# Hawaii Dental Association Journal Summer 2016



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# Hawaii Dental Association

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Summer 2016

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HDA President Steve Wilhite DDS

## Aloha HDA Members

Please understand that this abbreviated journal was a work of love, sweat, and threats from many people "volunteering" their time and skill on a project we had never attempted before. But we followed the dental school method of learning in that we have seen one so we are doing one now and will teach our new executive director how to produce one.

As all you should know by now, Loren has retired from the HDA after 15 years. We will miss his experience but the HDA leadership is excited about moving forward with a new executive director. Dr. Chris Lee, our incoming president, is leading the search for the ideal new director and we hope to announce the selection soon.

I can't possibly thank everyone enough who has been involved in this transition over the last few months! Yes, if I'd known this would have transpired during my presidential year, I would have never taken the position. Many mahalos to the Executive Council members (Chris Lee, Lynn Fujimoto, Dayton Lum, Patsy Fujimoto, Wayne Leong), the BOT (Ed Cassella, Robert Baysa, Sean Holliday, Shelliann Kawamoto, Jaclyn Lum, Curtis Tom, Alan Fujimoto, Michael Lutwin, Scott Kanamori), Financial Program (Lili Horton), and the EDCCC committee (Curtis Shimizu). These individuals have shown great character and principles in performing their duties. To quote one of my favorite TED speakers, Seth Godin, "One of the great privileges of not living on the edge of disaster is that we have the ability to act on our principles." We at the HDA are not living on the edge of disaster as some have implied because of these HDA leaders' ethical principles.

On Sunday, Aug 14, I participated in the Honolulu County Dental Association's Ala Moana Beach Clean-up and we had close to 340 people! Awesome event and great community service!

Please consider helping your Hawaii Dental organization by volunteering for some projects or a taskforce. We need a mix of new people and "old timers" to step up and help us move forward.

Aloha, Steve Wilhite *President 2016* Hawaii Dental Association



# FCC: Dentists Must Get Consent to Make Billing Calls

TDIC Liability Lifeline

Dental practices now must obtain authorization from a patient to call him or her on his or her cell phone to discuss account and insurance information, according to a recent ruling. A July 10 order by the Federal Communications Commission, interpreting a rule it promulgated in 2013, is cause to advise dental practices to ensure their policies and procedures for communications using patients' cell phone numbers is in compliance with the law.

### The FCC issued its recent order under the Telephone Consumer Protection Act of 1991 (TCPA).

The FCC's order addressed several issues and includes an exemption for health care treatment communications. TCPA rules require a business to obtain an individual's consent prior to calling or sending a text to an individual's cell phone number. The health care exemption applies if the communication:

- Is sent only to the cell phone number provided by the patient to the health care provider.
- States the name and contact information of the health care provider (information must be at the beginning of a voice call).
- Does not include telemarketing, solicitation, advertising, billing or financial content (including insurance information requests).

- Complies with the HIPAA Privacy Rule.
- Is short (one minute or less for voice calls and 160 characters or less for text messages).

### A health care provider must

- Limit communication to one per day and three per week for each individual.
- Provide individuals with a simple method to opt out of receiving communications.
- Immediately honor the opt-out requests.

#### Teresa Pichay, regulatory analyst with the California Dental Association, recommends dental practices take the following steps:

- Review procedures to determine if the practice uses patients' cell phone numbers for communications related to dental benefits, financial arrangements or marketing/solicitation. Review patient forms to determine if required consents, obtained after Oct. 16, 2013 (effective date of original rule), are included. Update forms as needed.
- Ensure that the practice's HIPAA business associates who communicate on behalf of the practice are in compliance with TCPA rules. Pichay advises dental practices to obtain consent using language that allows the practice to communicate with patients on most subjects. The following can be on a separate form or added to an existing patient form that is used to collect patient information:

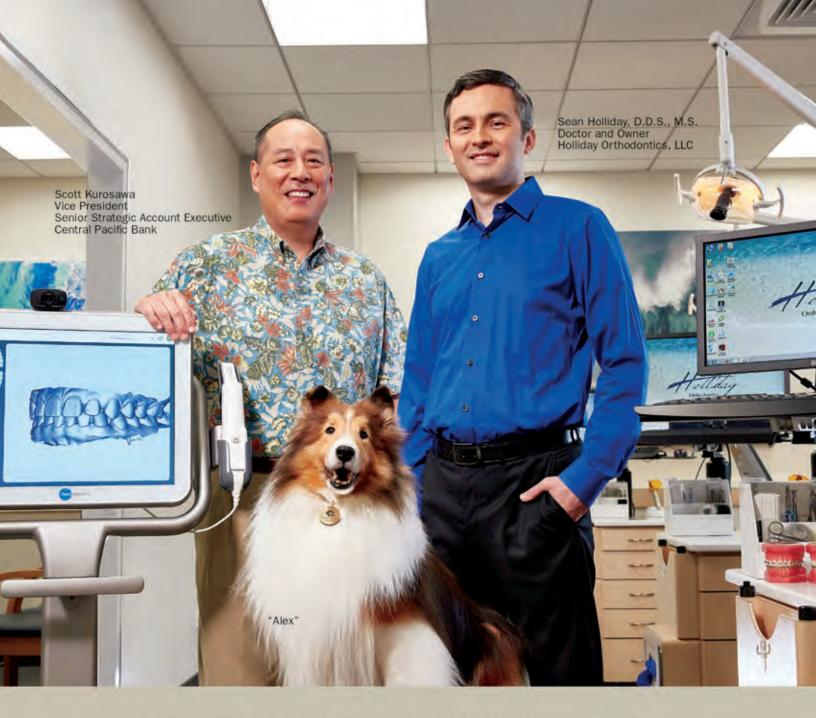
I consent to the dental practice using my cell phone number to (choose one or both) call or text regarding
appointments and to call regarding treatment, insurance, my account, and special promotions. I understand that I
can withdraw my consent at any time.

My cell phone number is (include area code):	(initial or
signature) I consent to receiving from the dental practice email communications regarding treatment	nt, insurance, my
account, and special promotions. I understand that I can withdraw my consent at any time.	

My email address is: \_

(initial or signature)

If a dental practice does not do inhouse marketing or promotions, remove the term "special promotions" from each of the above paragraphs. Other federal and state rules govern telemarketing and commercial email messages. A summary of these laws is available on the website of the Office of the Attorney General at oag.ca.gov/ privacy/privacy-laws.



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## AMERICA'S DENTAL MEETING

# ADA 2016 Denver

By Calbert Lum, DDS, Member of ADA CAS, 14th district representative

Time is running out! Beat the deadline and register for ADA 2016—America's Dental Meeting<sup>®</sup> to save big before September 16.

Incomparable CE options will still be available for a great value, but once the advance deadline passes, registration and individual course fees will increase. While prices are still low, consider bringing additional team members to the meeting, which will be held October 20–24 in Denver.

#### **Campfire Sessions**

Continue the conversation with group Campfire Sessions located throughout the Convention Center. The sessions allow you to dive deeper into the topics that are of most interest to you. Join a panel of leading experts for a peer-topeer discussion in a moderated, small group discussion. Bring questions, case examples and subject matter theories of your own to share with the group in this informal learning environment.



#### **Other Great CE Offerings**

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- Head and Neck Dissection Workshop with Dr. Henry A. Gremillion
- How to Succeed in Your Practice with CBCT
- BIG Idea: Small Group Practice
- Evidence-Based Dentistry Champions Conference

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Build your schedule online at eventscribe.com/2016/ADA and then register for your courses. Register by Sept. 16 and save! ADA.org/meeting.



# Stan Kanna, Local Boy Does Good as our ADEX President

tanwood Kanna comes from a family of dentists that spans four generations. Stan's great-grandfather emigrated to Kauai and became the plantation camp cabinet maker and dentist. His grandfather, Dr.Jack Kanna was one of the early licensed dentists on Kauai graduating from the Chicago College of Dental Surgery in 1926. Stan's father, Dr. George Kanna, graduated Loyola Dental School in 1956 and he had seven children. Stan was born in Waimea, Kauai and grew up in Hanapepe, graduating from Waimea High School in 1975. Stan's oldest sister Crystal Egusa is a Registered Dental Hygienist working part time on Molokai and running Friendly Market full time; of his siblings, Stan is one of two dentists: Dr. Lauren Bundshcuch (Northwestern) and himself (Loyola Dental School, graduating in1987.) His brother, Robert, runs Sunrise Shrimp Co. in Kekaha, Kauai. His youngest brother, George, owns and runs Kauai Dental Lab and is a certified dental lab technician. His twin sister is Jackie Kanna who runs a successful Graphics Design company on Kauai. Stan's youngest sister Holly Araki does IT for First Insurance. The Kannas are a prosperous bunch!

Stan currently is serving as the President of ADEX, The American Board of Dental Examiners. ADEX is the only exam development corporation in the country whose membership consists of the state Boards of Dentistry and whose only responsibility is to create uniform national dental and dental hygiene licensure examinations to be administered by regional or independent testing agencies for the sole purpose of assessing the competency of candidates for licensure assuring state's Boards of Dentistry that successful completion of the examination will insure a level of competency that promotes public protection.

Stan has been married to his high school classmate, Trish (Oshiro) for 24 years. They have three children—two stepchildren and one of their own: Audie, Audree and Matthew. They also have three grandchildren. Stan enjoys being with his family and aside from that he enjoys fishing, hunting, golf and spending quiet time around the house. Stan was no doubt influenced by his family to become a dentist. As an undergraduate at the University of Oregon, dentistry was the last thing he wanted to

do. He went to grad school at UC-Berkeley and Sonoma State. As time went on and he got more serious about his education, dentistry became a reality when he went on to Loyola School of Dentistry. Some other Hawaii students Stan got to know while there: Curt Shimizu, Scott Nakahara and Curtis Tom. He said "it's always nice to have local guys in school with you."

Looking back, Stan said, "When I started dental school, we were just in the transition of having to wear gloves during all procedures. Now you wouldn't think of not wearing gloves during a procedure. We still were taught direct gold fillings (gold foil). There were no endodontic rotary instruments and no digital radiography, no internet, no dental software programs, and no cell phones. Fulfilling clinical requirements in the different aspects of dentistry was the only format to earning a degree in dentistry and passing a patient-based examination was the only way to achieve licensure to practice dentistry in the US."

In 1987, Stan returned home to Hanapepe, Kauai, Hawaii to practice general dentistry with his sister and father. Stan's best memories in his almost thirty years of practice are of practicing with his dad. The dental profession has changed greatly in the last 30 years. Stan says, "I believe that what has changed is that the new dentist today faces bigger challenges in the early stages of their careers. The average graduate of dental school today has a \$250K to 300K debt right out of school. Many graduates have had less experience and requirements than we did in our time in dental school thus making the transition to independent practice that much more difficult. Society has changed and millennials are much more driven to achieve in a shorter period of time and thus have less patience." He went on to say, "Don't get me wrong, we also wanted to succeed







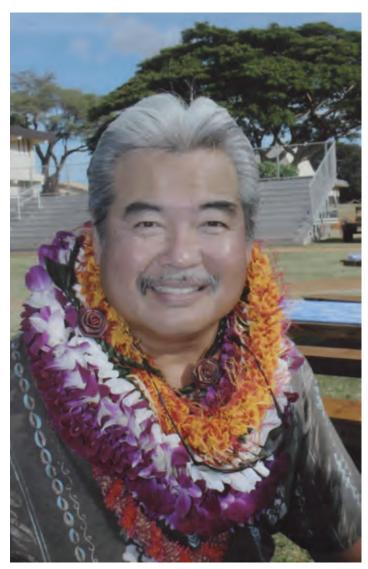
quickly, but with the huge changes in technology, it has literally revolutionized the profession."

Dentistry has changed in leaps and bounds, according to Stan. "Where do I begin? If you haven't kept up with CE's you'll definitely be left behind. Endodontics with rotary instrumentation is practice-changing. Fixed and Removable prosthetics with the prospects of implants in treatment planning created new avenues of thought and results that significantly improves patient outcomes. Restorative with advanced bonding systems and composite resins has changed the methodology of restorations creating more conservative fillings with the advantage of esthetics and longevity in the posterior segment. The patient/consumer has choices where once they had very few."

When asked about his favorite new changes in dentistry Stan said all the technology advances: fiber optics, digital radiography, and dental practice management software. He also appreciates the advances in infection control and emphasis on evidence-based dentistry.

We asked Stan, can you think of anything that you have NOT changed through the years and he said, "This may sound like a cliché, but it is how I treat my patients. From day one, I have always had the philosophy that the health profession is the best profession in the world. Taking care of people to the best of your ability: diagnosing, treatment planning, consulting and doing corrective procedures that improve the health of that individual is tremendously rewarding. It doesn't make a difference if the patient is on Medicaid or is the CEO of a company, you treat them to the best of your ability in this special profession that we do. As our profession advances, so does our ability to care for people."

To wrap it up, Stan has some great advice to the many young dentists out there. Stan says, "Always continue to learn. Learn from CE courses, learn from participating in your community, and and learn from listening to your patients and your peers. Enjoy what you do. This is not an easy profession but if you learn to love it, it makes it a lot more enjoyable."



## **RISK MANAGEMENT**

# **Not-so-smartphones: Mobile Device Dangers in Dental Practices**

TDIC Risk Management Staff

When you walk from your car to your practice, out to lunch or out for the day, would a passerby have trouble looking you in the eye? Even worse, is it hard to make eye contact with your own dental team? If so, the issue isn't you—and you're not alone. Smartphones and other mobile technology are increasingly capturing more attention and impeding everyday interactions. You may have even seen a pedestrian step into a crosswalk at the wrong time, just because the little screen was more interesting than the safety signal.

Those mobile devices can be just as dangerous right within your office. If your team members are on their personal phones—whether taking calls, texting, web browsing or "just quickly checking something"—the practice is made vulnerable.

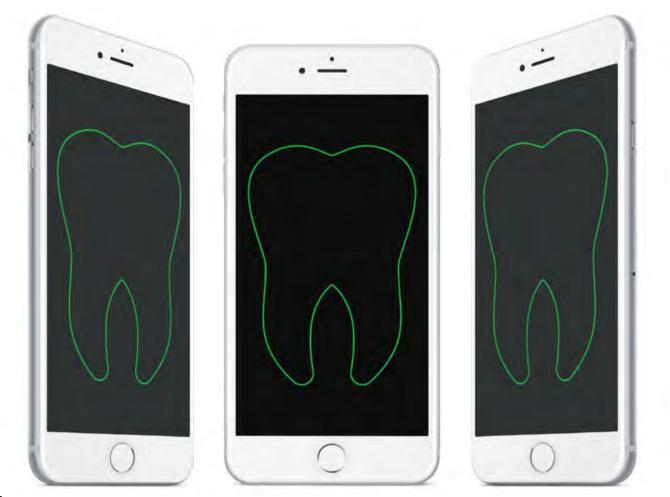
# Mobile devices use contributes to a variety of dangers:

1. Distraction from phone use can increase liability. Inaccurate documentation and lack of attention to clinical detail can occur when concentration is divided.

2. Respect is in short supply. Screen time gives patients the impression their dental care is not a priority. And, if you're on the phone, you give team members the impression that work isn't your priority either.

3. Professionalism is compromised. When employers communicate via text with their teams, the conversation may become casual and the employees may not take the matters as seriously as intended.

continued on page 16 >





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## **RISK MANAGEMENT**

#### > continued from page 14

4. Clear communication is hard to maintain via text. If an employee issue like running late for work is sent via text, it's difficult to document.

5. Infection control can also be compromised. A number of recent studies indicate that mobile phones help spread bacteria and viruses. A 2015 study shared by Healthline revealed that less than 10 percent of health care workers regularly sterilize their phones.

6. Separation of private and practice life is necessary. While your team members should be able to read, watch and enjoy the content of their choice off hours, objectionable videos and photos shared with co-workers can lead to discomfort or liability.

Calls to the Risk Management Advice Line at The Dentists Insurance Company (TDIC) reveal a pattern of issues related to text messaging, especially when is comes to absence notification. Text messages from employees not only show a lack of respect, they can also indicate an unwillingness to speak with an employer directly about an issue.

In one case, a dentist reported he received a text from an employee at 4 a.m. on a Saturday conveying she would not be able to make it to work that day. The dentist called the employee back immediately after receiving the text. And, when the employee answered, the dentist heard "what sounded like Vegas in the background." He later found photos of a bridal shower at a local casino posted on her Facebook page. Had there been an absence notification policy detailed in the employee manual, the dentist could have addressed the form of notification as a performance concern.

Fortunately, in addition to a specific absence notification policy, there are easy steps you can take to protect your practice from mobile distraction.

# Here's how to create a "smart" phone environment:

1. Establish an office policy prohibiting cell phone and smartphone use while on duty for sending or receiving

personal calls, emails or text messages, or using smart phone applications—both in the front office and in treatment areas.

2. Encourage employees to take breaks as needed and as appropriate. If they know that they'll have opportunities to check their phones during a break or lunchtime, they'll be less likely to sneak use during working hours.

3. Lead by example. Communicate to employees through the channel that you'd like them to communicate with you. And refrain from checking your own mobile device while on duty.

4. Review mobile device policies, as reflected in your employee manual, with new hires and as a reminder at staff meetings.

If you're a TDIC policyholder, you already have access to a full library of risk management resources through tdicinsurance.com. One TDIC guide for dentists, *Developing Effective Employment Practices*, covers essential information to include in your employee manual, including employment practices related to mobile device use.

Whether you choose to refer to TDIC's resources or create your own, your employee manual's mobile device policies should be reflected in the following sections:

#### Work environment

- Personal electronic device policy
- Email and internet use policy

#### **Office operations**

- Health and safety (OSHA) issues
- Use of office resources

With considerate mobile device policies, you can establish the right tone for your work environment while protecting yourself, your team and your patients from significant risk.

Questions? Call TDIC's Risk Management Advice Line at 800.733.0634.

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## **BEACH CLEAN-UP**

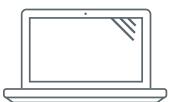
# 11<sup>th</sup> Annual Beach Clean-Up

The 11th Annual Honolulu County Dental Society Beach Clean-Up Event was a huge success! Over 340 people showed up for a fun day at Ala Moana Beach Park. Society members, their guests and our generous sponsors enjoyed breakfast, an hour of scouring the beach and park for rubbish and then lunch catered by Sugoi's. We are happy to report that bags upon bags of trash were collected. This year, we made the event a 'family event' by bringing a bounce-house for the kids as well as a shave ice and popcorn stand. We are grateful for Central Pacific Bank as our title sponsor and for the sponsorship of Patterson Dental, Henry Schein, TDIC, Hawaii Family Dental Centers and HDS. We are looking forward to another great event next year!









## Online.



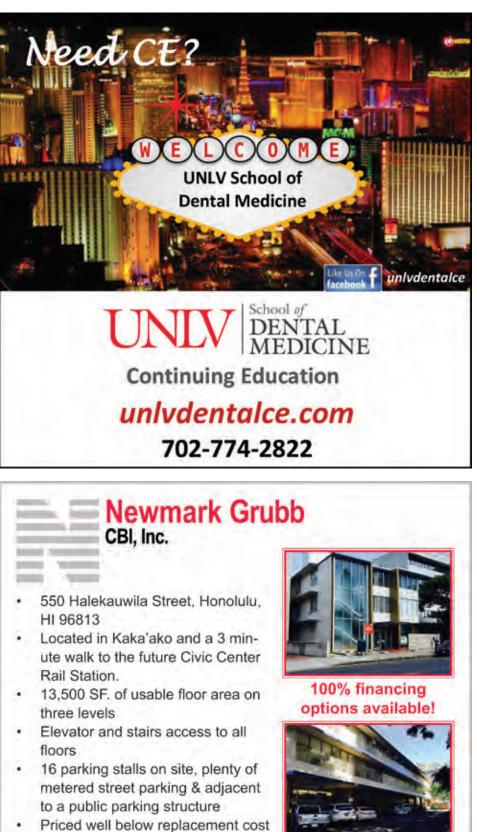
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# How to Produce Healthy Marketing Returns

By Wendy O'Donovan Phillips

Marketing is like investing in the stock market. Here's what you can learn from excellent stock market investing that will help produce healthy returns in marketing, too.

#### Do your research first.

You wouldn't invest tens of thousands of dollars each year in stocks that you picked out of a hat. You would take the time to research the performance trends of several different investment opportunities. You would only invest your hardearned money in those areas that had hard data showing high potential returns. With marketing, research on the front end goes a long way to producing healthy returns for the long-term.

#### Know your risk tolerance.

Some people are perfectly comfortable making high-risk investments. Others are much more conservative. On a scale of 1–4, how comfortable are you with risk? Your answer to this question will help you determine how to invest your marketing dollars. If you are a 1, you might want to hire an expert to develop an initial, conservative marketing plan that you can deploy on your own. If you are a 4, consider investing a high dollar amount to achieve your goals more quickly, and outsourcing the entire marketing strategy to one firm that can take care of everything for you.

Very risk averse
 Risk averse
 Risk tolerant
 Very risk tolerant

### Look long.

You would never invest your money in a mutual fund for just a month or two, expecting to make your money back right away. You would make a long-term growth strategy. In marketing, it's important to run the same tactics for 6 to 12 months to earn returns, see trends and continue to strengthen the plan.

### Keep emotions in check.

The stock market is like a boy climbing a flight of stairs with a yoyo in his hand. The yoyo will go up and down, but the boy is always climbing higher. Rather than checking your investment portfolio daily out of fear and anxiety, you study monthly statements to understand trends and growth. In the same vein, marketing should be examined on a monthly basis to prevent getting lost in the minutia—or in negative emotions.

### Diversify.

Rarely do you see an investor put all of the money on one stock and produce a good return. Similarly, with marketing, investing in several different tactics at once drives a higher and quicker return. Consider that you want a good mix of awareness, internal, online and traditional marketing tactics. You also want to be sure to include several direct marketing tactics like Google AdWords and direct mail, which get those patients looking for a dentist now right into your door today.

### Listen to the experts.

Very few investors are successful completely on their own. It's always best to get an initial investment plan from a qualified financial advisor, preferably one that acts as a fiduciary, or truly has your best interest in mind. With marketing, be sure to invest in a strategic marketing plan that is developed by an experienced dental marketing firm. If you don't have the time or the talent on your team to execute the marketing plan (and be honest here!), then it's wise to leave the deployment to the experts, too.

#### Stay the course.

Even when the market is down, it's sometimes best to stay invested. You might sell a few shares of an underperforming stock and buy a few more of a higher performing one. Same goes for marketing. Never, ever, ever stop marketing.

Wendy O'Donovan Phillips is president of Big Buzz Inc., www.bigbuzzinc.com.

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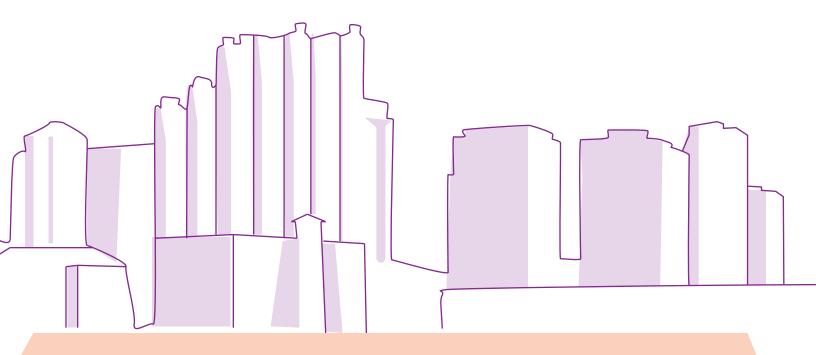
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# **Negotiating Your Lease** Renewal Term and Rental Rate

**For Dental Tenants** 



By Jeff Grandfield and Dale Willerton—The Lease Coach

A s we explain in our new book, *Negotiating Commercial Leases & Renewals For Dummies*, most lease-renewal terms are the same length as the initial lease term. Therefore, if a dental tenant has signed an initial 10-year lease term, it's common for the landlord to grant one 10year renewal option term or two 5-year options. Understand that some landlords will resist giving long-term rental options or multiple options. The larger the financial investment you make in a location, the longer (or more) renewal options you typically want or need (so as to recoup those costs).

A renewal-option term for the dental tenant doesn't give the landlord any particular benefit. From your perspective, it may be better to have several short options terms—rather than one longer one to provide you more flexibility in your practice. The renewal-option term in most lease agreements is for a set period of time, such as three or five years. You normally must make a full-term commitment if you exercise the renewal option. Just because you have an initial 10-year lease term with a 10-year renewal option, this may not be ideal. What if you want to retire or sell your practice sooner and the buyer wishes to relocate the practice (and therefore only wants to renew your lease for two years ...)? You will have to forgo exercising the 10-year option and negotiate for just two more years.

If you can persuade the landlord to agree to a renewaloption term that's "up to five years as determined by the tenant," you can have maximum flexibility to exercise your renewal-option term, but potentially for a shorter period of time. Landlords typically resist this tactic because they want to retain as much control as possible. It costs you nothing to try for this up to clause, but it's not often that the landlord agrees. When discussing the renewal-option term with your landlord, you should also discuss what your rental rate should be for your renewal term and whether the rates will be determined now. The majority of lease agreements don't pre-set the rental rate for the renewal-option term for a couple of reasons:

- Landlords want to be able to maximize the return on their real estate investment. No one has a crystal ball, so the landlord is simply keeping his options open for the maximum future rent increase possible.
- A landlord can constructively evict an undesirable tenant by simply dictating a much higher rental rate on the renewal term than is justified. In this case, the tenant simply refuses, relocates their business, and the landlord signs a deal with a more desirable tenant.

In many lease agreements, if the landlord and tenant can't agree on a renewal-term rental rate, they use arbitration to settle the dispute question. The goal of arbitration is to determine the current market rent for the commercial space and, as previously noted, can prevent the landlord from constructively evicting the tenant. Be careful on exercising a renewal option with the intent of relying on arbitration to settle the rental rate; if the rates are higher than you anticipated these arbitration rulings are typically binding and not something you can back out of if you do not like the result.

Take caution at this time as a landlord might hedge their bets by including language in the renewal-option clause stating that under no circumstances (if the renewal-option clause is exercised) can the rental rate decrease. If you've done your homework and determined that market rental rates have declined, then exercising the renewal-option clause can actually work against you.

For a copy of our free CD, Leasing Do's & Don'ts for Commercial Tenants, please e-mail your request to JeffGrandfield@TheLeaseCoach.com.

Dale Willerton and Jeff Grandfield - The Lease Coach are Commercial Lease Consultants who work exclusively for tenants. Dale and Jeff are professional speakers and co-authors of Negotiating Commercial Leases & Renewals FOR DUMMIES (Wiley, 2013). Got a leasing question? Need help with your new lease or renewal? Call 1-800-738-9202, e-mail DaleWillerton@TheLeaseCoach.com or visit www.TheLeaseCoach.com.

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# **Streaming the Olympics**

By HDA Member, Dr. Malcom Choy

The summer olympics in Rio have come and gone, but what marveled me the most, was the ability to watch practically all the events at my leisure by streaming over the internet. The days of privately recording the broadcast from NBC and hoping to catch a glimpse of your favorite sports are long gone.

Every quarterfinal, semifinal, and medal contest were at my disposal simply by searching through the different events and watching the replays commercialfree. Although you still need access to NBC whether through a cable or satellite company, it's relatively easy to stream the content. For the die-hard Olympic fans, live feeds were available, although the seven hour time difference for us in Hawaii was not the most convenient. I could stream on most devices pretty easily as well. I tried using my phone, tablet, Roku, and computer, and feel this was the best way to watch rather than a "regular" broadcast. NBC has started to show much more "human interest" stories about the athletes and less footage of the competitions than previous olympics, which pushed me to start following the olympics online. I found it more interesting to watch the early trials for many events rather than the edited segments from NBC of only a few events combined. NBC still posted the background stories of the athletes on the olympics webpage, so I could watch them if I wanted to still watch them. All videos were still available even now that the olympics have passed, and hope they remain accessible for the future should I ever want to look back at a specific event.

Time Warner also allows you to watch a number of other cable channels with your account by setting up a TWC account and logging in to the TWC TV app. For example, when I try to watch a live feed from ESPN, it will direct me to a sign-in webpage where I enter the same username and password for the TWC TV app which grants me instant access. This works great on any mobile device, so I'm not stuck only watching in front of our main tv. OC16 also has a separate app, although I found it not well designed or user friendly. However it works, so that's another option for viewing local sports on the go.

The main caveat of course being, is if your internet speed fast enough to stream the video feed. 5Mbps is the current recommendation for streaming highdefinition content, but that's if the bandwidth is not used by anyone else. Luckily, most people have at least that, and if you're techsavvy enough to know how to stream video from the internet, you probably have more than ample bandwidth to handle streaming. A good router is also necessary if you plan on using a wireless network to ensure consistent video quality with minimal interruptions or pixelation. If you use a wired connection to your computer or other streaming device, you most likely don't have this problem. I suggest using a router with the AC protocol standard, with 2.4ghz and 5ghz frequencies. The AC standard provides the best range and capacity compared to the more common wireless-G standard. The 5ghz frequency has less interference since many other devices in our homes use the 2.4ghz frequency and potential for wireless signal disruption.

The Olympics had the best online streaming experience for me so far compared to other events. You could say that they might have had the best equipment with an international crowd to appease with the streaming the events, and that's why it was a painless experience. But to me, it represents that live video streaming is finally reaching its' potential with a seamless transition away from traditional tv and channel surfing, and towards more on-demand viewing.With our busy work and personal lives, I think that what we could use more of.



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# Hawaii Dental Association Mission Statement

The Association is dedicated to serving the profession of dentistry and the public of the State of Hawaii. The Association preserves the integrity of the dental profession, strengthens the doctor/patient relationship and promotes the Principles of Ethics and Code of Professional Conduct of the American Dental Association.

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