

DRAFT for the Nevada State Board of Dental Examiners

A Proposed Policy Statement on Teledentistry

Definition

Teledentistry is defined as the delivery of dental services by licensed dental provider, through the use of established telehealth modalities, including but not limited to: synchronous, asynchronous, remote patient monitoring (RPM) or mobile health (mHealth).

Under NRS 629-Healing Arts Generally, section 510 and 515, teledentistry is a component of telehealth. Therefore, pursuant to NRS 631.040, 631.045, and 631.215, and telehealth services are within the scope of practice for licensed dental professionals.

Teledentistry refers to the use of telehealth systems and methodologies in the practice of dentistry and dental hygiene. Telehealth refers to a broad variety of technologies and tactics to deliver virtual medical, health, and education services. Telehealth is not a specific service, but a collection of means to enhance care and education delivery.

Teledentistry can include patient care and education delivery using, but not limited to, the following modalities:

- Live video (synchronous): Live, two-way interaction between a person (patient, caregiver, or provider) and a provider using audiovisual telecommunications technology.
- Store-and-forward (asynchronous): Transmission of recorded health information (for example, radiographs, photographs, video, digital impressions and photomicrographs of patients) through a secure electronic communications system to a practitioner, who uses the information to evaluate a patient's condition or render a service outside of a real-time or live interaction.
- Remote patient monitoring (RPM): Personal health and medical data collection from an individual in one location via electronic communication technologies, which is transmitted to a provider (sometimes via a data processing service) in a different location for use in care and related support of care.
- Mobile health (mHealth): Health care and public health practice and education supported by mobile communication devices such as cell phones, tablet computers, and personal digital assistants (PDA).

Teledentistry is an interactive telecommunications system: Multimedia communications equipment that includes, at a minimum, audio and video equipment permitting two-way, real time interactive communication between the patient and distant site physician or practitioner.

Teledentistry is not:

- A telephone conversation between the licensed dental provider and patient
- A text message between the licensed dental provider and patient

Telephones, facsimile machines, and electronic mail systems do not meet the definition of an interactive telecommunications system. (Title 42 of the Code of Federal Regulations, Part 410.78 (a)(3))

General Considerations

The treatment of patients who receive services via teledentistry must be properly documented and should include providing the patient with a summary of services. Licensed dental providers who deliver services using teledentistry must establish protocols for appropriate referrals when necessary.

Teledentistry must be performed using HIPAA Compliant technologies.

Patients' Rights

Dental patients whose care is rendered or coordinated using teledentistry modalities have the right to expect:

- That any licensed dental provider delivering services using teledentistry technologies will be licensed in the state where the patient receives services or be providing these services as otherwise authorized by that state's dental board.
- Access to the licensure and board certification qualifications of the oral health care practitioner who is providing the care in advance of the visit.
- That the delivery of services through teledentistry technologies will follow evidence-based practice guidelines, to the degree they are available, as a means of ensuring patient safety, quality of care and positive health outcomes.
- That they will be informed about the identity of the providers collecting or evaluating their information or providing treatment, and of any costs they will be responsible for in advance of the delivery of services.
- That relevant patient information will be collected prior to performing services using teledentistry technologies and methods including medical, dental, and social history, and other relevant demographic and personal information.
- That the provision of services using teledentistry technologies will be properly documented and the records and documentation collected will be provided to the patient upon their request.
- That services provided using teledentistry technologies and methods include care coordination as a part of a dental home and that the patient's records be made available to any entity that is serving as the patient's dental home.
- That the patient will be actively involved in treatment decisions, will be able to choose how they receive a covered service, including considerations for urgency, convenience and satisfaction and without such penalties as higher deductibles, co-payments or coinsurance relative to that of in-person services.
- That the delivery of services using teledentistry technologies are performed in accordance with applicable laws and regulations addressing the privacy and security of patients' private health information.

Quality of Care

The licensed dental provider is responsible for and retains the authority for ensuring the safety and quality of services provided to patients using teledentistry technologies and methods. Services delivered via teledentistry should be consistent with in-person services, and the delivery of services utilizing these modalities must abide by laws addressing privacy and security of a patient's protected health information.

Supervision of Allied Dental Personnel

The extent of the supervision of allied dental personnel should conform to the applicable dental practice act in the state where the patient receives services and where the dentist is licensed. The dentist should be knowledgeable regarding the competence and qualifications of the allied personnel utilized and should have the capability of immediately contacting both the allied dental personnel

providing service and the patient receiving services. All services delivered by allied dental personnel should be consistent with the ADA Comprehensive Statement on Allied Dental Personnel.

Licensure

Licensed dental professionals who deliver services through teledentistry modalities must be licensed or credentialed in accordance with the laws of the state of Nevada in which the patient receives service. The delivery of services via teledentistry must comply with the state's scope of practice laws, regulations or rules.

Reimbursement

Dental benefit plans and all other third-party payers, in both public (e.g. Medicaid) and private programs, shall provide coverage for services using teledentistry technologies and methods (synchronous or asynchronous) delivered to a covered person to the same extent that the services would be covered if they were provided through in-person encounters. Coverage for services delivered via teledentistry modalities will be at the same levels as those provided for services provided through in-person encounters and not be limited or restricted based on the technology used or the location of either the patient or the provider as long as the health care provider is licensed in the state where the patient receives service.

Technical Considerations

Licensed dental providers are encouraged to consider conformance with applicable data exchange standards to facilitate delivery of services via teledentistry modalities. These include, but are not limited to, Digital Imaging and Communications in Medicine (DICOM) standards when selecting and using imaging systems, X12/HL7 for the exchange of information and JCD-9/10- CM/SNOMED/SNODENT for documentation consistency.

Specific to the COVID-19 2020 Situation:

- Use the [ADA What Constitutes a Dental Emergency](#) as a reference when deciding which patients, you feel are emergent or urgent
- Use the [ADA COVID-19 Coding and Billing Interim Guidance- Virtual Visits](#) as a reference for all communications
- Determine through a telehealth "visit" if in-office dental care is needed.
- [Prescribing antibiotics](#) and pain relievers without an in-person dental visit should be carefully considered and balanced with the potential risk to all versus in-office care.