



May 4, 2023

Alan Felsenfeld, MA, DDS
Board President
Dental Board of California
2005 Evergreen Street, Suite 1550
Sacramento, CA 95815

RE: AB 481 (Carillo) - Dental Assistants: Orthodontic Assistant Additions

Dear Board President Felsenfeld,

On behalf of the California Association of Orthodontists (CAO), I am writing to inform you of our strong support for AB 481 (Carillo): Dental Assistants. We support the bill in its current form; however, we are eager to see the provisions related to orthodontic assistants amended back into the bill. We would like to take this opportunity to share with you why we believe the orthodontic assistant provisions originally proposed fill a critical need in our profession while continuing to prioritize and protect patient health and safety. We urge the Board to endorse and vote to adopt the original language in AB 481 relating to orthodontic assistants.

As you know, the changes proposed in AB 481 are meant to help address the workforce shortages of all generalists and specialists in dentistry, and uphold our high standard of care and duty of protecting patients. We believe a required component in addressing our workforce issues is the removal of the Board-administered examination requirement for the Orthodontic Assistant Permit.

CAO believes that this change would be in the best interests of patients, orthodontic assistants and orthodontists.

Orthodontic assistants play a vital role in the delivery of orthodontic care. They provide a wide range of support services to the orthodontic team, the orthodontist and the orthodontic patient not only performing basic, supportive dental tasks but direct patient services that are instrumental in our ability to provide safe, effective orthodontic treatment. They must be highly skilled and knowledgeable in order to help achieve effective outcomes for our patients. The learning of these skills is a continuum from formal education and practical guidance by the orthodontist while achieving a level of competency through orthodontist-supervised clinical work experience.

As clinical faculty and lecturer at USC, and as a private practice clinician, I possess the unique perspective of actively participating in the development of orthodontic assistants. This includes rigorous of their didactic, laboratory, and pre-clinical coursework and clinical competency requirements that must be achieved under direct supervision in order to meet the educational

regulations, and the expectations we have for competent orthodontic assistants. As an educator and clinician, I witness first-hand how competency-based assessment over a period of time within the educational environment accompanied by laboratory achievement and clinical assessment is, in its totality, a fundamental argument against the necessity for a costly examination that is not an accurate measure of an orthodontic assistant's competence.

In the absence of any evidence to suggest that the assessments performed by a Board-approved provider of either an 84-hour course for the dental assistant or the 55-hour course for a registered dental assistant is insufficient to evaluate an assistant's ability to perform the limited number of allowable procedures the permit provides, it is inexplicable as to why a certificate of completion submitted to the Board, as proposed in the original version of AB 481, is not sufficient for orthodontic assistant certification. This approach allows accurate assessment, and it allows orthodontic assistants the opportunity to critically demonstrate their skills and knowledge in a way that is most beneficial to them. While the opposition claims that the elimination of a state-administered examination poses a risk to the safety of patients, there is no evidence to suggest or prove patient safety is compromised when permitted duties are performed by assistants under direct supervision of the dentist. Nor can the outcome of a written examination guarantee against patient harm.

I believe that this approach is more fair and accurate than a single examination, and it would be particularly beneficial for orthodontic assistants.

I urge you to consider removing the examination requirements for the orthodontic assistant permit. This change would be in the best interests of both patients and orthodontic assistants.

Dental and orthodontic assistant shortages have persisted long enough and it's time to take bold action. It has been and continues to be our goal to provide the best quality care for our patients. By adopting the language and processes we suggest, you are taking a tangible and easily implementable step that will allow us to make considerable gains in addressing the workforce shortage while expanding access to care. We hope that you will give strong consideration to our position as you review this matter.

If you have any questions, please feel free to contact our Legislative Committee Chair Jeff Kwong DDS MSD at drjeff@jkortho.com or (916) 932-6388.

Sincerely,



Dr. Harry L. Dougherty, Jr., DDS MS

CC: Assemblymember Wendy Carillo - Author AB 481

Assemblymember Marc Berman - Chair, Business and Professions Committee

Members of the Assembly Business & Professions Committee

Mary McCune, Directory of Policy - CDA

Dr. John Blake, President - CDA