

Oral and maxillofacial surgeons:
The experts in face, mouth and
jaw surgery®



American Association of Oral and Maxillofacial Surgeons

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AAOMS.org

B.D. Tiner, DDS, MD, FACS
President

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Executive Director

June 4, 2021

The Honorable Yvette Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Buddy Carter
U.S. House of Representatives
2432 Rayburn House Office Building
Washington, DC 20515

The Honorable Darren Soto
U.S. House of Representatives
2353 Rayburn House Office Building
Washington, D.C. 20515

The Honorable David B. McKinley
U.S. House of Representatives
2239 Rayburn House Office Building
Washington, D.C. 20515

Dear Representatives Clarke, Carter, Soto, and McKinley:

On behalf of the American Association of Oral and Maxillofacial Surgeons (AAOMS), the professional association that represents more than 9,000 oral and maxillofacial surgeons (OMSs) in the United States, I thank you for reintroducing the “Dental and Optometric Care (DOC) Access Act” (HR 3461), which, if passed, will prohibit federally controlled dental and vision plans from capping fees on non-covered services.

To date, 40 states have enacted legislation to address instances in which dental plans seek to cap the amount a dentist may charge one of their enrollees for a service – even if the service is typically a non-covered service and not subject to insurer reimbursement. Because self-insured dental plans are regulated by the Employee Retirement Income Security Act (ERISA), they are exempt from those state insurance laws. We are pleased to see that your legislation would help to rectify this inequity.

Additionally, we appreciate language in HR 3461 that would prohibit dental plans from providing nominal or de minimis coverage. In such instances, an insurer may decide to cover all previously non-covered services at a very small percentage of the provider’s normal charge, thereby avoiding the non-covered services’ legal prohibition but defeating the spirit of the law.

Thank you again for reintroducing the DOC Access Act, which we believe would help bring equity to the insurer-provider contracting relationship at the federal level. Please contact Jeanne Tuerk, manager of government affairs, if we can be of any assistance as you move

HR 3461 through the legislative process. Ms. Tuerk can be reached at 847-233-4321 or jtuerk@aaoms.org.

Sincerely,

A handwritten signature in black ink that reads "B.D. Tiner, DDS, MD, FACS". The signature is written in a cursive style.

B.D. Tiner, DDS, MD, FACS
AAOMS President