

Subject: OPPOSE SB 178/HB 970

Scott Wyatt

I am writing to express my **strong opposition to SB 178/HB 970**, which would allow dental assistants with on-the-job training to perform tasks that belong within the scope of licensed dental hygienists under the proposed “Preventative Dental Assistant” model. This legislation is a significant step backward for oral healthcare in Virginia because it does not prioritize patient safety or the educational and clinical competencies required for safe, evidence-based dental hygiene practice.

Scaling requires advanced instrumentation skills, assessment, and critical clinical judgment. These competencies are taught exclusively in Commission on Dental Accreditation (CODA)–accredited dental hygiene programs and performed by licensed dental hygienists. Allowing unlicensed personnel to perform these procedures jeopardizes patient safety and undermines the integrity of the dental hygiene profession.

Beyond clinical concerns, SB 178 and HB 970 introduce serious insurance, billing, and legal risks. Because “Preventative Dental Assistants” cannot perform a complete prophylaxis, clinics would be unable to bill using the D1110 code. Instead, they must rely on the D1999 “unspecified preventive procedure” code, which requires narrative justification and is reimbursed at a significantly lower rate. This creates financial pressure that may lead to improper coding, misrepresentation of services, or billing for incomplete care.

Such scenarios expose practices to insurance disputes, audits, and potential allegations of fraud. When unlicensed personnel perform procedures outside their legal scope, any resulting claim submitted to insurers—including Medicaid—may be considered inaccurate or misleading. This puts supervising dentists and practice owners at risk of violating the False Claims Act, which carries severe civil penalties, repayment obligations, and reputational harm. These risks are well documented by the American Dental Hygienists’ Association and should not be overlooked.

If enacted, SB 178 and HB 970 would reduce professional standards, compromise patient safety, and expose Virginia dental practices to unnecessary legal and financial liability. The most effective and evidence-based way to expand access to preventive oral healthcare is to support licensed dental hygienists practicing at the top of their scope and to invest in proven strategies that strengthen the existing dental workforce. The “Preventative Dental Assistant” model introduces risk without delivering meaningful benefit.

As a dental hygienist in Virginia, I see firsthand how deeply this issue affects our profession and the patients we serve. I urge you to **oppose SB 178/HB 970** and ensure that Virginia continues to uphold policies that prioritize quality patient care, legal compliance, and professional standards.

Thank you for your service and consideration.

Sincerely,

Shannon Kirk

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