

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



American Association of Oral and Maxillofacial Surgeons

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B.D. Tiner, DDS, MD, FACS
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December 1, 2020

The Honorable Joe Manchin, III
United States Senate
306 Hart Building
Washington, D.C. 20510

The Honorable Kevin Cramer
United States Senate
400 Russell Building
Washington, D.C. 20510

Dear Senators Manchin and Cramer:

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 (OMs) in the United States, I thank you for introducing the “Dental and Optometric Care (DOC) Access Act” (S 4894), 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 S 4894 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 introducing 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 S 4894 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