

# 2021 Federal Legislative and Regulatory Accomplishments



## Congressional Bills

- McCarran Ferguson anti-trust reform bill was signed into law in January of 2021.
- Successfully advocated against an expansion of Medicare to include a dental benefit under Part B in House of Representatives passed Build Back Better legislation. At the same time raising awareness of the ADA alternative proposal to serve seniors with the greatest need under a new Medicare section.
- Received the support of over 300 bipartisan cosponsors (a supermajority) and 40 bipartisan Senate cosponsors for the Ensuring Lasting Smiles Act (ELSA). ELSA would require all private group and individual health plans to cover medically necessary services resulting from a congenital anomaly or birth defect. These services would include inpatient and outpatient care and reconstructive services and procedures, as well as adjunctive dental, orthodontic, or prosthodontic support.
- Worked to introduce the Dental and Optometric Care (DOC) Access Act in both the House and the Senate, which would prevent dental insurers from dictating fees a participating dentist may charge for non-covered services. This bipartisan legislation will provide greater access to high-quality care by helping to curb anti-patient and anti-competitive practices of dental insurance plans.
- Supported House passage of the PREVENT HPV Cancers Act, which encourages the use of the human papillomavirus vaccine in order to reduce the risk for HPV-related cancers. The ADA continues to urge the Senate to prioritize the bill and bring it to the floor for a vote.
- Supported the introduction of the Medicaid Dental Benefit Act of 2021, which would make comprehensive dental care a mandatory component of Medicaid coverage for adults in every state. Currently, less than half of the states provide “extensive” dental coverage for adults in their Medicaid programs. Without a federal requirement the optional adult dental benefit is sometimes not provided by states.
- Advocated for the successful introduction of the POST GRAD Act, which would allow dental students to take advantage of subsidized federal student loans.
- Worked with House staff to reintroduce the Health Enterprise Zones Act of 2021, which would designate areas as Health Enterprise Zones to reduce health disparities and improve health through tax incentives, grants, loan repayment opportunities and other benefits.
- Supported the reintroduction of the Indian Health Service Health Professions Tax Fairness Act, which would exclude from gross income payments under the Indian Health Service Loan Repayment Program and amounts received under the Indian Health Service Scholarships Program.
- Worked with Senate staff to introduce the Strengthening America’s Health Care Readiness Act, which would provide a one-time, supplemental appropriation of \$5 billion for scholarship and loan forgiveness awards through the National Health Service Corps (NHSC). The bill would also establish a demonstration project to harness members of the NHSC workforce to serve in emergency capacities.
- Helped secure \$800 million for NHSC in the American Rescue Plan Act of 2021.
- Advocated for funding in the American Rescue Plan to strengthen community-based efforts in the Health Resources and Services Administration (HRSA), which led to the allocation of \$46 million for the expansion of community-based

primary care medical and dental residency programs in rural and underserved communities. The new funding supports current residents in Teaching Health Centers (THCs), new community-based primary care residency programs, and expands the number of full-time equivalent (FTE) resident positions at existing and new THCs.

- Supported the introduction of the Doctors of Community Act in the House and Senate. The bill would permanently authorize the Teaching Health Center Graduate Medical Education program to support the training of primary care medical and dental residents with a focus on supporting residents in high-need communities.
- Supported the House passage of the Oral Health Literacy and Awareness Act, which would authorize a public education campaign across all relevant programs of the HRSA to increase oral health literacy and awareness. The ADA also supported appropriations funding for oral health literacy at HRSA.
- Supported the appointment of the Chief Dental Officer for the Centers for Medicaid and Medicare Services (CMS) through the federal appropriations process. In 2021, Dr. Natalia Chalmers was named CMS' first ever Chief Dental Officer.
- Advocated for provisions in the American Rescue Plan to address recovery efforts in Indian Country, which led to the appropriation of \$2 billion for tribal health systems due to lost reimbursements for care during the pandemic. These funds will help make up for the financial loss across the entire Indian health system due to reduced patient visits and will strengthen long-term health care in Indian Country by helping the Indian Health Service (IHS) tribal and urban Indian health programs invest in higher quality provider salaries and services particularly impacted by the pandemic like dental health care.

### **Provider Relief Funding**

- Secured dental eligibility in additional phases of the Provider Relief Funds (PRF).
- Ensured that HRSA distributed funding to new dentists, including reimbursing smaller providers for their changes in operating revenues and expenses at a higher rate compared to larger providers, and bonus payments based on the amount of services providers furnish to Medicaid/CHIP and Medicare beneficiaries.

### **Veterans**

- Signed a memorandum of agreement with the Department of Veterans Affairs to advise the Center for Care and Payment Innovation on scaling and communications for its oral health pilot program, VETSmile.
- Advised and supported VETSmile as it launched in NYC and northern NJ. VETSmile has already served more than 475 unique veteran patients at NYU.

### **State Government Affairs (SGA)**

- SGA supported 18 state societies in enacting 28 new laws to positively reform dental insurance.

### **Community Water Fluoridation**

- Sent letters to 12 communities facing fluoridation challenges; 80% of communities facing challenges were able to reaffirm water fluoridation.
- Secured favorable recommendations from the U.S. Preventive Services Task Force for primary care clinicians to apply fluoride varnish and prescribe fluoride supplements in non-dental settings.
- ADA consulted in the reformation of the bill to focus on oral disease prevention rather than a limited scope of fluoridation only. USVI passed Bill No. 34-0051 to adjust the amount of fluoride in water and support dental in school-based health.

- H.R. 3684: Infrastructure Investment and Jobs Act. ADA sent a letter to include fluoridation in the scope of this bill. Section 50112 includes the advancement of drinking water technologies. Fluoridation can be included in proposals related to technology updates to drinking water systems.
- The ADA sent a letter to the National Academies of Science, Engineering, and Medicine (NASEM) regarding concerns related to the Draft National Toxicology Program (NTP) Monograph on fluoride and neurodevelopment. On February 9th, 2021, NASEM released their reviewing saying there are worrisome inconsistencies in the monograph and advised the NTP to revise their monograph. The NTP never released a final monograph in 2021.

## **Tobacco/Vaping**

- Secured a commitment from the Food and Drug Administration (FDA) to ban menthol as an added flavor in cigarettes.

## **COVID-19**

- [Secured a CDC recommendation](#) for dentists, their teams, and dental students to be offered immediate access to the COVID-19 vaccines.
- [Secured nationwide approval](#) for dentists and dental students to administer the COVID-19 vaccines under the PREP Act.
- [Secured an exemption](#) for dentistry in the Occupational Safety and Health Administration (OSHA's) emergency temporary standard for health care settings.

## **Emergency Department (ED) Referral Initiative**

- 14 states prioritized for technical assistance to begin ED Referral programs.

## **Health Literacy**

- The CA Oral Health Literacy Toolkit, a collaborative effort of the California Dental Association, the California Office of Oral Health and members of the National Advisory Committee for Health Literacy in Dentistry (NACHLD) launched in September.

## **Member Engagement and Fundraising: American Dental Political Action Committee (ADPAC)**

- Sent 73,000 grassroots communications to House and Senate offices via Action Alert network.
- Scheduled over 200 meetings with Members of Congress during the 2021 ADA Dentist and Student Lobby Day.
- Reviewed and revised ADPAC's governance documents and processes.
- Held candidate workshops for 9 dentists interested in running for office.
- Raised \$1.4 million in 2021.

Follow all of the ADA's advocacy efforts at [ADA.org/advocacy](https://ada.org/advocacy).