



April 22, 2020

Mr. Bill McBride
Executive Director
National Governors Association
444 North Capitol Street NW, Suite 267
Washington, DC 20001

RE: Further state actions related to OMSs needed during the COVID-19 pandemic

Dear Mr. McBride:

On behalf of the American Association of Oral and Maxillofacial Surgeons (AAOMS), the professional organization that represents more than 9,000 oral and maxillofacial surgeons (OMSs) in the United States, I would like to commend the leadership of the National Governors Association (NGA) and its governor members during COVID-19 pandemic. As the situation continues to progress, we ask for additional action by states to ensure the protection of oral and maxillofacial surgeons (OMSs) as we continue to fill an integral role in addressing the crisis.

OMSs are surgically and medically trained dental specialists who treat conditions, defects, injuries and esthetic aspects of the mouth, teeth, jaws, neck and face. After earning a dental degree from an accredited four-year dental school, OMSs complete a minimum of four years of hospital-based oral and maxillofacial surgery residency training, which includes rotations in such areas as general surgery, anesthesia, and clinical research. As the surgical branch of dentistry, our members are providing frontline response to address the needs of emergent dental patients during the pandemic. Our goal is to ensure that dental patients are treated outside of the emergency rooms so our nation's hospitals are free to respond to pandemic patients. These dental emergencies – which can be life threatening if left untreated – include treatment of dental pain, abscesses, facial trauma as well as dental treatment required prior to critical medical procedures.

To treat these conditions, OMSs must have access to the proper personal protective equipment (PPE), including N95 masks, because we are in close proximity to these patients and perform aerosol-generating procedures, which puts the surgeons and their staff at high-risk for exposure to COVID-19. The CMS and CDC recommend prioritizing respirators for aerosol-generating procedures.¹ OMSs are being asked to treat dental emergencies to keep patients out of hospital emergency rooms, but we are not being given adequate consideration by state officials when PPE distribution is being determined. Furthermore, dentists – including OMSs – have been looked to across the country by state officials as a

¹ CDC. Interim Infection Prevention and Control Recommendations for Patients with Suspected or Confirmed Coronavirus Disease 2019 (COVID-19) in Healthcare Settings. April 13, 2020.

source for providing PPE to frontline providers to COVID-19. OMSs, however, are serving as frontline providers, even if the care is being provided in our offices rather than a hospital.

As for other healthcare providers, access to PPE – including N95 masks – is difficult to obtain. We have tried to work with our partner-vendors only for orders to be cancelled or diverted. When requesting assistance from the states, we are often placed lower on the priority scale, but more commonly denied altogether. The situation has become dire. In a recent AAOMS member survey, 60 percent of AAOMS members indicated that they would not have enough PPE to remain open for emergent services through May. **We ask the NGA and its governor members to consider OMSs as essential frontline providers during the pandemic and allow us access to small amounts of PPE – specifically N95 masks – so we can continue to treat emergent cases and keep dental patients out of hospital emergency rooms.**

Another concern of our members is liability protection. Healthcare professionals, including OMSs, are being asked to provide care to COVID-19 patients in circumstances that may be outside their traditional scope of practice and in conditions that may lack adequate resources. Connecticut² and Vermont³ have already provided similar immunity healthcare providers in their states. This pandemic is a national crisis and as such liability protections should be afforded on a national basis. **We ask the NGA governor members to provide liability immunity to healthcare providers, including dentists and OMSs who provide care in response to federal, state and local directives related to COVID-19 or as a result to any situation caused as a direct result of the pandemic.**

As states look to reopen their economies, we also urge governors to ensure providers – including OMSs – may conduct onsite testing of patients for COVID-19. Rapid onsite testing will be a necessity to ensure the safety of patients, staff and providers – particularly where aerosol generating procedures are performed and in the interim period until a viable vaccine has been developed. **We ask the NGA and your governor members to ensure OMSs have access to these rapid onsite tests when they become available and to ensure performance of the tests are considered within the scope of practice for dentistry.**

On behalf of AAOMS, I am grateful for your leadership and leadership of the state governors during this most challenging time in our nation's history and I thank you for your consideration of our concerns. For questions or additional information, please contact Sandy Guenther, manager of state government affairs at 800-822-6637, ext. 4388 or sguenther@aaoms.org.

Sincerely,



Victor L. Nannini, DDS, FACS
AAOMS President

² Executive Order No. 7U.

³ Addendum 9 to Executive Order 01-20.