

May 18, 2020

The Honorable Gavin Newsom
Governor, State of California
State Capitol
Sacramento, CA 95814

RE: Immediate Alignment for Dental Health Care Directives Needed

Dear Governor Newsom:

On behalf of our more than 27,000 member dentists across the state and nearly 40 million Californians with oral health care needs, I am writing to urge your leadership to ensure that the guidance on the provision of oral health care coming from the California Department of Public Health and local public health departments is aligned. The lack of uniformity around the guidance and orders related to the provision of dental health care has created massive confusion among dental team members and patients and ultimately needs your leadership and direction to provide clarity and assure appropriate safety measures are in place.

Without clarity and consistency, patients and consumers will simply seek services in less restrictive neighboring counties, further eroding progress on the disease mitigation goals and on the state's economic recovery.

Since the issuance of the statewide stay-at-home order March 19, dentistry has worked closely with the state and local public health leadership to protect PPE, ensure the provision of emergency services and limit the transmission of COVID-19. On April 7, your Department of Public Health issued direction to dentists to limit services to dental emergencies only. Then, on May 7, your Department of Public Health published updated guidance on how dental offices could begin to address both emergency and urgent services. Conflicting guidance continues to be issued by local health departments, including directives that are even more stringent than your own state department's guidance and would essentially prohibit dental practices from opening until there are rapid tests available on-site. *Ultimately, it is crucial that your administration ensure that local guidance is clearly communicated to all levels of government prior to publishing and that any protocols that are more restrictive than your Department of Public Health's are based on the needs of a particular region and are consistent with the state's protocols for establishing local differences.*

Local Guidance Must Be Vetted by the Department of Public Health

The lack of clarity as to how dentists can open their offices, the preventive measures they must implement and what services they can provide their patients has left dental team

members unsure if they can return to work and patients uneasy about receiving oral health care, including urgent care. Such directives have been issued in at least Los Angeles, Ventura, Sacramento, Kern and San Francisco counties. In each instance where conflicting local directives have been issued, we have discovered that there was a clear lack of communication between the various levels of government.

More Restrictive Guidance Must Address the Real Issue at Hand

While it is understandable that variance of infection rates across the state will warrant different preventive measures, it is important that any guidance that is more restrictive than the Department of Public Health's directives is not an artificial barrier to care even in specific localities with higher community transmission rates.

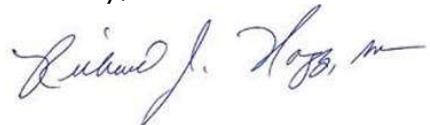
Restrictions such as San Francisco's May 16 directive requiring patients to be tested for COVID-19 prior to an aerosolizing or surgical procedure are misleading and confusing on multiple fronts given the status of testing processes at this time. First, the document encourages the use of rapid tests to be administered to the patient, if possible, despite no rapid test with reliable results existing on the market yet. Secondly, the use of testing as the primary means of screening patients is unreliable since the most accurate testing technology takes days to process, during which time it is possible that the patient may contract the virus anyway.

The requirement for patient testing encourages patients and providers to use unreliable and often difficult-to-access technology while failing to address the actual issues that support the safe provision of oral health care in this interim period: plentiful access to PPE for dental team members/patients, judicious use of the most up-to-date screening protocols and low community transmission rates. Local health directives cannot get ahead of the science of testing, otherwise the ability to execute directives will be significantly impacted. The Department of Public Health's current guidance covers testing issues very well and any future local directives should be aligned with it until testing matures to the point that rapid tests are easily available and reliable.

Until a streamlined process that mandates how local guidance is issued, misaligned orders will continue to disrupt the provision of health care and exacerbate the unfound uncertainty of whether health care services can be safely obtained and, in many cases, will encourage patients to seek their care outside of these counties, eroding the value of the orders themselves. *It is for these reasons that I respectfully urge your administration to develop and immediately implement a standardized process by which local public health directives are vetted for alignment with current policy. I also urge that when more restrictive orders are*

deemed necessary, those orders reveal in plain language the supporting rationale and do not conflate the real issues at hand.

Sincerely,



Richard J. Nagy, DDS
President
California Dental Association

cc: Dr. Mark Ghaly, Secretary, California Health & Human Services Agency
Dr. Jay Kumar, Director, Office of Oral Health
Local Public Health Directors and/or Officers