

THE TELEDENTISTRY

CATCH-22 TRAP

How Mail-Order Orthodontic Companies are Hoping to Play State Legislatures and Dental Boards to Avoid Meeting the Standard of Care for Teledentistry that will Help to Better Protect Patients



Dental boards and state legislatures throughout the United States have expressed concern that patients who elect to receive orthodontic treatment through mail-order are not being adequately protected.

The scientific evidence overwhelmingly demonstrates that an in-person examination and x-rays prior to orthodontic treatment are essential to the standard of care for safe and effective treatment.

Yet, mail-order orthodontic companies are using a catch-22 hoping to prevent legislators and dental boards from codifying, in statute or regulation, a standard of care that would protect these patients. How is this happening?

Mail-order Companies to Lawmakers:

"You can't legislate a standard of care. You can't include that in a statute; you have to leave standard of care to the dental board."

Mail-order Companies to Dental Boards:

"The statute doesn't mention a specific standard of care, so you have no authority to put it into regulation; and you'll get sued if you do."

A "catch-22" is defined as a **paradoxical situation from which an individual cannot escape because of contradictory rules or limitations**. This is precisely what mail-order orthodontic companies are doing to avoid meeting the standard of care that will help better protect patients.

Mail-order companies want legislators to believe that they must defer to dental board members on determining the standard of care; and **dental board members** are told by mail-order orthodontic companies they will be sued if they set the standard of care in a rule without specific language in a statute establishing that standard of care.

The AAO strongly supports the authority of both legislatures and dental boards to codify specific elements of a standard of care they reasonably believe necessary to protect patients. For more information on the scientific evidence that supports elements of the standard of care necessary to protect patients receiving mail-order orthodontic treatment, please visit www.orthofacts.org.



More facts!

OrthoFacts.org