

TRIBAL DENTAL THERAPY FORUM: Implementing the New Arizona Dental Therapy Law

Background and Overview of Forum
August 1-2, 2018



What we accomplished...

- AZ law stipulates that new or changes to health care provider scopes of practice requires consideration of a Sunrise Application. The Joint House and Senate Committee of Reference (COR) reviewed the Sunrise Application for Dental Therapy in 2016 and again in 2017, when it received the recommendation to advance the proposal to the full legislature.
- The Inter Tribal Association of Arizona, the Navajo Nation, the Tohono O'odham Nation and others officially supported the approval of the application. Crafting of the legislation began and Senate Bill 1377, the first dental therapy bill was introduced on 1/29/18.

What we accomplished...

- Senate Bill 1377, passed out of two committees with amendments. It was amended again on the floor of the Senate and passed by a vote of 22-8, on 2/21/18.
- The House Health Committee's hearing took place on 3/15/18. SB1377 was defeated by a vote of 4-5.
- The Dental Care for Arizona Coalition was apprised of an opportunity to introduce a strike-everything bill in which different legislative procedures apply. This was preferred, rather than wait until 2019.

What we accomplished...

- The striker, **HB2235: dental therapy; regulation; licensure**, was introduced on 3/19/18. It was passed by the Senate Government Committee and adopted by the full Senate by a vote of 30-0, on 4/19/18.
- House leadership sought significant amendments to the bill, including the removal of private practice dentistry from the bill. It was adopted by the House of Representatives, by a vote of 47-13, on 5/3/18.
- Governor Doug Ducey signed HB 2235 into law on **May 16, 2018**. This was the last day that the Governor could sign or veto bills adopted by the 53rd Arizona State Legislature.

What we accomplished...

Tribal amendments

- Dental Therapists, whether or not licensed by this state, are not prohibited from practicing at the Department of Veterans Affairs, the U.S. Public Health Service, the Indian Health Service or while employed at a Tribal and Urban Indian Health Program.
- Elimination of 10-mile radius Dental Therapy service restriction which impacted 13 IHS/638 dental clinics on Navajo Nation and 23 IHS/638/UIO dental clinics in Phoenix and Tucson Area IHS.



What we accomplished...

- Since 1999, Tribal Nations, were involved in efforts to amend and permanently reauthorize the Indian Health Care Improvement Act (IHCIA), originally signed into law in 1976. (25 U.S.C. Chapter 18)
- The Act is one of the cornerstone legal authorities for health care provided to American Indians/Alaska Natives by the Federal government. Incremental changes occurred, but it needed to be updated and modernized.
- See: <https://www.ihs.gov/ihcia/history/> (This site tracks history of IHCIA legislation from 1987- 2010). IHCIA legislation was included in the ACA. The IHCIA was permanently reauthorized on March 23, 2010.

What we accomplished...

- 2007-2010 was an active period for Tribes seeking amendments to the IHClA, that included the National Community Health Aide Program (CHAP) so that the Tribes in the Lower 48, could benefit from CHAP which IHS first established in Alaska in 1968.
- CHAP includes mid-level aides or practitioners trained to provide health care, health promotion and disease prevention services. These providers consist of Community Health Aides, Dental Health Aides, Dental Therapists and Behavioral Health Aides.
- In IHClA legislation, Dental Health Aide Therapy language was adamantly supported by Tribes, but
- opposed to by a professional dentistry organization. ●7

Dental Therapy issue may have derailed IHClA legislation?

- As a result of the controversy, *compromise* language emerged and the current language in 25 U.S.C. § 1616l(d)(3)(A) states that...**in the case of an election of an Indian Tribe or organization to institute CHAP, the Secretary shall facilitate implementation, of the services selected...The exclusion of dental health aide therapist services or midlevel dental health provider services shall not apply in a state (other than Alaska), in which the use of such services is authorized under State law to supply such services in accordance with State law.**

New Chapter in AI/AN Oral Health Care Begins in Arizona

This forum is not about the ups and downs of federal and state legislative processes.

- Now we examine implementing Dental Therapy at IHS, Tribal and urban Indian programs keeping in mind considerations ITU governing boards that provide oversight to these clinics need to address.
- Today we'll learn what's in the Arizona Revised Statutes under Dentistry, including the dental therapy scope of practice, the role of the AZ Board of Dental Examiners (i.e., rule-making, setting of minimum educational standards and licensure requirements), about collaborative practice agreements which apply to community health centers and non-profits and a
- required study .

New Chapter in AI/AN Oral Health Care Begins in Arizona

- Today we'll hear the vision some ITU's in Arizona have in terms of Dental Therapy, understand how Dental Therapists are utilized in the clinical practice setting to improve outcomes and efficiencies, learn the steps to achieve Medicaid reimbursement, plus how the statute potentially relates to expanding CHAP nationally.
- Tomorrow we'll focus on training, rulemaking and next steps.
- We appreciate that you're all here and part of the discussion!

In appreciation...



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