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The American Dental Association says poor dental care can have disastrous effects, which can be seen here in the mouth of an unnamed patient. The Alaska Native Health Consortium disputes claims that its personnel are not qualified.

## Dental care debate goes to court

By Amanda Fleming  
February 21, 2006

The Alaska Dental Society has filed a lawsuit against the Alaska Native Tribal Health Consortium, according to a complaint for declaratory and injunctive relief filed by the group Jan. 31. The purpose of the suit is to prevent the consortium from allowing dental health aide therapists to perform the services of licensed dentists or oral surgeons in rural Alaska.

The Alaska Native Health Consortium employs at least eight dental health aide therapists. These individuals are trained in the dental field but are not licensed dentists. In spite of this, they have allegedly performed services beyond what state law allows for those without a dental license.

The Alaska Native Health Consortium argues that because they are federally governed and their employees practicing dental care in rural Alaska are federally sponsored, they should abide by federal laws and regulations that supersede state laws.

“There has to be an understanding of which entity is overseeing which situation and that’s part of the lawsuit,” said Sandy Pence, a dental hygienist and instructor at the UAA Dental Health Clinic.

The consortium’s Web site states the group’s belief that they fall outside of state dental laws.

“The Community Health Aid Program, and its dental component, do not fall within the parameters of the Alaska state medical or dental practice acts and are not intended to do so,” the statement reads.

However, Jim Towle, a member of the Alaska Dental Society, said all major medical procedures are required to be performed by licensed practitioners.

“The state of Alaska says that if you engage in certain procedures, that is essentially a

surgical procedure (anything including tissue or organ removal), it's irreversible," Towle said. "Once you've started cutting away that tissue, you can never undo what you've done. The Alaska state law " as a matter of fact, every state law " is very clear that you must be licensed to do that."

Valerie Davidson, a member of the Alaska Native Tribal Health Consortium, insisted their dental health aide therapists are certified by the Federal Board of Indian Health Services and that Native health care organizations, such as the Alaska Native Tribal Health Consortium, are permitted by law to perform health care services to others of native heritage.

"We are facing a severe dental crisis in rural Alaska. We consider this a local solution for a local problem," Davidson said. "We are absolutely confident that we can benefit the residents of rural Alaska with our program. We're hoping to accomplish what the medical field has done with nurse practitioners, which have also been questioned or frowned upon in the past. Look at how integrated they are now."

The concern is for the well-being of the patients, Towle said. The dental society wants rural patients to be under the care of well-prepared dental caregivers that have extensive knowledge of what to do in case of an emergency.

But Davidson said the program and all of its dental health aide therapists are appropriately and regularly evaluated. The most recent standards for evaluation can be found at the consortium's Web site.

Elizabeth Barnett, the overseeing dentist at UAA's Dental Hygiene Clinic, said she agrees that the patients' health and safety should be a primary consideration for either party.

"I think all sides, including us in the university system, are aware that there's tremendous need in the underserved areas " in the remote parts of Alaska. And there has been for many years," Barnett said.

The clinic is looking into creating a program that would send students into rural Alaska for training, based on student interest.

"That's our goal. We're hoping to have a pilot program in place to see how that would work for us and our students, but we don't have that in place yet," she said. "Our goal as an institution is to provide students with a wide-range of opportunities."

The trial date for the case has not been set.

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