



For Immediate Release

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NADP Opposes Rules Limiting Access for Dental Patients

DALLAS – More dental offices, serving additional dental patients is the driving motivation in the National Association of Dental Plans’ comments opposing proposed rules that would interfere with dentists’ ability to contract with dental support organizations (DSOs) in Texas.

Draft regulations proposed by the Texas State Board of Dental Examiners (TSBDE), restructure and limit a dentist’s ability to enter into contracts that would allow a non-dentist control over non-clinical administrative services, such as purchasing supplies, accounting or legal services. These services are often provided today by DSOs. The proposed rules would make current contracts for administrative services invalid, pushing the administrative functions of dental offices onto dentists themselves.

With the increase of the number of dental offices supported by various types of DSOs throughout Texas and the nation, the proposed regulation is a threat to consumer access to dental care, especially in areas classified as dental health professional shortage areas. Dental offices contracting with DSOs are often in convenient locations and offer expanded hours. DSOs provide access to capital for expansion and administrative efficiencies that both increase access to care and lower consumers’ overall cost of dental care.

NADP pointed out that as drafted, the regulations are overly stringent and would threaten consumer choices and access to existing care. Specifically:

- More than **644 Texas dentists** are currently served by DSOs. These dentists had more than **2.3 million patient visits last year**. If adopted, the proposed regulations would disrupt current care provided to the many patients and dental insurance enrollees being served by these dentists.
- DSO-supported dentists treat patients in every Texas county and have expanded access to care and dental insurance networks in more than 45 percent of Texas counties that are classified as dental health professional shortage areas.

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NADP Executive Director, Evelyn Ireland, CAE observed, "Eliminating the use of the DSO-supported dental office business model would force significant contractions in the dental networks in critical areas throughout Texas and limit consumer access to care. The contracted provider networks of NADP's members operating in Texas would be immediately impacted. It is possible that some offices would have to suspend delivery of care until new methods of administrative support are developed. Even the Federal Trade Commission (FTC) objected to the provisions of the rules invalidating DSO contracts."

The FTC expressed objections to the provisions of the proposed rules relating to administrative contracts in a letter opposing the regulations saying they could result in a decrease in competition that negatively impacts access for consumers and increases their costs.

Ireland continued, "Texas consumers and dental care advocates should remind the TSBDE not to overlook the fact that adoption of the proposed rules may produce the unintended consequence of diminishing access to care for those most in need of that access!"

About NADP

National Association of Dental Plans (NADP), a Texas nonprofit corporation with headquarters in Dallas, Texas, is the "representative and recognized resource of the dental benefits industry." NADP is the only national trade organization that includes the full spectrum of dental benefits companies operating in the United States. NADP's members provide Dental HMO, Dental PPO, Dental Indemnity and Discount Dental products to more than 163 million Americans, more than 90 percent of all Americans with dental benefits.

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