

FTC Intervention In Louisiana Dental Battle

My Goal:

Improve the Health of Vulnerable Populations

Louisiana Medicaid 2010 Data

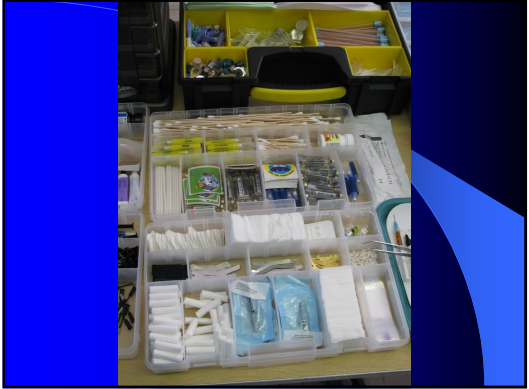
- Total Expenditures
 - \$138,269,370.12
- Number of Enrolled Participants*
 - 829,711
- Number of Patients Receiving Services*
 - 312,796 (38%)
- Number of Providers*
 - 760
- Average Cost per Patient
 - \$401.62

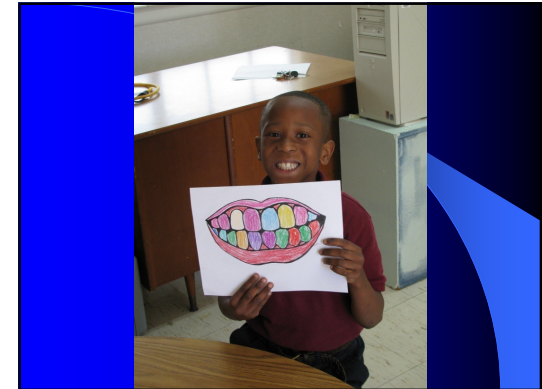
School-Based Model "What I Do"

My Vulnerable Children Model

- ReachOut Healthcare America
- 15 Dentists
- 275 Schools
- Portable In-School Dental Services
- Comprehensive Dentistry
 - Exams, X-Rays, Sealants, Fillings, Primary Tooth Extractions, Pulpotomies, and Stainless Steel Crowns
- Oral Hygiene Instructions







What Was The Conflict?

● LDA Board Was Told:

- "99% of the LDA's active, statewide membership objects to and opposes the treatment of Medicaid eligible students within Louisiana public schools"
- "Dentists across the state simply cannot compete for business where access to the entire market of Medicaid eligible students is controlled by Dr. Folse and his partner ReachOut Healthcare America"

● LDA Board Was Told:

- "Many of these pediatric dentists will struggle to maintain practices and will be relegated to boutique-type operations"
- "... the detrimental impact to all dentists as a whole goes beyond mere students who are Medicaid eligible. Dr. Folse and ReachOut Healthcare will eventually target all students whether Medicaid eligible or not."
- "Our years of hard work and perseverance, however, are now threatened by an out-of-state company. Now more than ever, the LDA's membership base needs LDA's help."

● Petition Against Me

● Petition - What Dentists Were Told:

- "They Refer (Dump) These Patients On Established Providers ... (for) Care They Do Not Wish To Be Bothered With"

What Was Said Publically About La Licensed Dentists

- "Unclean"
- Unsafe
- Unsanitary
- Third-World Dentistry
- The Flu Will Spread To Everyone
- Cherry Pickers
- Doing Only The Easy Stuff
- Invasive, Irreversible Procedures Are Being Performed In Schools
- Teeth Are Being Pulled
- Will They Drain Abscess In The School Cafeteria?
- Profit Motives Run Their Efforts and the Care They Provide
- Un-Regulated - No Oversight

In Response LDA

- Resolved, The LDA Supports The Dental Home Concept....
 - 3) ...In A Permanently Established Facility
- And Be It Further Resolved, That The LDA Opposes Any Means Of Delivering Dental Care That Compromises Those Standards Including The Practice Of Dentistry On The Grounds Of Public Schools

The Dental Home Dilemma

- *What Happens When A Child Doesn't Fit Into The Model Dentistry Believes Best?*
- *Contingency Policies Are Desperately Needed*

HB 687

- "Prohibits Practice Of Dentistry In Schools"
- "The Practice Of Dentistry ...On The Grounds Of Any Elementary Or Secondary School Within The State Of Louisiana Is Prohibited"
- Overview
 - Pulling Teeth In A School Library Or Gym and Performing Invasive Procedures Without Parental Supervision....



Weathering the Storm -What We Did

- The "Choice" We Did
- Lobbyist Hired
- Coalition Formed
 - FQHC's, Other Portable Providers, Dentists, National Organizations, State Organizations
- Public Engaged
- Profession Engaged
- FTC Called (Thanks Brother Frank!)
- Letters Received: ADA, AAPHD, LNHA, Primary Care Physicians, ASTDD, School Superintendants and Boards, Teachers, Pastors, Parents,

Legal Action

- Filed Anti-Trust, Liabile, Slander, Restriction Of Trade
- Case Dismissed on The Basis Of Freedom Of Speech
 - You Can Say Anything In Public Meetings No Matter The Cost To Another Party
- Instead Of Filing Costly Law Suits File Ethical Complaints With State Board and State Dental Society

FTC Involvement

- FTC:
 - Studied National Data (Law Suits, Complaints, Fraud Cases, Dental Board Actions) and Found No Credible Evidence Against SBD
 - Became Involved With Actions Of All Groups Involved
 - Were Asked By A Legislator For Their Opinion
 - ***Key Legislative Component***
 - Expedited A Letter To The Louisiana Legislature

FTC Statements

May 1 and 22, 2009

- “The FTC staff is unaware of any evidence that for-profit health care providers provide inferior care to that provided by non-profit providers.”
- “...if the proposed legislation becomes law, “fewer students –especially the indigent and economically disadvantaged – will receive dental care.”

FTC Statements May 1 and 22, 2009

- The bill will restrict competition...
- ...and force many children to incur the substantially higher costs and inconvenience of seeking dental care outside the school setting. Faced with greater inconvenience cost and higher prices, it is likely that many children will not seek dental care at all.”

FTC Effects

- Issue Covered By Local TV Statewide
- SBD Endorsed – Bill Opposed By The Three Major LA News Papers
- State Board Became Aware Of National Implications Of Regulatory Restraint Of SBD
- Bill and Adverse Regulatory Restraints Were defeated

HB 687

- Became a Bill Forcing State Board To Enact Regulations On Mobile Dentistry
- State Board Strongly Lobbied To Regulate Mobile Dentistry Out

DATA

DATA

- Total Child Visits: 60,000 +
- # Unique Patients : 30,000 +
- Completed Patients : 25,000 +
- Referrals : 3,200 +
- Sealants : 36,000+
- Fillings : 60,000+
- Extractions : 3,000+

My Model

- I'm NOT Afraid
- I Am LDA
- I am ADA
- "We" Are Access To Care
- We Must Live In Forgiveness and Collectively Work To Maintain This Great Profession
- Every Dentist/Oral Health Provider In Every Setting To Achieve Access

