



June 2, 2014

Ms. Michele Phinney  
Director, Office of Regulation and Policy Coordination  
Department of Health and Mental Hygiene  
201 West Preston Street, Room 512  
Baltimore, MD 21201  
Sent via email

Re: COMAR 10.44.34 - Ownership and Management of a Dental Practice

Dear Director Phinney:

The National Association of Dental Plans (NADP) is responding with comments to the Board of Dental Examiners proposed regulations impacting the management of dental practices. NADP just learned of these regulations, and will be keeping our comments brief, but want to make sure our concern is registered with the state.

As drafted, the regulations are extremely stringent and raise questions beyond the written intention of the standards. NADP understands and appreciates dentists who want to be assured their clinical and ownership decisions are not questioned; however, these proposed standards have a much greater scope, especially when compared to methods employed within other states. Regulations which do not allow dental office staff to discuss treatment options with patients or answer their questions and may delay normal business operations with no additional benefits that we can understand.

Currently, there are Dental Service Organizations (DSO) which provide business operations for dental offices, and they are becoming a more popular option for dentists who do not want to be burdened with the administrative and businesses arrangements of owning a small business, but prefer to focus on providing the best patient care. This trend is similar to that experienced in the medical field more than a decade ago. The structure of these regulations seems to invalidate this business model, with the purpose of making DSOs less competitive

NADP would appreciate further dialog to better understand the repercussions of these standards and look forward to discussions with the Department of Health and Mental Hygiene and working with the Board of Dental Examiners to develop a structure which provides safeguards for dentists while allowing flexibility for managing the administration of a dental office.

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NADP greatly appreciates the opportunity to share our views, and please contact me with any questions regarding these comments at [khathaway@nadp.org](mailto:khathaway@nadp.org) or 972.458.6998x111. Again, thank you for your consideration.

Sincerely,



Kris Hathaway  
Director of Government Relations

**NADP DESCRIPTION**

NADP is the largest non-profit trade association focused exclusively on the dental benefits industry, i.e. dental PPOs, dental HMOs, discount dental plans and dental indemnity products. NADP's members provide dental benefits to approximately 90 percent of the 187 million Americans with dental benefits. Our members include the entire spectrum of dental carriers; companies that provide both medical and dental coverage, companies that provide only dental coverage, major national carriers, regional, and single state companies, as well as companies organized as non-profit plans.

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Last Updated: February 2014



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