

American Association of Orthodontists Political Action Committee (AAOPAC)

AAOPAC Website: <https://www2.aaoinfo.org/advocacy/aao-pac/>

Professional Advocacy Conference in Washington, DC: April 4-6, 2022-invite only via AAOPAC contribution

Director of Advocacy, Federal and State Hired

- In May 2021, **Nathan Mick** joined the AAO as the Director of Advocacy, Federal and State. Nathan is also the staff liaison for the Council on Government Affairs (COGA) and will be working closely with **Gianna Nawrocki** in managing the AAOPAC. Nathan joins us from the American Heart Association, where he held the position of Vice President, Government Relations for the Southeast Region (nine states and Puerto Rico), overseeing advocacy and government relations for that region. Before that he worked in several other roles involving federal, state, and local government and politics.
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2021 Professional Advocacy Conference

- The 2021 Professional Advocacy Conference was held virtually on February 22-23. Attendance this year totaled 84, which included 37 orthodontic residents.
- The Advocacy Conference kicked-off Monday evening, February 22. Members from the AAO's federal lobbying firm, Cozen O'Connor Public Strategies, provided an overview of the political landscape of Washington, DC, the new Congress, and what to expect from the Biden Administration.
- Following an update from the team at Cozen O'Connor, special guest Rep. **Ann Wagner** (R-MO-2) addressed the group and answered questions from participants. Rep. Wagner is supportive of expanding FSA/HSAs and the RAISE Act. AAO headquarters is in the Congresswoman's district.
- Lastly, in a brief "Advocacy 101" session, participants learned what to expect during their virtual meetings with members of Congress.
- On Tuesday, February 23, AAO members participated in virtual meetings with ten members of Congress. Each meeting included 20-30 AAO members. Participants were provided with brief notes regarding each Representative, as well as a copy of the AAO's Legislative Priorities, providing background on some current issues that are important to orthodontists and the orthodontic field.

AAO Advocacy Efforts

- Cozen O'Connor Public Strategies, the AAO's federal lobbying firm, has been instrumental in providing access to the right people and developing strategies related to COVID-19 matters. As a result, the AAO has fostered relationships with the CDC, OSHA, and HHS, and has held multiple meetings with these regulatory agencies to address the impact that COVID-19 is having on AAO members as both healthcare professionals and small business owners.

- Advocated for small business relief, including the Paycheck Protection Program (PPP), in the various COVID relief packages.
- Met with the CDC to receive updated guidance for clarification on dental settings during the COVID-19 response, and developed an open line of communication with them as questions or concerns arose on COVID-19 related issues.
- Advocated to HHS on Provider Relief Fund distributions targeted towards dental professionals, and provided members with information and updates on this fund.

Legislative Issues/Priorities

- Reduce Student Loan Interest and Strengthen Repayment
 - The *Student Loan Refinancing and Recalculation Act* would preserve the in-school interest subsidy, reduce origination fees and borrowing rates, provide for federal student loan refinancing, and allow for residency deferments.
 - The *Student Loan Refinancing Act* would allow for borrowers to refinance their student loans when borrowing rates are reduced.
 - The *Student Loan Tax Elimination Act* would eliminate origination fees on all federal Direct Loans.
 - The *Resident Education Deferred Interest (REDI) Act* would provide interest-free deferment for all orthodontic students while in residency.
- Permit Unused Pell Grant Dollars for Graduate Education
 - The *Expanding Access to Graduate Education Act of 2019* would permit the use of remaining Pell eligibility towards graduate programs.
- Protect the Teaching Profession
 - The *Dental Loan Repayment Assistance Act* would exclude certain federal loan repayments made to dental faculty from being included as gross income and prevent a potentially hefty tax bill on those federal loan repayments defined in the Public Health Service Act.
- Strengthen and Expand Consumer-Directed Healthcare Options
 - Flexible Spending Accounts (FSAs) allow pre-tax income to be used for qualified medical care, including orthodontics, and are used by many orthodontic patients. Passing the *RAISE Health Benefits Act* would increase the cap on FSA contributions to \$5,000 per year (and index for inflation moving forward); expand the FSA contribution cap to allow an additional \$500 per year for each dependent (after the first two dependents); and remove the “use-it-or-lose-it” rule to allow families to carry forward unused funds in perpetuity.
- Promote Patient Access

- The *Ensuring Lasting Smiles Act* would require all group and individual health plans to cover medically necessary services related to the diagnosis or treatment of a congenital anomaly or birth defect.

AAO Federal Advocacy News in 2021

- AAO Members Advocate for the Specialty in Congress: <https://www2.aoinfo.org/aa-members-advocate-for-the-specialty-in-congress/>
- Ensuring Lasting Smiles Act Introduced in 117th Congress: <https://www2.aoinfo.org/ensuring-lasting-smiles-act-introduced-in-117th-congress/>
- AAO Legal and Advocacy Team Reviewing Emergency Temporary Standard: <https://www2.aoinfo.org/aa-legal-and-advocacy-team-reviewing-emergency-temporary-standard-released-june-10/>
- AAO Signs on to Support Oral Health Literacy Act: <https://www2.aoinfo.org/aa-signs-on-to-support-the-oral-health-literacy-act/>
- AAO Elevates DTC Concerns through US Rep. Robin Kelly: <https://www2.aoinfo.org/aa-elevates-dtc-concerns-through-u-s-rep-robin-kelly/>
- AAO Supports bill to Incentivize Hiring Members of National Guard and Reserve: <https://www2.aoinfo.org/aa-supports-bill-to-incentivize-hiring-members-of-national-guard-reserve/>

AAO Unveils State Advocacy Toolkit Featuring DTC Resources

Visit www.orthofacts.org

The AAO is excited to announce the development of a number of new resources designed to communicate concerns about direct-to-consumer (DTC) orthodontic treatment and risks to patient health and well-being. These new resources can be found at www.orthofacts.org, and can also be accessed by clicking the “**Advocacy Resources**” tab at the top of the AAO member webpage. The orthofacts.org web page will be accessible to non-AAO-members, primarily so that dental board members, federal and state legislators, and others outside of AAO members can access the information.

The centerpiece of the AAO’s new DTC resources is a 25-page position paper setting out the AAO’s concerns with common elements of DTC treatment (such as failing to perform an in-person examination of the patient, or failing to take radiographic images prior to treatment). Although the concerns themselves are not new to AAO messaging, the position paper includes numerous scientific authorities (credible, peer-reviewed evidence and recognized authorities in the specialty) to support the AAO’s positions. “We are excited to combine the AAO’s advocacy messaging with the strength of the AAO’s scientific and academic resources,” said AAO President, Dr. **Ken Dillehay**. “For the first time, we have a resource that clearly shows that the AAO’s advocacy positions on teledentistry and DTC are supported by strong scientific evidence, which demonstrates why the law should include these patient protections.”

Accompanying the DTC position paper are two “one pagers” (front-and-back handouts) that summarize the AAO’s positions on in-person examinations and radiographic images, and evidence in support, in a graphic-heavy, easy-to-read format.

The new AAO advocacy resources also include two additional resources on DTC concerns. A short handout summarizes testimony by a former DTC treating doctor that recently came to light in a class action lawsuit. This doctor’s testimony raises serious concerns about whether some DTC treatment complies with the applicable standards of care, and the handout presents those concerns in a concise format.

Another new position paper by the AAO sets out concerns related to informed consent in the DTC treatment setting. Many authorities in the telehealth field (including the **American Medical Association** and the **Joint Commission**) question whether a patient can give effective informed consent to treatment if the patient never has the opportunity to ask questions of the treating doctor. This new AAO resource applies these concerns to the DTC context.

Finally, three new resources address the AAO’s concerns with public policy arguments made by the **American Teledentistry Association** (ATDA). The ATDA frequently appears in dental board hearings and state legislative sessions arguing against restrictions on teledentistry (such as requiring in-person exams or radiographic imaging before treatment begins). Two of the AAO’s new resources point out significant flaws in the “evidence” the ATDA cites in support of these arguments. A third handout raises concerns about the ATDA’s close affiliation with certain DTC companies.

“It is our hope that these new resources will better communicate to dental boards and legislatures the reasons why we believe that the laws need to protect orthodontic patients,” said Dr. Dillehay. “We strongly encourage AAO members to utilize these new resources in their efforts to educate lawmakers, patients, and the general public.”

Deborah Lien

Rochester, Minnesota