

SERIES 16 RESPONSE TO COMMENTS

The **West Virginia Dental Hygienists' Association** commented the Board should support the use of teledentistry by licensed dental hygienists, with either a general or public health supervision permit, consistent with existing state scope of practice and supervision requirements and should not preclude teledentistry participation for the dental hygienist under direct supervision in the first two years of practice.

The Board is of the opinion, the proposed rule allows licensed hygienists with a general supervision and public health permit to practice teledentistry as well as allow dental hygienists, in their first two years of practice, to practice teledentistry under direct supervision.

The **West Virginia Dental Hygienists' Association** commented the Board should replace the “dentist-patient” relationship language in section to 5-16-4.2. to “practitioner-patient” or “provider-patient”.

The Board agreed with this comment and changed “dentist-patient” to “practitioner-patient” and defined practitioner in the rule.

The **West Virginia Dental Hygienists' Association** attached their proposal of suggested revisions to section 5-16-4.2 wherein it was suggested the time-frame for a patient to have been examined by a dentist be changed from six months to twelve prior to initiation of teledentistry.

The Board agreed with this suggestion and changed the time-frame from six to twelve months.

The **American TeleDentistry Association** made comments concerning proposed section 5-16-4.10.c. This proposed section stated the following: Diagnose or initiate correction of malpositions of the human teeth or jaws, or initiate the use of orthodontic appliances or aligners, prior to reviewing the patient's most recent diagnostic digital or conventional radiographs or other equivalent bone imaging suitable for orthodontia. New radiographs or other equivalent bone imaging shall be ordered if deemed appropriate by the treating dentist. The American TeleDentistry Association opposed this language for various reasons.

While the Board may not have agreed with the reasons stated by the American TeleDentistry Association, the Board removed this section from the proposed rule.

SmileDirect Club made comments concerning language in proposed section 5-16-4.3(vi) “any other requirements set forth by the board.” SmileDirect Club points out this language is more appropriate for statutory direction rather than administrative rule.

The Board should have removed this language. However, there was not a motion to do so.

SmileDirect Club made comments concerning proposed section 5-16-4.10.c. This proposed section stated the following: Diagnose or initiate correction of malpositions of the human teeth or jaws, or initiate the use of orthodontic appliances or aligners, prior to reviewing the patient's most recent diagnostic digital or conventional radiographs or other equivalent bone imaging suitable for

orthodontia. New radiographs or other equivalent bone imaging shall be ordered if deemed appropriate by the treating dentist. The SmileDirect Club opposed this language for various reasons.

While the Board may not have agreed with the reasons stated by SmileDirect Club, the Board removed this section from the proposed rule.