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June 2, 2023

The Honorable Susan Donovan
Chair, House Health and Human Services Committee
Rhode Island House of Representatives
82 Smith St.
Providence, RI 02903

The Honorable Joshua Miller
Chair, Senate Health and Human Services Committee
Rhode Island Senate
82 Smith St.
Providence, RI 02903

RE: Pacific Legal Foundation Support for HB 5352 & SB 965

Dear Chairs Donovan and Miller:

My name is Joshua Polk, and I am a litigation attorney at the Pacific Legal Foundation (PLF). PLF is dedicated to promoting innovation and securing economic opportunity for Americans across the country. To that end, PLF has litigated issues of government overreach for over 50 years, achieving our 15th, 16th, and 17th wins at the U.S. Supreme Court this term. Thank you for taking the time to address innovations in healthcare through your consideration of HB 5352 (and the identical SB 965).

Telemedicine, the use of video, phone, and other technology to provide remote healthcare services is changing the healthcare landscape. By reducing unnecessary trips to the ER, boosting supply, and allowing people to secure care from their homes at their convenience, telemedicine is expanding access to important services at affordable prices. This is particularly important for rural areas that may not have ready access to a brick-and-mortar office. Teledentistry is a perfect example of how this innovative approach to medicine can improve outcomes for patients in Rhode Island.



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Examples of teledentistry include consulting with dentists by smartphone about sores or tooth pain, remote medical triage, or mail order teeth-straightening devices. Patients may also seek a second opinion about treatment recommendations provided by another dentist or to receive more information about treatment options. There is no reason that any of these patients should have to first travel to a brick-and-mortar dental office before using teledentistry in this way.

Most important, HB 5352 would bring Rhode Island law in line with the state and federal constitutions. The federal Constitution and its state counterpart protect market innovation and the right of healthcare professionals to provide safe, quality, and effective services free from arbitrary government restriction. Because HB 5352 expands access to safe, high-quality care without diminishing Rhode Island's established standard of care, it will remove an arbitrary barrier to teledentistry services, benefitting both dental patients and the dentists that serve them.

HB 5352 is also good policy. Virtual visits take the pressure off brick-and-mortar dental practices by triaging non-emergencies and encouraging patients to seek a dentist's advice virtually before any minor problems become emergencies. While many emergency room visits each year are for toothaches, only a small percentage (estimated by the American Dental Association (ADA) to be less than 5%) are medical emergencies that require immediate, in-person care. According to the ADA, dental issues make up a large percentage of "avoidable" ER visits where minimal care (or even no care) is given and the patient is discharged. Moreover, teledentistry can alleviate dental anxiety by allowing patients to seek advice from the comfort of their own homes as opposed to a clinical setting surrounded by dentistry tools and equipment. According to one study, 36% of Americans suffer from dental anxiety and 12% suffer from extreme dental anxiety that would prevent them from ever seeking in-person dental care.

Teledentistry increases access to affordable healthcare without sacrificing the standard of care Rhode Islanders can and should expect from their healthcare providers. With teledentistry, patients can seek remote treatment without worrying about missed time at work, travel costs, managing childcare, or the myriad of other reasons why many never visit the dentist's office. In that way, dental care can be made available to any person with access to the internet — not just to those with the means to make regular, in-person visits. This is particularly important for Rhode Island. According to the most recent statistics



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compiled by the Rhode Island Department of Health in a 2021 report, nearly 30% of Rhode Islanders had not seen a dentist in the past 12 months. That number is even higher when race and education-level are considered. Allowing patients to establish a relationship with their dentists through teledentistry services would make this important healthcare available to many more Rhode Islanders.

For these reasons, PLF strongly supports passage of HB 5352 and SB 965.

Sincerely,

A handwritten signature in black ink that reads "Joshua Polk".

Joshua Polk
Attorney

cc: Representative Brian Patrick Kennedy
Senator Matthew L. LaMountain