



DAVID STEFFEN

STATE REPRESENTATIVE • 4TH ASSEMBLY DISTRICT

**Prepared Testimony by Rep. David Steffen before the
Assembly Committee on Health
Assembly Bill 318: Patient Records Protection Act
July 26, 2017**

Chairman Sanfelippo and Committee Members,

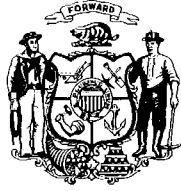
Thank you for holding a public hearing on Assembly Bill 318 relating to preserving and transferring dental patient health care records and contracts for practicing dentistry or dental hygiene in Wisconsin. AB 318, the Patient Records Protection Act, is a simple, yet significant bipartisan legislative step to ensuring that patients have access to their dental records, regardless of where they receive dental care.

In Wisconsin, dental practices take the form of two structures, dentist-owned practices, and non-dentist owned practices. Companies referred to as Dental Support Organizations (DSOs) perform business and administrative support functions for dental offices. DSOs play an integral role in Wisconsin's dentistry industry by providing these support functions, they do not however, engage in the practice of dentistry. Both of these business models, dentist and non-dentist owned, work together to keep Wisconsin's dentistry industry successful in serving our residents. AB 318 ensures that regardless of where a patient receives treatment, they have access to their dental records. This bill clarifies that the controlling party of a dentist practice must produce dental records, whether they've been requested by the patient or by the Dentistry Examining Board (DEB) during the course of an investigation. This added statutory language will ensure that, regardless of the business structure, in the rare case in which a clinic shuts down, the patient will still be able to access their records.

AB 318 also establishes that the DEB does not have regulatory power over the business and administrative support functions of DSOs, and establishes that the practice of quotas (requiring dentists or dental hygienists to perform a certain number of procedures) is prohibited.

The Patient Records Protection Act is supported by the Wisconsin Dental Association and the Association of Dental Support Organizations, and is key to protecting the fundamental rights of dental patients in Wisconsin.

Thank you for allowing me to submit my testimony in favor of AB 318. I encourage you to support this legislation.



Van H. Wanggaard

Wisconsin State Senator

Testimony on Assembly Bill 318

Thank you Mr. Chairman and Committee Members for the hearing today on Assembly Bill 318.

Under current law, Wisconsin allows non-dentists (called Dental Support Organizations) to own dental practices without practicing dentistry. This can be problematic when trying to transfer or obtain a copy of patient records.

This bill is a short and simple. It contains three very important parts designed to protect patients, dentists, and dental hygienists.

First, the bill clarifies that those involved in the administrative support and business side of the Dental Support Organizations are not subject to regulation by the Dentistry Examining Board. This frees up the Dentistry Examining Board and allows them more time to monitor practicing dentists.

Next, the bill explicitly prohibits using quotas in contracts between a dentist and/or dental hygienist and a third party that would require the dentist or dental hygienist to see a certain number of patients, or perform a certain amount of a certain procedure.

Finally, the bill clarifies that whomever has the controlling interest in a dental practice – whether it be a dentist or Dental Support Organization – is ultimately responsible for the production or transfer of records. This guarantees that the records will be accessible when needed, either by the patient or others in regards to an investigation.

This is clarifying, common sense legislation, and I hope you will join me in supporting Assembly Bill 318.

Serving Racine and Kenosha Counties - Senate District 21



July 25, 2017

To: Representative Sanfelippo – Chair Assembly Committee on Health
Re: AB 318

As a licensed dental hygienist in the state of WI for over 30 years I wanted to register my support for AB 318. This proposal has bi-partisan support and is the result of collaboration by multiple organizations who share a common interest in preserving the rights of a dental patients to access their records.

As the Vice President of Clinical Development and Compliance Officer for Midwest Dental a Dental Support Organization in WI, I would also share that internally we have established processes to ensure that patients can obtain copies of their records in the varying circumstances that this may be required including but not limited to a relocation or change of provider. We have this and other standard operating procedures in place that are inclusive of the range of support services provided.

Thank you in advance for your support of AB 318.

Sincerely,

Tammy L. Filipiak RDH, MS