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# Bulletin

VOLUME 36, ISSUE 5

MAY 2008

## INSIDE THIS ISSUE:

SC Victim Assistance	2
Editorial Comments	3
Master Calendar	3
SCDA Member Benefits Group Corner	7
President's Message	8
Dr. Lynn Campbell Receives Honor	11
Executive Director's Notes	12
Tech Talk	13
Don't Blame HIPAA	15

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## 2008 Convention Hits All of the Highs!

By Phil Smith

The 139<sup>th</sup> SCDA Annual Convention came off in grand fashion thanks to the creative efforts of Skip Mollica and his team of dedicated convention organizers. Needless to say, there were a number of opportunities for the 139<sup>th</sup> Convention to be challenged. There was a new venue, an earlier meeting date, less access to the shore-line, and a rearrangement of the House of Delegates. Collectively these issues could have caused the group to stumble, but the result was an exciting meeting in a very good facility.

As always, the meeting offered the best in education opportunities. Dr. John Kois held an enlightening and thought provoking course on occlusion and the evidence based treatment of restorative dentistry. He is one of the national treasures of clinical dentistry. Char Sweeney lead the group in the adjacent ballroom as attendees learned about the many office personalities and the impact that a team can make for a successful office. The South Carolina Lab Association presented Dr. Tom Trinkner and ceramist Matt Roberts in a gem of a course. It was a "cook-book" and round table discussion on lab communication and dental excellence. The new dentists and dental students were involved in a great presentation that mapped, tracked, and cautioned them about practice highs and lows in their first years. A worthy and well received course!

The Town Hall event is a popular opportunity to speak with officers of the American Dental Association, and this year President Dr. Mark Feldman returned to Myrtle Beach. His visit is always enjoyable, and the observations he offers about topics affecting dentistry are invaluable. There were observations relating to access to care for the population of children that are outside of the dental family. "Expanded duties for auxiliaries, under the supervision of a dentist, has a better chance to provide quality care to the underserved than do new proposals for a modified practitioner like those introduced in Alaska," Dr. Feldman said. "ADA is also watching the development of outsourcing of prosthetic products and the certification of contents. The lead tainted crowns are being analyzed and a recommendation is being developed." The Town Hall meeting was lively and informative. There was also a presentation of the platform proposed by Dr. Ron Tankersley, 16<sup>th</sup> District candidate for President elect of the ADA.



*Dr. Carter Brown accepts the Past President Pin from his wife, Mrs. Katie Brown.*

The Welcome Reception on the floor of the exhibit hall was another success. Large walkways and high ceilings seemed to delight all exhibitors and attendees. After the reception, everyone moved into the Beach Party to hear the Swingin' Medallions. The second generation group was a joy. They played many of their hits including "Double Shot" and "Hey Baby".

Dr. Brown tweaked the social side of the convention by hosting a reception on Friday evening at the Revolutions Club at Broadway at the Beach. The SCDA Premier

*(Continued on next page)*

## 2008 Convention Hits All of the Highs!

*(continued)*

Event was a fundraiser for the MUSC College of Dental Medicine's Annual Fund. Besides a fun event, ticket holders were then able to access all of the clubs at the Broadway complex. This year's meeting had a very active outreach program for the dental students. Since the date of the session did not conflict with exams, many dental students attended the convention. Thanks to the "Sponsor a Dental Student", some of the costs were shared to assist students in their participation. All in all, there were more student attendees than in previous years.

The Myrtle Beach Convention Center and Sheraton Hotel complex proved to be a very good and well run facility. Once inside the complex it was an easy transition from meeting room to the exhibit hall. As SCDA continues to outgrow its options, this will surely be a consideration. Congratulations on a meeting well done.

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## SC Victim Assistance

By Ethel Douglas Ford

The State Office of Victim Assistance (SOVA) is committed to providing comfort, assistance and guidance to victims of crime. SOVA shares the responsibility in making sure victims get the help they need and are treated with respect and dignity throughout the criminal justice process. As part of this mission, SOVA administers the SC Victim's Compensation Fund which was established in 1982 to provide financial aid to innocent victims of crime and their eligible dependants. SOVA is able to assist victims with certain types of crime related costs, however, the cost must be linked directly to injury and/or death as a result of the crime.

All claims must meet the eligibility criteria and the agency is the payee of last resort. If all criteria are met and insurance and or Medicaid/Medicare have been filed, the agency may assist with medical and dental costs, counseling, burial expenses and lost wages or loss of support. While SOVA cannot provide advance payment, eligible victims needing crime-related dental services can request that SOVA work with their dental provider to approve treatment plans as a means to guaranteeing payment.

SOVA is delighted to have the opportunity to work with the South Carolina Dental Association to ensure victims have access to the services they need.

Should you wish to find out more about the program, benefits and services, please log on to the State Office of Victim Assistance website at [www.oepp.sc.gov/sova](http://www.oepp.sc.gov/sova) or you may contact Ethel Douglas Ford, NACP at 803- 734-1704 for further information.



## Master Calendar

- May 2** **Columbia Dental Assistants Society Annual Golf Tournament**—Charwood Country Club, 1-5 pm
- May 2** **Radiation Safety Exam**—Midlands Tech, 2-4 pm
- May 14** **Lowcountry AHEC Study Club**—Traditions, 5:30-8 pm
- May 16** **SCDA Board Meeting**—SCDA Office, 9 am-1 pm
- May 17** **Nitrous Oxide Monitoring for Dental Assistants and Hygienists**—MUSC College of Dental Medicine, 8:30 am-5 pm
- May 23** **SCDA Member Benefits Group Board Meeting**—SCDA Office, 9 am-1 pm

Please visit [www.scd.org](http://www.scd.org) for more events.

## South Carolina Dental Association Bulletin

Vol. 36, No. 4

May 2008

Philip E. Smith, DMD, FAGD, ACD, ICD

Editor

Jennifer M. Haworth

Designer

SCDA Toll Free in SC (800) 327-2598

## Editorial Comments

*Comments appearing in this section are the renderings of the Editor or credited authors and do not necessarily reflect the opinions or policies of the SCDA. Letters are invited. Brevity is appreciated, and the Editor reserves the right to edit all communications. Letters may be emailed: [philes48@aol.com](mailto:philes48@aol.com), mailed to the SCDA office, or faxed to (803)359-3004.*

### I Have Seen the Future of Dentistry

Over the past few months I have enjoyed the opportunity to be with many of the dental students at MUSC. I guess it is a bit of a “leap of faith” to assume that the future of my profession is in the hands of the upcoming dental students, but in many ways I realize that is a true statement. And in some ways, we established dentists feel that the rising crop of dentists somehow may not be capable candidates to carry on the tradition! This is an error on our part. If the students that I have interacted with represent the direction of all new dentists, they will eclipse us in many ways. Let me share a few observations.

A month ago I was a participant in the “David Watson Ethics Seminar” held at the College of Dental Medicine. This is a forum and exercise in which senior dental students are exposed to a series of ethical dilemmas that dentists face in practice. The students are grouped into conversation pods with a dentist leader that presents assorted ethical challenges. Discussion is encouraged, and the leader serves as a facilitator. The bonus is the shared interaction and reflection occurring within the discussion group. Upon completion of the exercise, a panel discussion allows for different options to be shared.

As a facilitator, I was personally challenged by some of the scenarios used to illustrate daily dental life. Obviously, there were no absolute answers to all questions. The twelve dentists that led discussion had an advantage because we were experienced and, in many cases, had already resolved some of these questions in our own offices.

But what was the reward for me was the realization that this was a group of dental students that sincerely cared for doing the right thing. They struggled with the proper choices at times because ethical decisions are not always easy and they rose to the occasion. And at days end, we all felt that these students had a good perspective upon the heart of dentistry.

Last month, the ASDA students made a legislative road trip to the State House (a follow-up article will come). Many were distressed about the rising cost of dental education and the declining support of the tuition at MUSC. Many of you may not realize that the average dental student loan exceeds \$50,000 per year. Less than 8% of the school’s budget and student tuitions are underwritten by South Carolina. However, 70% of tuition money for Clemson or Carolina currently is the norm and 90% for the Citadel. So you see there is a rather large disparity for the dental student.



**Dr. Phil Smith**  
Editor

*(Continued on next page)*

## Editorial Comments

(Continued)

The group met with Senators and Representatives and encouraged financial support. Although the outcome is as yet undetermined, the exercise of legislative intervention was the prize. And a valuable lesson for our future leaders.

The SCDA Convention in Myrtle Beach had a bumper attendance of students. Encouraged by Dr. Carter Brown and the many dentists that “sponsored a student” to attend the meeting, we had great representation! And the attendees were embraced by the dentists. They were invited to all CE courses and there was a specific presentation about the “First Five Years of Practice” that most students attended. I spoke with some of the dental students and all enjoyed the course. They expressed excitement about being included yet many were dismayed about their future professional and economical challenges. Reality of practice looms large!

And you know what? The students in attendance realized that they were involved in a profession that wants them to participate and succeed. They know that solutions to most of their future questions exist with the many dentists that make up the membership of SCDA. And I believe that this is the third affirmation of the bright future of dentistry: a shared willingness to support and mentor other dentists. Whether it is established dentists that invite new practitioners into their office, or possibly young dentists that introduce older dentists to new technologies... it is a benefit for all.

And as I reflect upon my thoughts about the future dentists that will replace me, I caution them to avoid potholes in practice. Excessive spending, reckless treatment for patients, and an impatient self image will make your early years difficult. But if the new dentists utilize the benefits of organized dentistry and design their patient care upon evidence based treatment they will be rewarded with success beyond their dreams. Good luck future colleagues!

Till Next Time,  
Phil



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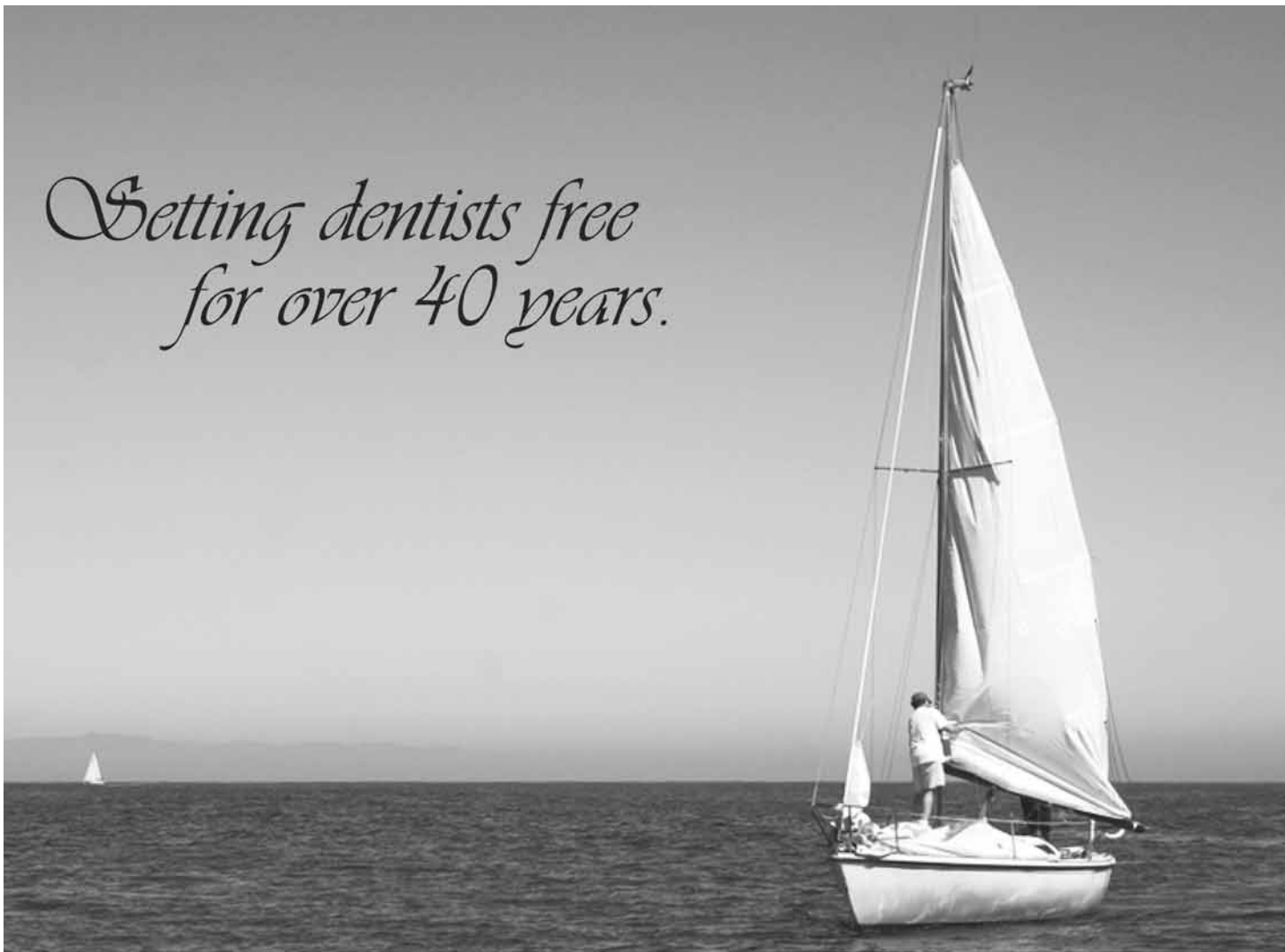
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*Jeffery S. Walsh  
Easley, South Carolina*

*"Things are going just great. I love the office and the selling doctor is absolutely terrific. Thanks for all you have done. I am living the dream!"*

*Dr. Bruce "Duke" Baker  
Hilton Head, South Carolina*



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# SCDA Member Benefits Group Corner

By Mark K. Brown

## MALPRACTICE INSURANCE RENEWAL

The vast majority of dentist in the state renew their annual Professional Liability Insurance during the months of May, June, and July, so chances are you will be doing this soon. If you presently do not have this insurance through the SCDA, give us a call. The SCDA Member Benefits Group is partnered with the SC Joint Underwriters Association and these are the reasons why:

They have been offering this coverage in our state for over 30 years. This kind of stability is unmatched in South Carolina.

Fellow SCDA members sit on their Board, so you know your best interest is always in mind. The rates are very competitive with the market.

And your commission dollars go back into your Association vs. that of an outside agency's pockets.

Contact Deanna at 1-800-327-2598 to switch this necessary insurance over with the SCDA. This is an easy and painless process, yet a very important one for the financial stability of your practice and family!

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## President's Message



We just completed the 139<sup>th</sup> South Carolina Dental Association Annual Convention at the amazing Myrtle Beach Convention Center. I hope all of you who were there can see the potential this facility offers us in the future for creating a world class meeting.

Four years ago my good friend Dr. Skip Mollica had the most fun and I think the best convention ever. I think this year surpassed that target thanks to Skip and his incredible all-star convention committee. I case you don't remember the committee this year was Skip Mollica at the helm, with David Watson, Gregg Caputo, Jimmy Todd, Walt Machowski, Ben Adams, and Jim Bolt.

Laura Jordan, our fabulous meeting planner, put up with more from us than she should, but she kept us on track to a great meeting.

I ask you to tell all of the exhibitors and thank them for their support.

Dr. Mona Ellis and the SCDA Foundation had a silent auction during the meeting. Part of the work of the Foundation is to encourage dentally related education through scholarships. Your participation in this first annual silent auction to the tune of more than \$7000 helped to greatly expand the assistance the Foundation can provide.

Dr. Eric Hamrick created the DAD project which was unveiled at the Convention. DAD is an easy way to help the new school by Donating A Day to MUSC. The SCDA can get you signed up to participate in DAD.

I will talk about MOM later.

This past year has been one where we tried some "Out of the Box" ideas and worked to realign the SCDA to what the members said they wanted. We also built on longstanding traditions and hopefully we have created some new ones.

This year was the first in a very long time without Hal Zorn at the helm. Hal selected Phil Latham to be his successor and assured us that we would continue sailing on course. Well, as you know, Hal is always right!

Phil Latham has been a pleasure to work with and since he and I have the same affinity to doing everything by email, we could discuss, refine and finalize many tasks very quickly.

Phil has continued to build our partnerships with other organizations and groups, fostered a renewed sense of participation among the members of the boards, committees and task forces, and has helped modernize and streamline many of the systems the SCDA uses.

The SCDA staff always seems happy and energized. Christy, Deanna, Jennifer and Mark have been very helpful and I doubt you could find a better team.

Each has their special talents, Christy with her cyber skills, Jennifer overseeing the publications, Dee guarding the cash drawer and Mark building up the benefits side, all make the SCDA nimble and responsive. Thanks to you all.

Phil said this year was the first he remembers when "all" of the Committees and Task Forces met.

Gene Atkinson's committee made by-laws changes and Phil Bonds and  
(Continued on next page)



Dr. Carter Brown  
President

*"Oral Health Literacy is the single biggest factor driving the lack of oral health in the country."*



## President's Message

*(Continued)*

Chris Griffin's committees wrote white papers for the bulletin to keep the members up to date.

Others negotiated directly on behalf of the membership such as the Medicaid Committee with Jim Mercer and the Benefits Committee with Pete Hoffman with Blue Cross questions.

Give Kids a Smile and Children's Dental Health Month were once again sources of pride, thanks to Phil Smith and Rocky Napier.

The New Dentist Committee has really been successful and their mentoring project will soon be ready to begin thanks to Betsy Jabbour and Jill Colson.

Our new Diversity Committee has been very active. The Committee created a display which showcased 12 African American Dentists in the state for their outstanding contributions to the community and the profession. The display was featured at Ed Venture, the State Children's museum in Columbia where thousands of children and their families viewed and interacted with the display.

The SCDA Children's Dental Health Month Committee contracted for the traveling exhibit from the National Dental Museum to be on display at EdVenture at the same time. This display was entitled, "The Future is Now, African Americans in Dentistry".

The result was a presentation that made those young people viewing it have that "I can do that" attitude and it was both a celebration of accomplishments and an inspiration to the next generations.

The image of dentistry some say has been eroded to the point that it was being seen as a joke rather than an important part of health care. We wanted our community efforts be noticed and we added importance to our advocacy and created a PR Task Force Chaired by Jeff Gardner to begin looking at ways to increase the visibility of our efforts. The ADA talked with South Carolina about being one of the first states to participate in a new Public Relations effort to bring the image of dentistry to the appropriate position and help ensure that advocacy resulted in what is best for the citizens. We targeted several key points that needed help and the ADA hired consultants to help us with surveys and strategies. We looked at public opinions of possible legislation and actions, as well as opinions of dentistry in general and as a part of healthcare. Meanwhile we, the SCDA, increased our focus and efforts on these areas.

In our last conversations with the ADA, we were told we had accomplished a lot of our objectives and our successes and improvements were shared other states. We will be partnering with the ADA again this year for more proactive efforts. As a part of these efforts Rusty Newton with our Legislative Committee and Denpac hosted several lunches and dinners with legislators. One event was even held at Ed Venture where the Diversity Committee and CDHM Committee displays were shown. Our relationships with the legislators remain strong and we appreciate their help as we work for the best comprehensive care for the citizens of South Carolina.

We are in support of the SC Dental Lab Association bill to protect the patients from inappropriate materials and give dentists accurate information about who made a prosthetic element and its composition. Drs. David Jordan and Lee Gardner worked with the lab on this and we see this as a model for the rest of the country.

We partnered with DHEC and helped the Columbia Marionette Theater develop a show which will be used in school assemblies. There is more information on the show at our Web Site.

The SCDA and DHEC have been active in community efforts as well such as our new Fluoride Strike Force and along with the CDC and the ADA, we recently honored water treatment facilities that have had fluoridation for over 50 years.

The SCDA, DHEC and the Department of Education are developing a screening requirement for dental needs prior to entering into the school system. This will allow us to target those children who are in need of immediate dental care. We can provide comprehensive care to the child and education to the parents and family members on getting healthy and staying healthy.

The SCDA has also been working on the Rural Dentist incentive plan to help with loan repayment  
*(Continued on next page)*

# President's Message

*(Continued)*

to dentists locating in underserved areas and seeing Medicaid patients.

Will MacDonald of the CDHM committee used our new SCDA display at Charleston's new Children's Museum for three months. This display is new and designed for all of you to borrow to use in your community for health fairs or malls, etc. The feedback from the museum has been so positive that they want to build a permanent dental room. We hope to develop Dental Media that will rotate among the states children's museums. Dr. Napier is working on coordinating the children's museums statewide to have dental health displays and information.

Our advocacy efforts have also taken the form bringing comprehensive Dental care to underserved areas. Dr. Sanders of MUSC, along with Dr. Javed and Dr. Barry, met with Dr. Tom Barton, President of Greenville Technical College, Dr. Dana Parker and others to create a senior rotation through the Tech facility. There the students will continue their clinical experiences in a more private practice setting and will also go out to rural locations and schools with Tech's mobile van. The experience for the dental students will help them clinically and build a sense of community service into their education. This will also help the dental assisting students to practice four handed techniques while in school and the community will also gain another source of comprehensive care.

Under the heading of Oral Health Literacy, the Diversity Committee Chairman, Kevin Williams, has met with AHEC about in school efforts to encourage under represented minorities to focus on dentistry as a career. Kevin has also met with the President for Diversity at Greenville Tech and with the Urban League. Tech wants to create media to be used in specific communities to promote and encourage oral health plus use the role model of minority dentists as a motivating tool for young people to consider dentistry as their life's work. The Urban League also wants to work on media projects.

Oral Health Literacy is the single biggest factor driving the lack of oral health in the country. Parents are the primary oral health provider for children and if they don't set a priority on it or just plain don't understand, the children can be at risk. Dental decay is seen as a preventable disease. Oral Health Literacy may be able to help with those decision making processes. I would like to see an Oral Health Task Force or full Committee emerge. We know the relationship of oral health with many systemic diseases and conditions and how good oral health can improve overall health and save the government a lot of money. Oral health must become a priority. The concept of the best comprehensive care for everyone is especially important since many of those not seeking or receiving care are also those that are those most medically compromised. We cannot have multiple levels of care.

One last vision for our future would be for the South Carolina Dental Association to create a MOM Project. These Missions of Mercy have been done in other states and Virginia has had a successful one in place for a while. Dr. Charlie Cuttino from Virginia gave us a brief overview of the Virginia MOM Project concept in our House of Delegates. You can also see more about on our Web Site.

Thank you all for volunteering during the year and serving our community and our profession.

It has been an honor for me to have been a part of this remarkable year. Thanks for all of the support and great feedback on my out of the box ideas. Thanks to Jim Mercer for being the rock we all rely on. Thank you Charlie Maxwell, Ed Wise, Lynn Campbell, Doug Rawls and Phil Smith and all the members of the Board, Committee and Task Force Members.

I will leave you with one of my favorite Native American sayings: "Tell me and I will forget, show me and I may not remember, involve me and I will understand."

Please get involved and support our efforts.

Thank you all!

## Dr. Lynn Campbell Receives Honor



Dr. Karyn Stockwell, international trustee for the Pierre Fauchard Academy, and Dr. Scott Cayouette present Dr. Lynn Campbell the PFA Dentist of the Year Award in recognition of his contributions to the profession of dentistry.

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# Executive Director's Notes

## CONVENTION

The 139<sup>th</sup> Annual Convention is over and I would like to thank Dr Skip Mollica and the entire Convention Committee for putting on another successful event. Hosting a convention in a new location can present many challenges, but overall the meeting went smoothly and I received many positive comments. For those of you that did not attend, I ask that you make plans to attend the 140<sup>th</sup> Annual Convention on April 28-May 3, 2009. We will return to Kingston Plantation and General Chair Dr. Phil Smith has already lined up an exciting meeting.

To reflect on this past meeting, let me note several items of interest:

**Thursday**, the House of Delegates was held and to my knowledge this was the first time the meeting had been held on another day other than Sunday during the Convention. Attendance was good and the feedback was very positive. Of all the comments I heard regarding the Convention, the House of Delegates being held on another day rather than Sunday was the most positive. By having the HOD on Thursday, we were privileged to hear from ADA President Dr. Mark Feldman and 16<sup>th</sup> District Trustee Dr. Ron Tankersley. We also heard a presentation from Dr. Charlie Cuttino regarding a Missions of Mercy (MOM) project that has been going on in several states for a few years. I know that President Brown and President-Elect Mercer would like to see the SCDA do a MOM project in the near future.

**On Friday**, the attendees continued to hear from some excellent speakers. One of the speakers from Thursday, Dr. Van Haywood commented that "this is best facility I have spoken in around the world." Behind the scenes, the 2010 and 2011 convention committees met to begin plans for their future meetings.

**On Saturday**, during the DenPac breakfast, the attendees heard from Mr. Bill Prentice of the ADA Washington office and from our own Senator/Dr. Ray Cleary. We were able to present Senator Cleary checks from member dentists totaling \$7,000 for his hard work and dedication at the State House. Senator Cleary is a huge asset to the SCDA along with our lobbying team headed by Mr. Richard Davis. Saturday also wrapped up the silent auction held by the SCDA Foundation, early numbers indicated that over \$7,500 was made. I would like to thank Dr. Mona Ellis and all of those who helped her for putting this event together and making it a success.

Again, if you haven't, make plans **TODAY** to attend next years meeting.

## MEDICAID

The SCDA Medicaid Committee met with the Department of Health and Human Services several weeks ago regarding Medicaid issues. One issue that seems to be causing a few problems is the National Provider Identification (NPI) number. Bulletins and notices have been sent several times regarding the NPI so please note the following:

Effective May 24, 2008, the South Carolina Department of Health and Human Services (SCDHHS) will no longer accept your six character S.C. Medicaid provider number on standard transactions (electronic), hard copy claims or ECFs, even if the NPI number is included on the claim. Claims and ECFs that include a six character SC Medicaid provider number will be returned unprocessed or will reject with edit code 520: "Typical provider, legacy number not allowed on

*(Continued on next page)*



**Mr. Phil Latham**  
Executive Director

*"Effective May 24, 2008, SCDHHS will no longer accept your six character S.C. Medicaid provider number"*



# Executive Director's Notes

(Continued)

claim". ECFs returned on and after May 24, 2008 will require the NPI only, even if the DOS was prior to that date. **Therefore, on and after May 24, 2008 do not include your six character Medicaid provider number on any claims or ECFs submitted to SCDHHS.**

Effective May 24, 2008, SCDHHS will require the following information on dental claims submitted for payment:

- Use of the National Provider Identification (NPI) when submitting standard transactions including claims, claims status queries/responses, eligibility queries/responses and remittance advices. The NPI is also required on hard copy claims and edit correction forms (ECFs).
- Prior to May 24, 2008, **be sure** that your NPI number has been reported to SCDHHS.

Providers who need to register their NPI with SCDHHS or update information they have registered with SCDHHS can do so in any of the following ways:

Register online at: <https://secure.dhhs.state.sc.us/npi/index.asp>

Send your NPI or update information to:

Mailing address: PO Box 8809, Columbia, S.C. 29202-8809

Fax: 803-699-8637

Email: [provider.enrollment@bcbssc.com](mailto:provider.enrollment@bcbssc.com)

Phone: 803-264-1650

Providers may refer to the South Carolina Medicaid Companion Guides for information regarding placement of the NPI, taxonomy and service facility location on electronic claims. The Companion Guides are located on the SCDHHS Web site at [www.scdhhs.gov](http://www.scdhhs.gov), click on Electronic Data Interchange under Programs and Services, then select "S.C. Medicaid Companion Guides.

**Remember:** On and after May 24, 2008, failure to register your NPI number with SCDHHS, failure to use your NPI on submitted claims or including your old six character Medicaid provider number on your claims will result in rejection of the claim and non-payment for that claim.

## Tech Talk

By Christy J. Meador

### Fun Facts

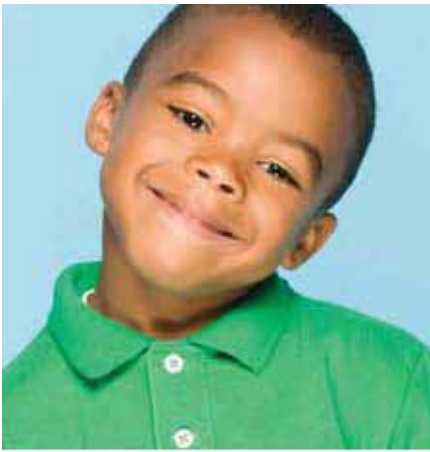
- 👤 It seems children have the right idea about smiling... they smile about 400 times a day.
- 👤 Women smile about 62 times a day compared to men who smile 8 times a day on average.
- 👤 Does the hand you write with affect your teeth? It can. Right-handed people, tend to chew food on their right side, while left-handed people tend to chew on their left side.



### Website

If you haven't visited the SCDA website... you need to. Check out new pictures in the photo gallery, announcements and medicaid information. It also has malpractice and member benefits applications and current classified and help/job wanted ads. Visit us at [www.scdca.org](http://www.scdca.org)

Remember, this is **your** web site. Please feel free to send me articles, photos, events or any other information for our website. You can email at [meadorc@scda.org](mailto:meadorc@scda.org). You can see all of the photos by visiting [www.scdca.org](http://www.scdca.org) and clicking on



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# Don't Blame HIPAA

By Madeline Fogg

How many times have you called to get Protected Health Information (PHI) on a patient who is seeking treatment at your practice or who has been referred to your office only to hear, "We need written authorization from the patient to release that information because of HIPAA".

This is not true! The HIPAA standard permits the exchange of information without consent or authorization for Treatment, Payment and Healthcare Operations. The law can be found in 164.506 © of the HIPAA standard as printed below.

*“(C) Implementation specifications: Treatment, payment, or healthcare operations.*

A covered entity may use or disclose protected health information for its treatment, payment, or health care operations.

A covered entity may disclose protected health information for treatment activities of a health care provider.

A covered entity may disclose protected health information to another covered entity or a health care provider for the payment activities of the entity that receives the information.

A covered entity may disclose protected health information to another covered entity that receives information to another covered entity that receives information, if each entity either has or had a relationship with the individual who is the subject of the protected health information being requested, the protected health information pertains to such relationship, and the disclosure is:”

This section of the law prevents disputations of patient treatment due to restrictions on the physicians and practices exchanging vital information. There are some limitations in the law for information for health-care operations, 164.506(c)(4).

In South Carolina, there is a state law that speaks to release of records:

*SECTION 44-115-40. Do not release records without a written consent.*

Except as otherwise provided by law, a physician shall not honor a request for release of copies of medical records without receipt of express written consent of the patient or person authorized by law to act on behalf of the patient.

When looking at this section of the S.C. Law, one must make an interpretation of the meaning of the words “medical records”. Is what we are releasing the “medical record” or only a part of the record? Will failure to release this information interfere with treatment? One interpretation of the law could consider acceptance of the referral as consent.

Any practice can make it their policy to refuse disclosure of information without written consent but don't blame HIPAA.

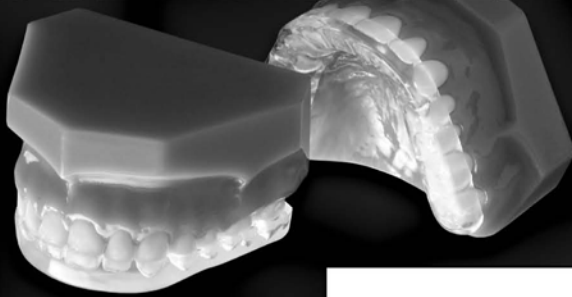
*(Madeline Fogg works with Compliance Navigation, and is a past contributor to the BULLETIN. This article is intended for educational purposes only and should not be considered legal advice.)*

## Thank you Dr. Lake!

**Dr. Vernon Lake has, after years of dedicated service, decided to step down from the SCDA Foundation Board. Thank you, Dr. Lake, for your service to your Association and all your fellow dentists.**



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**SCDA Mission Statement**  
**The South Carolina Dental Association is an association of dentists organized to provide optimal oral health to all citizens in the State of South Carolina through the promotion and the improvement of the art and science of dentistry.**



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All ad copies and cancellations must be received by the 5th of the month prior to the publication (starting July 2007, no later than 7 business days prior to publication), which will occur on the first of the month, with remittances accompanying the ads.



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If you have registered with us previously and have found work or filled your position, please let us know so that we can take your name out of our files.

Contact: SCDA Bulletin, ATTN: Communications Coordinator, 120 Stonemark Lane, Columbia, SC 29210; call 800-327-2598; fax 803-750-1644; email [haworthj@scda.org](mailto:haworthj@scda.org)