

*Building a 21st Century Dental Team at
Swinomish Indian Tribal Community
-- and Beyond!*



Old I.H.S. Provided Dental Trailer Swinomish Indian Tribal Community



Swinomish Dental Clinic after Self Governance -Exercising Sovereignty



Growing to serve community and educate future workforce





Adding a dental therapist works for the Swinomish Dental Clinic



- Procedure review for FY 2012, 2013 and 2014 for Swinomish Clinic showed that over 50% of procedures and services could have been provided by trained dental therapist under the Alaska model
- Analysis shows that the same procedures could have been covered with 50% personnel cost savings by replacing dentist time with dental therapist time
- Analysis shows that dentist time could have been significantly re-oriented to more complex dentist-only procedures, i.e. such as prosthodontic, advanced restorative and surgical procedures, etc.



Political Road to Sovereignty Solution

- Swinomish worked for 5 years with the Northwest Portland Area Indian Health Board and a coalition of community advocates, public health organizations and dental professionals to pass a bill in the Washington Legislature authorizing dental therapists to practice in Washington in order to meet the requirement of the IHClA limiting language
- Swinomish worked for the past 2 years to pass a **Tribal Specific DHAT Authorization Bill**
- Before 2016, no bill got out of House or Senate Committees in Washington State, blocked by legislators working on behalf of the Washington State Dental Association
- **Swinomish determined it has the power and obligation to address oral health systems change by exercising its Tribal Sovereignty**



Daniel Kennedy, first DHAT in lower 48 starts at Swinomish January 2016



Swinomish Today

- Increase in patients seen
- Completing treatment plans faster
- Dentists doing almost 50% more crown, bridge, and partials
- More efficient “urgent” care time
- Daniel is out in the community every week
 - Wednesdays with Head Start Program brushing and flossing
 - Delivering meals to elders in the community
- Two DHAT students set to graduate from the ADTEP class of 2019.



Sovereignty in Action:

Build Tribal Regulatory Framework

- Swinomish created a Division of Licensing, bringing together existing Tribal licensing and regulatory functions:
 - including licensing/regulating child care services and on-Reservation businesses
 - Swinomish also self-certifies its mental health providers and regulates admission to practice in Swinomish Tribal Court
- Swinomish adopted the first Tribal Dental Health Provider Licensing Code to license and regulate Dentists, Hygienists and Dental Therapists
- This is a quintessential exercise of Tribal sovereignty: regulating Tribal providers who are employed by the Tribe, paid with Tribal funds, working in a Tribal clinic built on Tribal land, and improving the health of Tribal community members



Overview of Swinomish Dental Licensing Code

- Established Dental Health Licensing Board of at least five (now expanded to six) members, with five year terms:
 - Chair of Swinomish Senate's Health, Education and Social Services (HESS) Committee
 - Enrolled Member of the Tribe
 - Dentist or other individual with experience in oral health education and training
 - Individual with education, experience, interest in and commitment to improvement in oral health among Native Americans
 - Swinomish Chief Dental Officer



Overview of Swinomish Dental Licensing Code

■ **Licensing Board duties:**

- Consult with and advise Swinomish Senate and Division of Licensing on technical and policy matters, and recommend Licensing Code amendments
- Review and approve Division of Licensing procedures and forms
- Conduct hearings and appeals from license or sanctions decisions

■ **Division of Licensing duties:**

- Investigate license application and
 - Issue license,
 - impose conditions on license,
 - or deny application
- Investigate complaints
- Take action to protect public or sanction licensees



Overview of Swinomish Dental Licensing Code

- License requirements include:
 - Must meet Tribal minimum standards of character for contact with Indian children or elders
 - Employed by Tribe or eligible for employment when licensed
 - Completed required training and continuing education
 - Demonstrate formal education, training and/or personal or professional experience that would reasonably be expected to result in cultural competence
 - If a Dentist, have experience supervising Dental Therapists or complete an acceptable course on supervision



Overview of Swinomish Dental Licensing Code

- Robust investigative and appeal provisions to:
 - protect public safety
 - provide due process to license applicants or holders
- Division of Licensing authority to impose range of sanctions:
 - Probation, with regular reporting, limited practice, continued education
 - Reprimand
 - License suspension
 - License revocation



Overview of Swinomish Dental Licensing Code

- Swinomish licenses are valid for up to two years
- Licenses may be renewed for additional two-year periods
- Division of Licensing has application form and related documents



Overview of Swinomish Dental Licensing Code

- Creating a licensing code and an administrative process is resource intensive
- Every Tribe may not need to replicate the Swinomish model
- Swinomish worked with the NPAIHB to make its licensing system available to collaborating Tribes:
 - Swinomish amended its Dental Licensing Code to provide for licensing of dental providers employed by Washington and Oregon Tribes
 - NPAIHB prepared template Memorandum of Agreement and Tribal code documents for use by collaborating Tribes



Overview of Swinomish Dental Licensing Code

- Intertribal health care licensing fosters Tribal autonomy and independence from state regulation
- Intertribal licensing parallels state initiatives to expand professional license reciprocity and portability
- Intertribal health care licensing conserves limited Tribal resources and avoids needless duplication
- Intertribal licensing is a cooperative exercise of Tribal sovereignty that strengthens Tribal authority and governance



February 2017: Washington State authorizes DHAT in Tribal Settings



**SWINOMISH INDIAN
TRIBAL COMMUNITY**

So what exactly is in the new law?

1. Authorization of DHAT services under certain conditions
2. Medicaid eligibility and state participation



Funding

Two key Medicaid provisions:

1. It is the intent of the legislature to provide that dental health aide therapist services are eligible for Medicaid funding...
2. The health care authority is directed to coordinate with the centers for Medicare and Medicaid services to provide that dental health aide therapist services authorized...are eligible for federal funding of up to one hundred percent.



Pursuit of Medicaid Funding

- State of Washington, following the new law, sent a State Plan Amendment (SPA) to CMS to recognize dental therapists as eligible providers
- CMS denied the SPA in May 2018 on the grounds that it
 1. Unlawfully restricted DHAT Medicaid coverage to a narrow group of beneficiaries and, therefore, could not be approved, and
 2. Is unclear whether the SPA meets the OLP benefit because it is not clear whether DHAT services would be provided under the supervision of a dentist.



*Northwest Portland Area
Indian Health Board*
Indian Leadership for Indian Health

TRIBAL COMMUNITY

Pursuit of Medicaid Funding

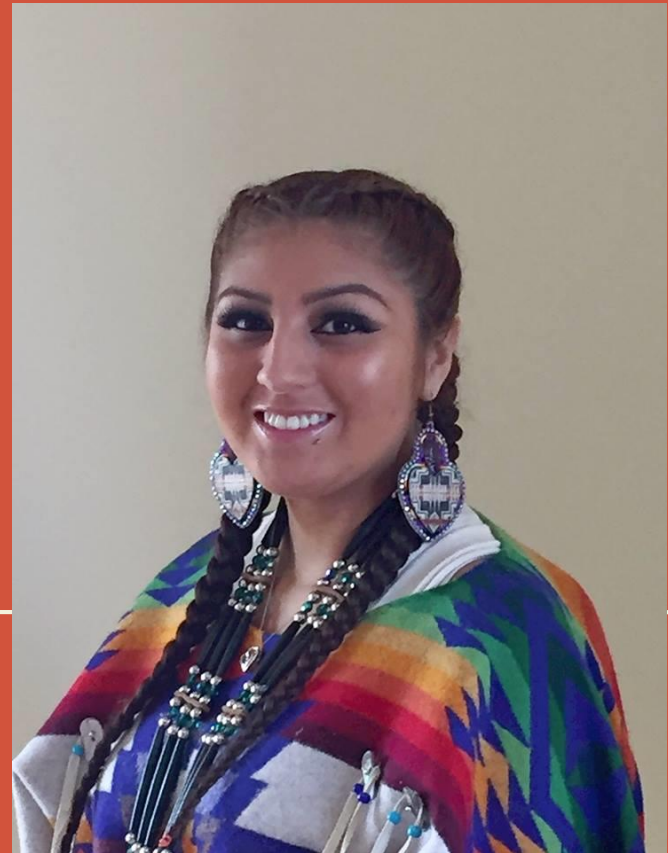
- State filed request for reconsideration of CMS decision in June. Swinomish asked for has been granted approval to join the state's appeal to CMS
- Northwest Portland Area Indian Health Board and the American Indian Health Commission of WA are soliciting Tribes and tribal organizations in the Portland Area to join them on an Amicus Brief supporting the State/Swinomish appeal of the SPA denial
- December 2018 appeal scheduled to be heard



Sarah Chagnon, Class of 2019



Asiah Gonzalez, Class of 2019



WE ENCOURAGE YOUR PARTICIPATION

Sovereignty in Action is aided by solidarity
amongst all Tribes



THANK YOU!

