CDA files legal action against Delta Dental of California

On behalf of its members, the California Dental Association — along with several individual dentist providers — has taken legal action against Delta Dental of California by filing a demand for binding arbitration in response to Delta’s notice dated Aug. 1, informing providers of changes to key provisions in their agreements.

According to the CDA, Delta is unilaterally attempting to change two significant provisions of providers’ agreements. The first restricts dentists’ ability to use arbitration to challenge Delta’s actions, and the second eliminates the current requirement that Delta provide justification for changing its reimbursement fees. Both are key provisions that have been in participating dentist agreements for many years, the CDA said.

Delta has provided no explanation for its attempt to delete them now, although it appears to precede the anticipated action by Delta to reduce fees without justification by the end of this year, according to the CDA.

“CDA is committed to supporting our members in their practices and the patients they serve,” said CDA President Lindsey Robinson, DDS. “Delta’s unilateral attempt to change key provisions of its contracts would allow Delta to abandon its responsibility for justifying its payments to contracted providers. This move toward non-transparency appears to be motivated by Delta’s desire for financial gain, not to improve patient coverage or care. It leaves us with no choice but to seek a legal remedy.”

CDA said that it is taking this legal action to ensure that Delta will honor its current contracts with dentists and continue to be required to justify reducing fees in the future.

“Delta’s move to modify the contracts it has with providers appears to fly in see CDA, Page 3

By Robert Selleck, Dental Tribune

New technology, new methods and new products captured the attention of CDA Presents attendees throughout the day Thursday, with much more of the same highlighting the agenda today.

A number of companies are using the CDA Presents exhibit hall to display the newest versions of their “tried-and-true” products, while others are getting the word out on just-launched efforts.

A stroll through the aisles on Thursday quickly revealed a variety of offerings in the “new-and/or-improved” category.

In booth No. 1941, you can visit with Keith Allen, president of OralWise and inventor of GumChucks, a flossing tool with a name inspired by the device’s design similarity to a miniature set of martial arts nunchucks. Created to make flossing easier and more fun for children, the product was released to that market in October, but it quickly captured an adult following, so prototypes for an adult version are already on display in the booth.

There’s also an ortho model with a unique tip that enables users to easily floss on both sides of a full bracket.

Oralscopic’s XV1, the world’s first wireless combined loupe and headlight, at Oralscopic (booth No. 1802).

By Robert Selleck, Dental Tribune

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the face of good faith and fair dealing,” said CDA Vice President Walt Weber, DDS, chairman of the CDA Dental Benefits Research Task Force. “CDA absolutely questions whether, once Delta provides the information required by the contracts, fee reductions would be justified.”

Statement from Delta Dental of California

When contacted by Dental Tribune, a representative from Delta Dental of California offered a response. “Delta Dental of California recently notified its 23,172 participating dentists of some revisions to the company’s bylaws, participating dentist rules and policies and procedures,” the statement from Delta read. “This notice was sent as required by law, and all changes described in the notification were approved in advance by California regulators. Despite obtaining regulatory approval, we were notified on Aug. 14, 2013, that the California Dental Association (CDA) is taking legal action to prevent these revisions from taking effect.”

“While we cannot comment on the specific issues mentioned in the complaint filed, we are disappointed that the CDA is pursuing this course of action. Delta Dental’s intent is to provide the best and most affordable dental benefit programs possible for its 35,000 California business and government customers, which serve 18 million people in California,” Delta said. “Delta Dental is committed to acting in the long-term best interests that balance the needs of all its stakeholders, including enrollees, client groups and dentists, and the changes we proposed are necessary to ensure that we can continue to deliver quality dental programs at an affordable price,” the statement said.

Tell us what you think!

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More information available

Because of the 2012 CDA-sponsored law requiring dental plans to provide 45 business days’ notice of any provider agreement changes, Delta’s recently proposed changes cannot take effect until Oct. 4 at the earliest, allowing time for dentists to review how these changes will affect their practices.

“We have done significant analysis of this issue, and we take very seriously the concerns of our members regarding dental benefit plan issues,” Weber said. CDA members seeking more information or expressing an interest in participating in the litigation can contact Jan Katerkamp at (916) 554-4935 or jan.katerkamp@cdaf.org. Additional information about the litigation is available on the CDA website, www.daf.org.

(Sources: CDA, Delta Dental of California)