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Board of Registration in Dentistry
239 Causeway Street, Suite 500
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February 24, 2021

Chair Dr. Michael Scialabba,

It has come to our attention that during its March 3, 2021, meeting, the Massachusetts Board of Registration in Dentistry (BORID) will consider enhancing the disciplinary action against dentists who employ dental staff practicing with an expired license or without a license. It is our understanding that this is being considered because BORID continues to see significant numbers of dental assistants who are practicing without a license or with expired licenses. The Massachusetts Dental Society (MDS) strongly urges all its members and their staff to comply with all rules and regulations set forth by the BORID. It deeply concerns us that this issue has not corrected itself now that several years have passed since the initial licensure regulations were promulgated.

As we understand it, there is not a significant number of dental practices that have had recurring issues (e.g., dentists being brought before BORID multiple times for employing dental team members without licenses or with expired licenses). Although we agree that non-compliance is concerning, the existing discipline structure appears to succeed in preventing repeat non-compliance. We fear that enhancing the penalty will not have the desired effect of decreasing the number of cases, but rather may cause those dentists to suffer substantial increases to malpractice premiums and negatively impact their reputation before the public, thereby adversely affecting their commercial viability and—most importantly—potentially hindering patients' access to care.

If the desired outcome is to protect the public by improving the rate of compliance on this issue, the MDS recommends we work collaboratively to address the major issue with a multipronged approach. The MDS proposes we undertake the following in hopes of helping BORID achieve that outcome:

- Distributing monthly emails regarding dental assistant licensure requirements and potential penalties imposed on both the employing dentist and the dental assistant if there is non-compliance
- Hosting quarterly webinars featuring BORID members and/or staff discussing this issue, among other important BORID topics
- Sending biweekly emails beginning 90 days prior to dental assistant licensure renewal date and continuing 30 days past the renewal date
- Mailing one post card 30 days prior to the dental assistant licensure renewal date sent to every MDS member reminding them of the dental assistant licensure renewal deadline
- Posting related information on MDS website, social media channels, and other MDS resources

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The MDS supports BORID in its efforts to protect the public and hopes it can play a larger role in communicating the efforts of BORID moving forward.

Sincerely,

MaryJane Hanlon, DMD
President
Massachusetts Dental Society