

## **Communication from the OBD about new dental implant rules (effective January 1, 2024)**

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- **Many people are inquiring about the dental implant rule changes. This information is to give you context on their development and need. These rule changes have been under consideration and discussed in public meetings going back to 2018.**
- **Anyone licensed by the Board or up to date on rules should not be surprised or feel there has been limited notice.**
- **OBD staff strive keep all informed of decisions and rules changes that impact safe dentistry in Oregon. Public rulemaking is an open and transparent process.**
- **As a Licensee, you need to stay engaged with the Board and up to date on the Dental Practice Act. There have been over 100 rule changes over the last six years.**
- **The Board's highest priority is the protection of the public, and dental implant complications, failures and harm to patients has been a top safety concern of the Board.**

### **Background**

The OBD investigated 82 dental implants cases between February 2014 and August 2017. Of those cases, 41% resulted in Disciplinary Action, which was equally distributed between specialists and general practitioners. During Strategic Planning in 2016, the OBD identified dental implant complications and the subsequent complaints as a significant problem in Oregon. Dental implant safety was codified in the OBD's 2017-2020 Strategic Plan as a priority issue, and it has remained an ongoing safety concern of the Board through the present. At the April 21, 2017 Board Meeting, in order to effectively protect the public, in accordance with ORS 679.280, the OBD established an ad hoc Committee named the "Dental Implant Safety Workgroup" to research, review, and discuss dental implants, implant complications, and the resulting investigations. The Workgroup's ultimate goal was to advise the OBD on the most effective actions to protect the public and educate dentists regarding dental implants. The Workgroup included OBD Board Members, OBD Staff and Licensees (both specialists and general practitioners).

The Workgroup held its first meeting in September 2017 and held a total of four meetings, with the last meeting taking place in July 2018. The Workgroup invited other interested parties to share their input, and all the meetings were open to the public. The meetings included robust discussion among specialists and general dentists. The passionate and respectful discourse resulted in valuable input from all parties. The Workgroup wrestled with many interesting data points in how to address dental implant complications. The Workgroup's recommendations to the OBD, some of which have already been implemented, and some of which continue to undergo additional refinement, appear below:

- Require a written informed consent form for dental implant placement. The level of detail that should be included in such a form remains under debate.
- Develop the educational requirements/prerequisites for dentists who wish to place implants.
- Develop a plan for “grandfathering in” Licensees with a great deal of experience and success placing and restoring dental implants.
- Require a certain amount of CE pertaining to dental implants be required of Licensees practicing implant dentistry for each renewal cycle.
- Determine whether all licensed dentists will be required to complete a certain amount of CE pertaining to dental implants each renewal cycle.
- Communicate with the Oregon Dental Association regarding developing a set of specific “guidelines” for Oregon licensed dentists practicing implant dentistry.
- Develop a requirement for how important information related to the implant (such as type/ manufacturer) is properly documented and provided to the patient.

The following Board Members, Staff and Oregon dentists served on the Dental Implant Safety Workgroup:

Dr. Gary Underhill; Dr. Julie Ann Smith; Dr. Todd Beck; Dr. Paul Kleinstub; Dr. Daniel Blickenstaff; Dr. Normund Auzins; Dr. Cyrus Javadi; Dr. James Katancik; Dr. Russell Lieblick; Dr. Donald Nimz; Dr. S. Shane Samy; Dr. Duy Anh Tran

## **A summary of Communication and updates on public rulemaking for new Dental Implant Rules:**

- The OBD 2016-2020 Strategic Plan (approved 8.19.2016) highlighted dental implant failures and complications as a priority issue that the Board should address
- The OBD created the Dental Implant Safety Workgroup (established 4.21.2017) which had four meetings
- Fourth and Final Dental Implant Safety Workgroup Meeting – July 26, 2018, which made recommendations to the Board
- Board Meeting – December 14, 2018 reviewed all recommendations and moved some to the Licensing, Standards and Competency Committee
- Licensing, Standards & Competency Committee Meeting - May 24, 2019 moved recommendations back to the Board
- Board Meeting – August 23, 2019 moved recommendations to the Rules Oversight Committee
- Rules Oversight Committee Meeting – June 18, 2021 moved recommendations back to the Board
- Board Meeting – August 20, 2021 voted to open comment period and hold public rulemaking hearing
- Public Rulemaking Hearing – September 15, 2021
- Public Comment Period – August 31, 2021 to October 8, 2021
- Board Meeting - October 22, 2021 in which the Board reviewed public comments and voted on rule changes. The Board deliberately chose an effective date of July 1, 2022 (*not Jan 1*) to give dentists and others time to get acclimated to the new rules changes and requirements
  - Eblast dates & posted on OBD Website for all these meetings were sent out systematically:
    - 9/1/2021 – Notice of Public Rulemaking Mailed and Emailed
    - 9/9/2021 – Notice of Rule Changes Emailed
    - 1/3/2022 – Rule Changes Emailed
    - 5/9/2022 – Rule Changes Emailed
- Board Meeting – June 17, 2022 – Board voted to change the effective date of the implant rules from July 1, 2022 to January 1, 2024.

If you would like to be added to the list to receive notices of OBD meetings, including public rulemaking hearings, please email [information@obd.oregon.gov](mailto:information@obd.oregon.gov)