MINUTES OF THE COUNCIL ON DENTAL BENEFIT PROGRAMS
ADA HEADQUARTERS BUILDING, CHICAGO
May 11-12, 2023

Call to Order: The meeting of the Council on Dental Benefit Programs (CDBP) was called to order by Dr. Jessica Stilley-Mallah, chair, on Thursday, May 11, 2023, at 8:30 a.m. in the Boardroom, ADA Headquarters, Chicago, IL

Roll Call: Drs. Jessica Stilley-Mallah (Chair), Stacey Gardner (Vice Chair), Roderick Adams, Jr., Drs. Alyson K. Buchalter, Adrian J. Carrington (not present), Andrew Gazero, III, Hadi Ghazzouli, Drs. Rodney Hill, Mark Johnston, Susan D. Jolliff, Mark A. Moats, Stephen A. Morgan, Drs. Shelley Barker Olson, Vishruti Patel, Eddie Ramirez, Sara E. Stuefen, Scott Trapp, Drs. Scott L. Morrison (Trustee), Bryce Alan Larson (New Dentist Member) (not present), and Ms. Lauren Ames (ASDA Consultant) (not present)

Practice Institute (PI) Staff in attendance (for all or part of the meeting): Drs. Krishna Aravamudhan and Hana Alberti, Ms. Afton Dunsmoor, Ms. Rebekah Fiehn, Mr. Carlos Jones, Mr. Dennis McHugh, Mr. Frank Pokorny, Dr. Neel Shimpi, Ms. Barbara Ferriter, Mr. Sean Layman, Ms. GraceAnn Pastorelli, and Ms. Nicole Tarbor; Attending via Zoom: Ms. Erica Colangelo, Ms. Lauren Kirk, and Ms. Sharon Stanford

Association Staff in attendance (for all or part of the meeting): Drs. Raymond A. Cohlmia and David Preble; Mr. Mike Kendall, Mr. Chad Olson, Mr. Robert Quashie, and Dr. Marko Vujicic; Attending via Zoom: Mr. Paul O’Connor and Ms. Roxanne Yaghoubi

Guests Present for Portions of the Meeting: Dr. Linda Edgar, ADA President-Elect; Joanne Fontana, Milliman; Attending via Zoom: Ali LaRocco, Milliman; Dr. Leigh Kent, vice chair, Council on Government Affairs (CGA); and Dr. Manny Chopra, chair, Council on Dental Practice (CDP)

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

PRELIMINARY BUSINESS

Conflict of Interest Disclosure Statement: Dr. Stilley 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: Dr. Stilley moved the Report of the New Dentist Committee (NDC) to the consent calendar in absence of the NDC representative.

The Council adopted the agenda as amended by general consent, giving the Chair permission to reorder items as needed.

Approval of Consent Calendar: A consent calendar was prepared to expedite the business of the Council. Members were given the opportunity to remove any item from the consent calendar for consideration during the meeting. As noted in the Approval of Agenda section, one item was added to the consent calendar.

The Council amended and adopted the following resolution:
Resolved, that the resolutions contained within the following reports be approved by consent.

- Approval of e-ballot Action Items
- Dental Content Committee

Resolved, that the following reports be filed.

- 2023 Practice Institute Operating Plan Update
- Credentialing
- Bento
- Template for Dentists to Appeal Provider Rating Scores
- Trends in the Dental Benefits Industry
- Registry Update
- Report of the New Dentist Committee
- ASDA Consultant Report
- Council Meeting Dates

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

Resolved, that the actions approved through e-ballots since the November 2022 Council meeting be recorded in the minutes from this meeting.

E-ballot 2023-01: Resolved, that the 2022 November CDBP Meeting Minutes be approved.

E-ballot 2023-02: Resolved, that the 2023 March CDBP Meeting Minutes be approved.

CDBP Chair Remarks: Dr. Stilley informed the Council about the four most important discussion items of focus for the meeting. She strongly encouraged the Council to be engaged, focus their conversation, and ask questions. The dense topics of discussion centered around Medicare, Essential Health Benefit, Enhanced CDT, and Medical Loss Ratio (MLR).

Trustee Liaison Remarks: Dr. Morrison provided the Council with a brief update on Board activities. He noted the focus on strategic forecasting committee selections. He encouraged the Council to give consideration if asked to serve on an action committee. The Board will meet in June and start to assimilate all the resolutions and work towards moving those forward.

Confidentiality and Anti-trust Issues: Dr. Aravamudhan, senior vice president, Practice Institute, discussed the importance of confidentiality regarding materials and content discussed at Council meetings. She reminded the Council of the abundance of information available on ADA Connect and stressed the value of keeping states and districts informed about the work of the Council in an appropriate manner.

2023 Practice Institute Operating Plan Update: The Council accepted, through the Consent Calendar, an informational report detailing the status of the 2023 Practice Institute Operating Plan highlighting ongoing and new programs.

EMERGING ISSUES

Essential Health Benefits (EHB) – Presentation by Milliman: Dr. Aravamudhan provided the Council with a brief update on the EHB initiative before Milliman presented their findings. In June 2022, the ADA requested a proposal to provide services on the “Evaluating Essential Health Benefits” project, to assist the Council to better understand implications of advocating for adult benefits to be
classified as “Essential Health Benefits” as defined in the Affordable Care Act (ACA). Milliman
developed a detailed report and submitted it to the Council. In addition, Milliman presented the
highlights and key storyline about the ACA and EHB and how dental benefits fits into it so that the
Council could discuss the “what if’s” in terms of potentially looking at adult dental as well. There are ten
essential health benefits under the ACA, which includes pediatric oral care. Currently, adult dental
benefits are considered “nonessential.”

**EHB Discussion – Next Steps:** After the Milliman presentation, the Council had an in-depth
discussion and talked about next steps. The Council developed a framework for the discussion to
determine if a policy should go before the House of Delegates in October. The Council determined that
adult dental benefits should be classified as an “Essential Health Benefit.” Upon vote, the Council
approved the following resolution.

**Resolved,** that the amendment to the 2021 policy titled “Dental Benefits with Affordable Care
Act Marketplace and a Public Option” be transmitted to the 2023 House of Delegates.

**Medicare Policy – Next Steps:** Dr. Aravamudhan provided the Council with an update regarding a
dental benefit in Medicare for medically compromised individuals. In March 2023, the Council held a
special meeting to discuss the 1993 policy on Medicare. As a result, amendments were made to the
policy and then feedback was solicited from three other Councils, including the Council on Government
Affairs (CGA), Council on Advocacy for Access and Prevention (CAAP), and Council on Dental
Practice (CDP). The Council reviewed the feedback and comments from the other Councils.

The Council adopted the following resolution:

**Resolved,** that the new policy titled “Payment for Services for Medically Compromised
Individuals in Publicly Funded Programs” be transmitted to the 2023 House of Delegates.

**DENTAL BENEFITS**

**Template for Dentists to Appeal Provider Rating Scores:** The Council received an update on
DentaQual, a provider rating system, developed by P&R Dental Strategies, LLC, a dental analytic
company that is being used by Delta Dental of California. As of April 2023, ADA staff have received
no calls or complaints from members regarding this rating system. Despite this, the Dental Benefits
Information Subcommittee (DBIS) continues to recommend that a template that could help dentists
appeal their P&R rating, be developed. Upon vote, the Council approved the following resolution.

**Resolved,** that a draft template for dentists to appeal provider rating scores be
provided to the Council for approval at the November council meeting.

**National Association of Dental Plans (NADP) Meeting Update:** Drs. Stilley, Gardner and Johnston
provided an update on the joint meeting between Council leadership and the National Association of
Dental Plans (NADP). They appreciated the open dialogue but noted the disagreement expressed by
both sides on MLR.

**Report on Payer Conversation – Delta Dental and GEHA:** Drs. Johnston and Stilley provided an
update on the DBIS meetings with representatives from Delta Dental Plans Association and GEHA.
Topics of discussion included eligibility and benefits verification, industry standardization of
explanation of benefits (EOB) statements, value-based payment programs and artificial intelligence
and claims adjudication.
Locum Tenens: The Council discussed how various payers manage locum tenens situations and possible solutions to streamline the process. It was noted that an archived webinar can be found on the ADA’s dental insurance hub and that the dental claim form will be revised to include the ability to report care provided by a locum tenens dentist. Upon vote, the Council approved the following resolution.

Resolved, that an educational guide on locum tenens be drafted for use by member dentists.

Trends in the Dental Benefits Industry: Through the consent calendar, the Council accepted a report on the trends in the dental benefits industry.

CLINICAL DATA REGISTRY

ADA Dental Experience & Research Exchange (DERE): Through the consent calendar, the Council accepted an update on the activities related to DERE.

RELEVANT ADA INITIATIVES

Presentation by Executive Director: Dr. Cohlmia, executive director, spoke to the Council about continuing the ADA’s new day and defining the future. He stated that the only thing constant is change. Currently, the ADA has ten councils and three committees, and the councils report up to the House of Delegates. Dr. Cohlmia focused on changes that need to take place within the ADA and how that will impact the dental industry. Some of these changes include adapting to technology more quickly, strategic forecasting, and the introduction of action groups. He also gave an update on governance activities.

ADMINISTRATIVE EFFICIENCY

Credentialing: Through the consent calendar, the Council accepted an update on the activities related to the ADA credentialing service, powered by CAQH ProView®.

Bento: Through the consent calendar, the Council accepted an update on the activities related to Bento.

Claim Form – Paper & Electronic: The Council considered a recommendation from the Dental Content Committee (DeCC) concerning the addition of “Last SRP Date,” “Locum Tenens Provider” and two “Payer ID” fields to the claim form. This recommendation was prompted by the DeCC’s review of feedback from dentists, payers, and other business partners on how these data elements support timely and accurate claim adjudication and reimbursement for dental services. Revisions to the ADA paper form is an ADA action; comparable revisions to the HIPAA standard electronic dental claim are the responsibility of an external standards organization. Parallel maintenance is in accordance with ADA policy concerning harmonization of paper and electronic claim data content.

The Council adopted the following resolution:

Resolved, that the revisions to the ADA Paper Claim Form be approved and the new version be adopted as the 2024 ADA Paper Claim Form release, and be it further

Resolved, that the Dental Content Committee (DeCC) be encouraged to submit a maintenance request to X12 seeking corresponding modifications to the ANSI X12 837—Dental Transaction.
Eligibility & Benefits Verification: The Council discussed current activities concerning automated solutions to verification of a patient’s available coverage and benefits for dental procedures. Dental practices verify eligibility and most importantly available benefits through a variety of non-standard methods, including proprietary electronic (e.g., the Internet to payer portals) and telephonic (e.g., calls to payer provider services). Several independent entities as well as clearinghouses are creating market solutions to address this issue for the short-term. A standards approach is necessary for a more effective and efficient long-term solution.

There are several initiatives that are necessary to achieve this long-term solution. Two are led by the ADA Standards Committee on Dental Informatics: 1) ADA Technical Report No. 1102 for Electronic Dental Benefits Eligibility Verification; and 2) a data content standard for the HIPAA electronic eligibility and verification inquiry and response transactions (270/271). The other initiative is led by the Council for Affordable Quality Healthcare (CAQH), an entity that promulgates HIPAA transaction use rules (CORE Operating Rules).

The Council adopted the following resolution:

Resolved, that CAQH CORE be officially requested to enhance its Operating Rules to allow transmission of eligibility and benefit verification information at the CDT procedure code level.

Dental Content Committee (DeCC): Through the consent calendar, the Council accepted an update on the activities related to the DeCC committee.

The Council adopted the following resolution:

Resolved, that the revised DeCC Operating Rules be approved.

ADA POLICY REVIEW

Policies To Be Retained: The Council approved a recommendation to retain identified policies.

The Council adopted the following resolution:

Resolved, that the identified ADA policy recommendations be retained and included in the Council’s annual report to the 2023 House of Delegates.


The Council adopted the following resolution:


Policy Amendment – Statement on Managed Care and Utilization Management: The Council approved the proposed consolidation of two current ADA policies on managed care and utilization management and combine them into one policy and to rescind duplicative policies.
The Council adopted the following resolutions:

Resolved, that amendments to the policy titled Statement on Managed Care and Utilization Management (Trans.1995:624) be transmitted to the 2023 ADA House of Delegates; and be it further

Resolved, that the proposal to rescind the policies titled Utilization Management (Trans.1990:541) and Regulation of Utilization Management Organizations (Trans.1991:636) be transmitted to the 2023 ADA House of Delegates.

LEGISLATIVE UPDATE

Federal Government Affairs Update: Ms. Yaghoubi, director, Legislative & Regulatory Policy and Dr. Leigh Kent, vice chair, Council on Government Affairs (CGA), provided an update to the Council regarding CGA activities and current federal government affairs. Dr. Kent shared highlights from the four workgroups within the CGA.

State Government Affairs Update: Mr. Olson, director, and Mr. O’Connor, senior legislative liaison, provided an update to the Council on state government affairs. Since the Massachusetts win on Medical Loss Ratio (MLR), eleven states have introduced legislation on MLR this session. Mr. O’Connor discussed other wins within state government as well.

QUALITY ASSESSMENT AND IMPROVEMENT

Dental Quality Alliance Update: A report was submitted to the Council, which included an update on DQA activities such as core set reporting, oral health state dashboard, the DQA conference, ad hoc and practice- and clinician-level workgroup projects. Through the consent calendar, the council accepted this report.

CODING

Enhanced CDT Code Project Update: The Council discussed findings received during the five-month public comment period – November 2022 through March 2023 – that was established to solicit dental community feedback on the proposed Enhanced CDT Code’s modifier architecture and sample content as posted on ADA.org/cdt. Discussion noted that an overwhelming majority of the comments contained language expressing clear opposition to the Enhanced CDT Code project.

Primary reasons for objections are perceived disruptions and anticipated negative financial effects (e.g., staff training, office overhead, and reduced reimbursements) without any clear near- or long-term benefits of a change from the current five-character code number architecture with no modifiers. Very few comments addressed proposed modifier architecture’s technical aspects.

The Council concluded that the comments received indicate that the “why” for an enhanced CDT was not conveyed clearly or adequately, and that ADA members are not familiar with the current CDT Code maintenance process.

The Council adopted the following resolution:

Resolved, that Enhanced CDT Code Project proceed within the constraints of the current CDT architecture (i.e., Dxxxx codes without further modifiers) to accommodate patient dental record documentation needs, and be it further
Resolved, that the Council continue to periodically monitor the needs of the dental profession and the need for CDT to include modifiers.

March 2023 CMC Meeting Update / 2024 CDT Changes: The Council received an oral supplement to the written informational report on the annual Code Maintenance Committee (CMC) meeting activities. This update was a presentation on notable changes to be included in the next CDT Code version effective on January 1, 2024. All CMC approved actions will be in the ADA publication titled, CDT 2024.

New Category of Service – Sleep Apnea Services: The Council, as the body responsible for maintaining the CDT Code’s organizational structure discussed creating a new category of service for codes that document sleep apnea treatment procedures. Consensus was that current placement in the Adjunctive category of service is not appropriate as these are stand-alone procedures that are not “adjunctive” as defined in the ADA Glossary of Clinical Dental Terms (Adjunctive: A secondary treatment in addition to the primary therapy.)

The Council approved the following resolution:

Resolved, that a category of service titled “Sleep Apnea Services” be added to the CDT Code, and be it further

Resolved, that the current sleep apnea appliance codes – D9947, D9948, D9949, and D9953 – be moved to the “Sleep Apnea Services” category of service, and be it further

Resolved, that new codes D9954, D9955, D9956, and D9957 be placed in the “Sleep Apnea Services” category of service, and be it further

Resolved, that the “Sleep Apnea Services” category of service and its contents be published as such in the CDT Manual and all other print and electronic formats prepared for dissemination to the dental community.

SNODENT Update: Dr. Hill and Ms. Dunsmoor provided the Council with an update on current activities related to the Systematized Nomenclature of Dentistry (SNODENT). The update covered a summary of activities of the SNODENT Maintenance Committee (SMC), explained the reason and purpose of the revised SMC protocol, and planned product development.

The Council had an open discussion on the development of dental procedure codes by SNOMED International and the impact it may have on the CDT and how the ADA can continue to be involved in the process.

The Council adopted the following resolution:

Resolved, that the revised protocol document for the SNODENT Maintenance Committee be approved.

LIAISON/CONSULTANT REPORTS

Report of the New Dentist Committee: The Council approved, through the Consent Calendar, an informational report on NDC activities.

American Student Dental Association (ASDA) Consultant Report: The Council approved, through the Consent Calendar, an informational report on ASDA activities.
COUNCIL OPERATIONS

Council Meeting Dates: The Council approved, through the Consent Calendar, an informational report on upcoming Council meeting dates.

2023 Council Self-Assessment: The Council conducted its self-assessment through an open discussion. In summary, the Council determined that it should continue to exist and that it is effective and continues to address the needs and complaints of dentists. The top three annual goals of the Council are to update the CDT manual, maintain relationships with payors, and represent the ADA’s position for regulations when decisions need to be made. To process and grasp information, it was recommended to receive information more frequently in smaller doses. The structure of the Council is effective.

In terms of efficiencies, the decision-making process is efficient. The Council has a collective voice. It allows the opportunity to be heard and decisions are made as a group. Suggestions were made to possibly hold virtual meetings between Council meetings to digest bigger agenda items.

Election of Council Chair: The Council elected, by acclamation, Dr. Stacey Gardner, fifth district, to serve as CDBP chair until the close of the 2024 meeting of the ADA House of Delegates.

Election of Council Vice Chair: The Council elected, by acclamation, Dr. Mark Moats, sixth district, to serve as CDBP vice-chair until the close of the 2024 meeting of the ADA House of Delegates.

Guest Council Chair Presentations: Chairs from the Council on Dental Practice and Council on Government Affairs provided updates on activities and programs. The Council was briefed on resolutions, policies, subcommittee initiatives, and upcoming webinars.

NEW BUSINESS

Dental Benefits: Members of the Council expressed the need for the Council to continue its efforts in solving for everyday pain points of dentists related to reimbursement. They also noted the need to educate members regarding Medicare Advantage plans which appear to be increasing in popularity among seniors.

Upon discussion, the Council adopted the following resolutions:

Resolved, that DBIS explore opportunities to create tools, aside from the contract negotiation toolkit that exists, to assist dentists in better negotiating reimbursement rates with third party payers.

Resolved, that DBIS pursue an educational plan to educate dentists about Medicare and Medicare Advantage plans including how dentists can effectively navigate Medicare Advantage plans.

Adjournment: 11:30 a.m. Central Time