the declining number of USPHS dentists. He
19 identified delayed retention bonuses, high student debt, and the inability to compete with DSOs
20 as barriers. He noted the USPHS had 500 dentists in 2000, compared to 130 in 2023. Twenty of
21 those are eligible for retirement.
- 22 • COL Sheets, Dr. Cordts, and Dr. Ross discussed the Defense Health Agency’s efforts to address
23 preventable patient harm and staff burnout across the military health care system(s), dental
24 technology and data integration, dental facility accreditation, dental privileging, and Centers of
25 Excellence for Maxillofacial Restoration.
- 26 • COL Baez discussed opportunities for Air Force Dental Service dentists to function as the general
27 dentist at the point of deployment. He noted that dental officer retention has been relatively stable
28 and identified a generous signing bonus and stipend for attracting applications. He further shared
29 that the Air Force is standing up its own medical command, much like Navy.
- 30 • COL Methvin discussed the need to increase Army Dental Corps personnel numbers. There is a
31 disproportionately high number of dental personnel departures after four years of service,
32 compared to medical personnel. He identified low pay and prohibitions on pay increases as a key
33 factor. He also noted declines in applications for specialty training.
- 34 • CAPT Johnson shared that the Navy Dental Corps is meeting its dental recruitment targets,
35 though retention after the first tour is a problem. The Navy’s student loan repayment benefit is
36 generating 2.5 applications for every available scholarship.
- 37 • Dr. Trapp discussed the dental activities of Veterans Health Administration, including the
38 challenge of recruiting oral surgeons, the need for benchmarking data (e.g., ratio of dentists to
39 dental hygienists, etc.), and the need for greater visibility inside the VHA and Department of
40 Veterans Affairs as a whole.

41 **ERISA Committee.** Dr. Markarian, Dr. Kent, Dr. Matt Roberts, and Mr. Tampio discussed the findings
42 and recommendations of the House of Delegates ERISA Committee, including the need for dentists to
43 better understand ERISA and opportunities to narrow the scope of ERISA’s preemption clause.

44 **Liaison and Council Chair Remarks:** Dr. Khajotia, Dr. Gardner, Dr. Nickman and Dr. Burton shared the
45 activities of the Council on Scientific Affairs, Council on Dental Benefit Programs, the Council on Dental
46 Education and Licensure, and the Council on Ethics, Bylaws and Judicial Affairs, respectively.

- 1 • Dr. Khajotia discussed the activities of CSA. He noted that CSA supports a Council on
2 Membership resolution to develop a membership tier for full-time dental faculty. CSA also
3 supports retaining two HPV policies and rescinding an outdated tooth whitening policy. Dr.
4 Khajotia alerted the Council to a forthcoming opioid prescribing guideline and a three-paper
5 series on radiography. He encouraged CGA members to join ADA Clinical Evaluators panel,
6 which will next be focusing on implants, caries risk assessment, mouth rinses, oral irrigators and
7 power toothbrushes, and radiography.
- 8 • Dr. Gardner shared CDBP is proposing a House of Delegates resolution recognizing oral health
9 as essential health benefit. CDBP is also updating ADA Claim Form, working on eligibility and
10 benefits clarification, and proposing a policy on Medicare medically necessary benefits. She
11 noted that the ADA needs to better educate dentists about Medicare.
- 12 • Dr. Nickman discussed the activities of CDEL. He encouraged CGA to support House of
13 Delegates resolutions 401-404, which address licensure, specialty recognition, and examinations
14 for allied non-dental personnel, respectively. He noted CDEL plans to propose editorial
15 amendments to guidelines for anesthesia, sedation, and pain control. CDEL is also advocating for
16 licensure reform and providing testing services oversight for the Dental Admission Test.
- 17 • Dr. Burton shared that CEBJA is reviewing the Bylaws in light of strategic forecasting. He also
18 discussed CEBJA’s Dental Dilemmas podcast, Ethics Toolkit, and teaching guides. Don’t take
19 pictures with current officers.

20 **Federal Dental Services Workgroup:** Dr. Miller, Dr. Clemens, Dr. Greenwell, Dr. Erickson, Dr. Di
21 Vincenzo, Dr. Oyster, Ms. Hadnot, Ms. Anderson, and Mr. McGee unveiled a Guard and Reserve Toolkit.
22 The workgroup recommended further attention to increasing appropriations for the Department of
23 Veterans Affairs (e.g., special pay for VHA dentists), elevating the status of the VHA’s dental
24 infrastructure, and advancing supporting the VETSmile pilot program. Upon vote, the council adopted the
25 following resolution.

- 26 • **Resolved,** that the Council on Government Affairs supports the Guard and Reserve Toolkit.

27 **CGA Priorities for 2023-2024:** Dr. Gesek, Dr. Kent, and Mr. Graham led a discussion on CGA priorities
28 for the coming year. The Council brainstormed issues to include in a ranked choice poll (to be conducted
29 subsequently).

30 **Adjournment:** The meeting was adjourned by Dr. Gesek at 11:52 AM EST on Saturday, July 22.

1 **ATTACHMENT A**
2 CGA RESOLUTIONS FOR THE 2023 HOUSE OF DELEGATES

3 **OPPOSITION TO UNLICENSED DENTAL OR DENTAL HYGIENE PRACTICE**

4 **Res. 507. Resolved**, that the following policy titled Opposition to Unlicensed Dental or Dental Hygiene
5 Practice be adopted:

6 **Resolved**, that it is the position of the American Dental Association that no person should practice,
7 attempt to practice, or offer to practice dentistry or dental hygiene without a proper license, and be it
8 further

9 **Resolved**, that the designated state practice act enforcement authority should be expeditious in
10 prosecuting individuals who are practicing dentistry or dental hygiene without a license, and be it
11 further

12 **Resolved**, that individuals found to be practicing dentistry or dental hygiene without a proper license
13 should be prosecuted to the fullest extent of the law.

14 and be it further

15 **Resolved**, that the policy titled Activity to Stop Unlicensed Dental or Dental Hygiene Practice
16 (Trans.1999:949) be rescinded.

17 **AVAILABILITY OF DENTISTS FOR AMERICAN INDIANS AND ALASKA NATIVES**

18 **Res. 509. Resolved**, that the following policy titled Availability of Dentists for American Indians and
19 Alaska Natives be adopted:

20 **Resolved**, that the American Dental Association supports enhancing federal appropriations dedicated
21 to helping the Indian Health Service Division of Oral Health increase the number of dentists that are
22 available to treat American Indians and Alaska Natives, and be it further

23 **Resolved**, that the ADA supports collaborating with the Indian Health Service to close gaps in access
24 to dental care and address the current and future oral health needs of American Indians and Alaska
25 Natives, including the practical and cost-effective use of dentists in private practice, recent graduates
26 of pre- and postgraduate educational programs (i.e., externships, internships, and other advanced
27 education), and dentists in the Tri Service Military Reserve, and be it further

28 **Resolved**, that the ADA supports and encourages American Indian and Alaska Native students to
29 pursue careers in dentistry.

30 and be it further

31 **Resolved**, that the policies titled Utilization of Dentists by Indian Health Service (Trans.1987:519;
32 2016:317), Incentives for Dental School Graduates to Work in Tribal Areas (Trans.2006:338; 2016:316)
33 and Dental Program for Remote Alaskan Residents (Trans.2004:323) be rescinded.

**PUBLIC FUNDING OF ORAL HEALTH CARE SERVICES PROVIDED AT
ACADEMIC DENTAL INSTITUTIONS**

Res. 510. Resolved, that the following policy titled Public Funding for Oral Health Care Provided at Academic Dental Institutions be adopted:

Resolved, that the American Dental Association supports enhancing federal and state funding for academic dental institutions to provide oral health care services to underserved, unserved and uninsured indigent populations.

and be it further

Resolved, that the policy titled Legislation to Increase Federal and State Funding of Oral Health Care Services Provided at Academic Dental Institutions (Trans.2002:404) be rescinded.

REDUCED FEE PROGRAMS FOR THE ELDERLY POOR

Res. 511. Resolved, that the policy titled Reduced Fee Programs for the Elderly Poor (Trans.1980:591) be rescinded.

EDUCATION OF AARP ON BENEFITS OF ORAL HEALTH AGENDA

Res. 512. Resolved, that the policy titled Education of AARP on Benefits of Oral Health Agenda (Trans.1989:568) be rescinded.

**DENTISTS AS PROVIDERS IN ALL PUBLIC AND PRIVATE HEALTH CARE PROGRAMS AND
DISCRIMINATION IN PAYMENT FOR SERVICES PERFORMED BY A LICENSED DENTIST**

Res. 513. Resolved, that the policy titled Dentists as Providers in All Public and Private Health Care Programs and Discrimination in Payment for Services Performed by a Licensed Dentist (Trans.1990:559) be rescinded.

ENGAGING COMMUNITY-BASED HEALTH CENTERS

Res. 514. Resolved, that the following policy titled Engaging Community-Based Health Centers be adopted:

Resolved, that the American Dental Association supports and encourages efforts to improve the efficiency and effectiveness of community-based health centers to provide for the oral health of the vulnerable and underserved seeking care at these facilities, and be it further

Resolved, that the Association encourages increased contracting between community health centers and private practice dentists to improve access to dental care for the vulnerable and underserved in their communities, and be it further

Resolved, that Association encourages dentists to participate on community health center boards and other administrative bodies to ensure community-based health centers and private practice dentists are collaborating effectively to treat the vulnerable and underserved in their communities, and be it further

1 **Resolved**, that the Association encourages constituent dental societies to foster relationships with
2 state and regional primary care associations to jointly develop dental advisory boards to ensure
3 community health centers and private practice dentists are collaborating effectively to treat the
4 vulnerable and underserved in their communities.

5 and be it further

6 **Resolved**, that the policies titled Community Health Centers (Trans.2002:415; 2016:314) and Health
7 Centers (Trans.2005:338; 2016:338) be rescinded.

8 **USE OF DENTIST-TO-POPULATION RATIOS**

9 **Res. 515. Resolved**, that the policy titled Use of Dentist-to-Population Ratios (Trans.1984:538; 1996:681;
10 2021:314) be amended as follows (additions are ~~underscored~~; deletions are ~~stricken~~):

11 ~~**Use of Dentist to Population Ratios**~~ **Determining Health Professional Shortage Areas**

12 **Resolved**, that the American Dental Association supports and encourages the accurate, timely, and
13 objective determination of federal and state dental health professional shortage area designations,
14 and be it further

15 **Resolved**, that the ADA opposes using dentist-to-population ratios as the exclusive measure for
16 designating dental health professional shortage areas or evaluating or recommending programs for
17 dental education or dental care.

**UNOFFICIAL REPORT OF MAJOR ACTIONS
COUNCIL ON GOVERNMENT AFFAIRS
JULY 20-22, 2023**

The Council on Government Affairs (CGA) met on July 20-22, 2023, at The Madison Hotel in Washington, D.C. The following is a summary of major actions taken by the Council.

1. The Council voted to recommend that the Board of Trustees allocate a minimum of \$3.25 million to support the State Public Affairs program.
2. The Council voted to transmit eight policy review resolutions the 2023 House of Delegates.
3. The Council voted to urge the Council on Dental Benefit Programs to develop a sliding scale voucher program (or similar concept) to help Medicare beneficiaries with incomes under 300 percent of the federal poverty level pay for dental care, for the purpose of presenting such a plan to lawmakers.
4. The Council voted to support the Guard and Reserve Toolkit.
5. The Council elected Dr. Leigh Kent as chair and Dr. James Tauberg as vice chair for the 2023-2024 term.

Council on Government Affairs Members:

Dr. Dan Gesek, chair, FL
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