

GREAT PLAINS
ORAL & MAXILLOFACIAL SURGERY, PA



Date: January 30, 2025

To: Senate Committee on Public Health and Welfare

From: Daniel C. Nielson DDS, FACD
Oral & Maxillofacial Surgeon – Private Practice
Immediate-Past President, Kansas Dental Association

RE: **Opposition to SB 31**– Updating provisions of the Kansas Dental Practice Act relating to in-person practice requirements in dental office using licensee's name, unprofessional conduct and patient's complaints.

Chairwomen Gossage and members of the Committee, my name is Daniel Nielson an Oral & Maxillofacial Surgeon from Olathe KS. I thank you for the opportunity discuss the KDA's **opposition to SB 31**, representing both patients and dentists of the great state of Kansas.

I am reaching out to you, in opposition, to SB 31 from a dental profession and patient protection standpoint. As the Immediate-Past President of the Kansas Dental Association, a full-time practicing oral surgeon and business owner of Great Plains Oral & Maxillofacial Surgery PA, I feel strongly that quality treatment with adequate patient protections are paramount!

The Association of Dental Service Organization (ADSO) is driving this bill to remove a safety mechanism that has been in place for many years in Kansas. SB 31 removes the law (KSA 65-1435) that requires a dentist practice owner to be in the office 20% of the time clinical dentistry is being performed. This is known in dentistry as the "20% rule." The 20% rule is a unique requirement for dentistry; however, it exists for a reason – to ensure that dentist-owners are engaged providing oversight to their employee-dentists and the patients they serve. The 20% rule creates an intentional barrier to promote a balance between the expansion of dental practices and maintaining proper oversight on treatment and the quality of dental care for Kansas citizens.

ADSO is supporting a very different model of dentistry, where the dental business is controlled by a large corporation, and not the provider. This model is common to have high turnover and dentists being "rotated" from office to office when they have "numerous" locations. In my experience many newer dentists (< 5 years out of school) seek employment with this type of

practice model. What I see and hear in my office is how frustrated patients can feel when they encounter any issue or postoperative complications, and the provider is not there to support them and give continuity of care!

I am concerned how this frequent complaint has eroded the dentist / patient relationship and therefore the trust the citizens of Kansas have for the policies that are in place to protect them. I feel removal of the 20% rule will promote private equity-controlled dental franchisers or dental support organizations (DSOs) who are seeking ways to expand into Kansas, and I feel strongly they should abide by the same safety standards I follow. As we balance safety, quality dental care and profit, I want to ensure that we keep all three aspects in a good ratio and not put profit of a corporation ahead of the trust of our public. What is the drive of ADSO to remove safety measures that I have proudly honored for my entire career of 22 years?

Senators, thank you for taking time out of your busy day to hear my position. I hope my words will help guide you, during your committee hearing this week, as to why I feel removing any patient protections is damaging for the people of Kansas.

Sincerely,

A handwritten signature in dark ink, reading "Daniel C. Nielson, DDS". The signature is fluid and cursive, with the last name "Nielson" being more prominent.

Daniel C. Nielson, DDS
Oral & Maxillofacial Surgeon
Immediate-Past President Kansas Dental Association,
Owner, Great Plains Oral & Maxillofacial Surgery, PA