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ACA Section 1557 Finalized, Went into Effect October 16, 2016



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New Rule Would Grant Overtime Pay to Additional Salaried Employees, Halted by Federal Judge

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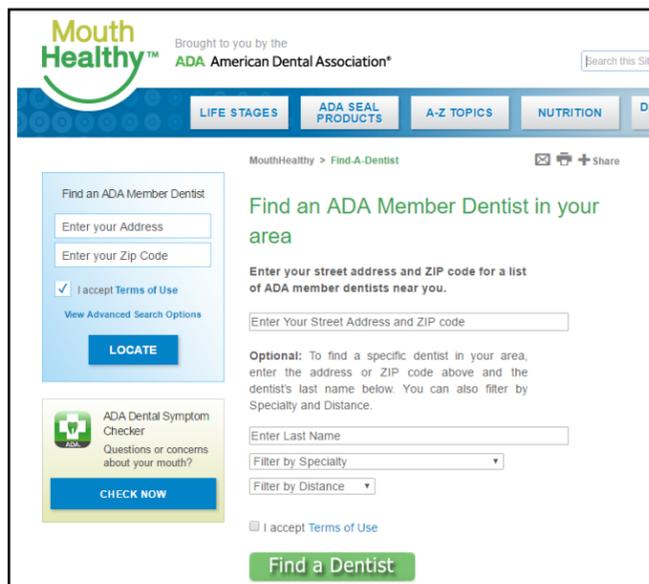
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Vol. 101 No. 3

JKDA

JOURNAL OF THE KANSAS DENTAL ASSOCIATION • KSDENTAL.ORG

ADA Resolution 67: Increasing Visits to ADA Dentists



Business issue: ADA Members Want More Patients

For several years, ADA members have said they have capacity to see more patients. Health Policy Institute (HPI) data shows that although 77% of adults say they intend to go to the dentist, only 33% actually go.

The ADA Council on Communications developed a three year plan to address this issue, which passed by an overwhelming majority at the 2016 ADA House of Delegates in October. The campaign will launch in the spring of 2017 and will be overseen by the Council on Communications, led by chair Dr. Craig Herre.

Prior to the launch of the campaign, the ADA will update the Find-a-Dentist tool to improve its usability for consumers and its ability to track traffic and referrals to individual member dentists. Beginning in January, members will be provided information about how to update their profiles to help increase the success of the campaign and traffic to their profile pages. Then in April, the consumer advertising campaign will launch, which consists of four parts:

- 1. Paid Search:** to ensure that when consumers search for a dentist on Google and other search engines, the ADA Find-a-Dentist tool comes up first.
- 2. National Digital and Social Media advertising:** ADA research identified two target audiences who tend to have a dental benefit and/or sufficient income to cover the cost of regular dental care, but don't visit the dentist as often as they should. They tend to be younger and more accustomed to sourcing information on digital devices, such as phones, tablets and computers, so the media buy will

Continued on page 3

Board of Regents Considers Creation of Kansas Dental School

Originally published by the Lawrence Journal-World - Article and Photo by Peter Hancock

According to Dr. Daniel Thomas and Dr. Doug Girod, solving a critical shortage of dentists in Kansas may require establishing the state's first-ever school of dentistry, and the University of Kansas Medical Center, in Kansas City, Kansas would be the most feasible site for such a school.

That was the message delivered to the Kansas Board of Regents on Tuesday, August 9, 2016, but neither the board nor KU has yet signed on to such an idea.

"We're underserved, and a significant amount of our workforce is going to be retiring in the next several years, and we don't have people in the pipeline to backfill that," said Dr. Doug Girod, Executive Vice Chancellor of the medical school.

According to a 2011 report, an estimated 57,000 Kansans at that time lived in dental care service "deserts," meaning there is no practicing dentist within 30 miles of their homes.

And although the problem is most severe in rural areas, the report said that even in urban areas, children, elderly people and low-income families have difficulty accessing dental care.

Kansas currently does not have a dental school. But since 1964, it has had a reciprocal agreement with the state of Missouri that allows Kansas residents to pay in-state tuition to study optometry and dentistry at the University of Missouri-Kansas City.

In exchange, students from Missouri have been allowed to pay in-state rates to



Regent Dr. Daniel Thomas (left) and Dr. Doug Girod, Executive Vice Chancellor of the University of Kansas Medical Center, proposed the idea of a dental school to the Kansas Board of Regents.

study architecture at KU and Kansas State University.

But Regent Dr. Daniel Thomas, who headed the task force before he was appointed to the board last year, said Kansas has not been getting its money's worth out of that deal.

He said Kansas has trained far more architects from Missouri than UMKC has trained dentists from Kansas, and few of the dentists coming out of UMKC end up practicing in Kansas outside the Kansas City metropolitan area.

That reciprocal agreement was just renewed June 30, 2016, with no changes to the terms of the agreement.

In 2009, the Board of Regents

Continued on page 3

After Medicaid Cuts, KDA President Drops Two Major KanCare Insurers

Originally published by the Kansas Health Institute - Written by Andy Marso

The President of the Kansas Dental Association said he has stopped taking patients from two of the state's three KanCare insurance companies because of a 4 percent Medicaid reimbursement cut initiated by Gov. Sam Brownback's administration.

Dr. John Fales, a pediatric dentist from Olathe, said Scion — the dental benefits manager for United HealthCare and Amerigroup — has told him it will implement the cut before it is approved by the federal Centers for Medicare and Medicaid Services.

"When the 4 percent cut was announced, it was just more insult to the injury we were



Dr. John Fales, 2016-2017 KDA President, has stopped taking patients from two of the state's three KanCare insurance companies because of a 4 percent Medicaid reimbursement cut initiated by Gov. Sam Brownback's administration.

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PRESIDENT'S MESSAGE

Dr. John T. Fales, Jr.
KDA President

As we approach the holiday season, I want to wish all of you a safe and happy end to 2016 and a great start to 2017. I hope all of you enjoy the time spent with family and friends and can benefit deeply from the love and friendship that surrounds all of us. With 2016 drawing to a close, I want to take this opportunity to share some of the activities the KDA officers and Delegates have been engaged in this fall.

ADA Annual Meeting

In October, the members of the ADA gathered in Denver for the annual ADA meeting. Many from Kansas were in attendance and they enjoyed great CE courses, fun, and an amazingly hospitable city. NFL rivalries aside, I thoroughly enjoyed my time there. Obviously, it wasn't all fun and games. The KDA contingent worked hard to represent the membership of the KDA attending many meetings related to the business of the ADA. My personal thanks to the Delegates and Alternate Delegates for their attendance at the many Reference Committee meetings/hearings, the Caucus meetings and the many hours spent sitting and participating in the four House of Delegates sessions. If you have the chance, please consider extending your personal thanks to your ADA Delegates and Alternate Delegates; Craig Herre, Bert Oettmeier, Brett Roufs, Cindi Sherwood, Hal Hale and Nick Rogers.

There were a number of issues considered by the House of Delegates this year, as there are every year. This

year was particularly interesting with two very important resolutions being considered, one of the issues has been considered for the past several years, and each year returned to its respective council for additional work. This year, the House passed Resolution 37, an Amendment to the Sedation and Anesthesia Guidelines by what appeared to be a wide margin.

ADA Resolution 67

Resolution 67 is probably the most exciting thing that the House of Delegates has seen as long as I have been a member of the ADA. This resolution came from the Council on Communication. Dr. Craig Herre, KDA member and Delegate to the ADA, worked incredibly hard with the other members of this Council and ADA staff to make this project a reality. This resolution will create a three-year program designed to drive patients to member dentist offices as new patients through online and social media channels.

Craig can explain this better than



I, but the easiest way I can explain this is to think of the ads that you see when you are surfing the internet on the side of your browser, or when you are exploring Facebook and see ads on the sides of your screen. Now think about the ADA having visibility in those ads. Quite simply, this will be a marketing campaign directed specifically at helping member dentists have new patients call their offices for new patient appointments. I am looking forward to seeing some great things come from this program and I hope you will feel the same!

Continued on page 4

KDA Endorsed Insurance Programs

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For More information, contact the Kansas Dental Association at (785) 272-7360

ADA Resolution 67

Continued from page 1

be 100 percent digital. This national overlay also includes ad placements on Facebook in addition to websites and apps.

3. **State and Local Support:** Matching funds will provide resources to state and local societies to amplify the message in their respective areas for greater reach and penetration.

4. **Member Resources:** Tools will be developed for ADA members to use in marketing their practices and talking to their patients. These will include customizable digital and social assets, print materials, and other resources specifically developed for member use.

The goal of the initiative is to achieve 90-110 million views of the ads annually, and drive 600,000 to 1,000,000 visits to the ADA Find-a-Dentist tool. The improved Find-a-Dentist tool will be able to more accurately track which dentist profiles are viewed, and reports will be available for members to track their results. In addition, HPI conducts an annual member survey on busyness, which will also measure the impact of the campaign.

A website page on ADA.org with detailed information for members about the campaign is in development and will launch in January 2017.

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Kansas Dental School

Continued from page 1

authorized an Advanced Education in General Dentistry program at Wichita State University, hoping that would produce more dentists practicing in Kansas. But in the seven years since then, Thomas said, only 30 people have graduated from the program, and of those, only six have stayed in Kansas: five in Wichita and one in Salina.

Thomas and Girod outlined a two-phase plan for addressing the current shortage, starting with a recommendation to establish more reciprocal agreements with dental schools in Nebraska, Colorado, Iowa, Oklahoma and other nearby states.

But the longer-term solution, they said, would be for Kansas to establish its own dental school that would focus on recruiting Kansas residents to study there and operating clinical sites that could offer low-cost dental care in underserved areas of the state.

And of all the possible locations for a school, they said the KU Medical Center would be the most feasible because it already offers basic medical training required in dentistry, and because it has available space that could be converted for use as a dental school.

Girod said KU could establish a four-year program that would admit about 60 students per year. He estimated the start-up cost of such a school at about \$43 million. If tuition were set at rates comparable to other schools, it would need an additional \$6.5 million of funding from the state.

KU Chancellor Bernadette Gray-

Little, however, said KU is not yet advocating for such an initiative. And Board of Regents Chairwoman Zoe Newton, of Wichita, said the board itself has not yet taken a position on the idea.

"This is the first time that I've heard about it and we haven't even talked about it as a board," Newton said.

She said the board may continue discussions in the coming months before deciding whether to include such a plan as part of a future package of requests for the Kansas Legislature.

KDA Update: On September 15, 2016, the Kansas Board of Regents Academic Affairs Committee heard a report regarding the new dental school. Proponents of the idea plan to renovate the A.R. Dykes Library at the University of Kansas Hospital at 3901 Rainbow Blvd in Kansas City, KS, which would hold a class of 60 dental students. 54 of these students would be Kansas residents, and 6 would be out-of-state.

The Kansas Dental Association does not have a specific position with regards to the dental school.

What's your opinion on a Kansas dental school?

- I think it's a great idea.
- I think it's a bad idea.
- I am undecided.

Email your comments to kylie@ksdental.org for a chance to see them featured in our next issue.

Thought of the quarter

"Some people grumble that roses have thorns; I am grateful that thorns have roses."

~ Alphonse Karr

Schedule of Events

KANSAS DENTAL ASSOCIATION

January 2017
27-28 Kansas Mission of Mercy - National Guard Armory - Manhattan, KS

February 2017
9 Dental Day - Dillon House - Topeka, KS
(followed by KDA Board of Delegates Meeting)

April 2017
6-8 Midwest Dental Conference - Sheraton at Crown Center - Kansas City, MO
7 Real World Transition Brunch - Sheraton at Crown Center - Kansas City, MO
7 KDA Board of Delegates Meeting - Sheraton at Crown Center - Kansas City, MO
8 KDA Annual Business Meeting - Sheraton at Crown Center - Kansas City, MO
(followed by KDA Board of Delegates Meeting)

June 2017
15-17 KDA Summer Get Away - Bluemont Hotel - Manhattan, KS

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President's Message

Continued from page 2

Thank You, KDA Members!

I would like to personally thank the many members of the KDA who contacted me and the other ADA Delegates prior to the ADA meeting in Denver. Your thoughts and concerns were important in helping us formulate our actions in Denver because we are only as strong as the collective efforts of all of our members.

Dental Therapy

In November, I attended a roundtable discussion to discuss dental therapy issues with several KDA officers and former officers, including Glenn Hemberger, Nick Rogers and Brett Roufs. There were approximately 18 people in attendance, and more than two thirds of the attendees appeared to be supportive of dental therapists, several of whom came from out of state.

Over 5 hours on a Saturday, we listened to a number of individuals explain why dental therapy would benefit Kansans. Prior to this discussion, I was hopeful that the dental therapy issue was winding down; however, it is apparent that the issue is not going to disappear from the legislative landscape anytime soon. It is my opinion that access to dental

"In the spirit of the holidays and the spirit of giving that we, as dentists, practice all year long, I urge each one of you to continue to do what you do in your local community to care for those patients who need help." - Dr. John Fales

care in Kansas faces many obstacles, but a lack of providers who can provide that care is not one of them.

Access To Care

The Kansas Initiative for New Dentists (KIND) Program is a shining example of the KDA's efforts to help dental school graduates locate in rural practice settings, and with a great partnership with Delta Dental, this program should continue to help graduates for years to come.

The Donated Dental Services (DDS) program continues to help adult patients find dental care at no cost to the patient, and thanks to amazing KDA member volunteer dentists and dental labs, this program will continue to help patients long into the future.

The cuts that Governor Brownback made to KanCare have had a significant impact on children and others covered by KanCare, not only in dental care but across the health-

care spectrum. The KDA will continue to advocate for not only restoring the cuts to previous levels, but to increase dental reimbursement rates.

What YOU Can Do To Help

Some KDA members have contacted me asking what they can do to help with the issues we face in Kansas. I ask each of you to contact your state representatives and senators and help them to understand the issues facing Kansas dental patients. Have conversations about KanCare. Sit down with your representative and let them know we care about every Kansas dental patient being cared for by a Kansas dentist. Share your feelings about the concept of having a dental therapist providing restorative dental care. The KDA will continue to speak for its members in this regard and will continue opposing the creation of a dental therapist. We do need your help and that comes from your participation in the conversation. Thank you in advance for your efforts!

In the spirit of the holidays and the spirit of giving that we, as dentists, practice all year long, I urge each one of you to continue to do what you do in your local community to care for those patients who need help. We all have big hearts, and we should let them be seen. Merry Christmas and Happy New Year to all of you!

- Dr. John Fales, KDA President

Medicaid Cuts

Continued from page 1

already feeling of trying to provide care and not being reimbursed for what that care costs," Fales said.

The third KanCare insurance company, Sunflower State Health Plan, uses its own dental benefits manager, Dental Health and Wellness. Fales said that group is holding off on the cuts and its administrators generally have been easier to work with than Scion's.

"I thought this was probably as good an opportunity as we were going to have to let the state know that there comes a point where it just is not possible to continue to provide that care as a private practitioner," he said.

The financial picture is even tougher for dentists in rural areas, Fales said. Every dentist has certain fixed costs, and being able to draw more patients from a densely populated area like Johnson County helps Fales defray them.

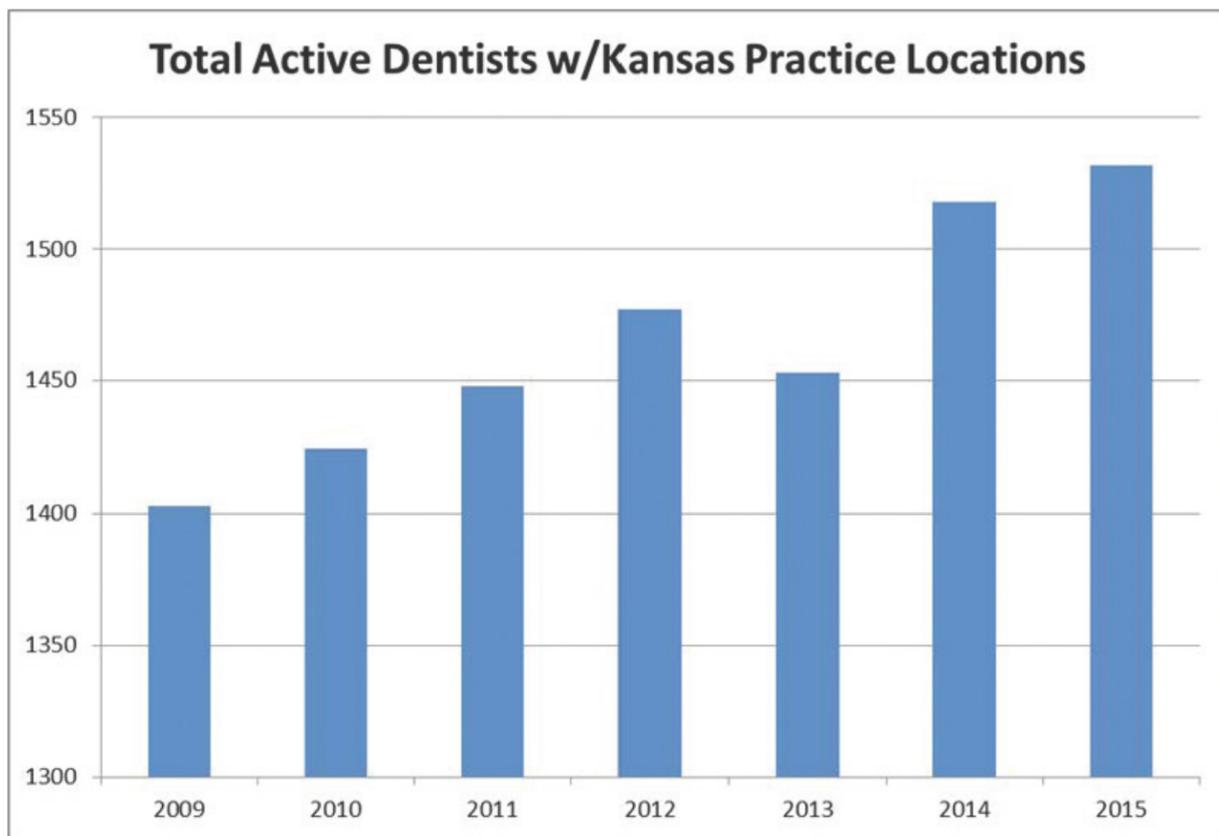
Fales wrote to federal officials about the 4 percent cut in July. He said he also wrote a letter to Brownback and has met with Lt. Gov. Jeff Colyer, a plastic surgeon, to discuss his concerns about cuts for providers who treat patients in KanCare, the state's privatized Medicaid program.

Brownback said the 4 percent cut was necessary to balance the state budget, but he later said he would

support reversing it in the next legislative session and replacing it with a tax on hospitals.

Fales said that's not a viable solution. He also said relying on charity care to fill the gap left by lagging Medicaid reimbursements is not a sustainable solution. The Kansas Dental Association estimates its members already are giving away \$40 million in free care per year.

He also said that creating a new license for mid-level dental providers who could do more care than hygienists but less than dentists is not a silver bullet for Medicaid patients either.

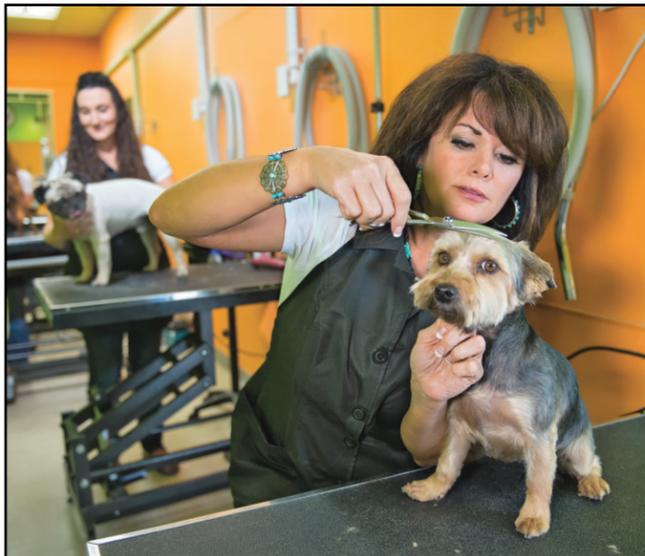


The chart above, created by the Kansas Dental Association with data obtained from the Kansas Dental Board, shows the number of dentists in Kansas who are licensed and actively practicing within the state between 2009 and 2015.

The number of practicing dentists in Kansas grew from about 1,400 in 2009 to almost 1,550 in 2015, Fales said (see above chart - provided by the Kansas Dental Association). While he said there may be few dentists in some regions, there's no shortage of dentists statewide — just a shortage of those willing to take Medicaid

Fales said Kansas should look to Texas, where an increase in dental

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Kevin Robertson, CAE
KDA Executive Director



FROM THE OFFICE

This quarter, I had the need to re-write my "From the Office" message after it was completed. I really wanted to avoid discussing politics, dental therapists, and the like, but then it started ... an onslaught of direct mail pieces with half-truths directed at Kansas dentists about dental therapists! At this point, I've seen three different mail pieces, so let me take a minute to clarify a few things.

1. The KDA and the ADA are firm in our **opposition** to dental therapists as currently proposed;
2. The Commission on Dental Accreditation (CODA) developed accreditation standards out of concern that there were dental therapy curriculums that various groups had developed (AAPHD and Community Catalyst) and that these proposed curriculums did not demonstrate sufficient rigor in the educational program

for the clinical skills that were proposed for dental therapists. **It is not an endorsement of, nor does it show support, for dental therapists;**

3. As proposed by Kansas Dental PROJECT in Kansas, with support from the national Kellogg Foundation, Kansas Action for Children and the Kansas Association of Medically Underserved, dental therapists would perform **surgical procedures**, such as such as fillings, pulpotomies, and extractions, anywhere in the state. Dental supervision would only be "GENERAL" and a dentist could supervise any number of dental therapists **without limitation** anywhere in the state;
4. The **number of dentists in Kansas is INCREASING** at a rate higher than the Kansas' population growth;
5. Dental therapists are only practicing in **one state** (Minnesota) outside of federally-recognized Native American tribal lands, and;
6. **Improving KanCare** would immediately increase dental access to Kansas' underserved population.

Please be aware that messaging from groups pushing for the passage

of dental therapist are deceptive! They use phrases like "our industry" or "our profession," and use website and social media addresses similar to ours, so it appears the information comes from the KDA.

BEWARE, this is NOT the Kansas Dental Association. Should you ever have a question about dental therapists, ANY legislation, or want to pass along information that you've learned, please **do not hesitate** to contact me at the KDA office.

Be sure to put DENTAL DAY 2017 on your calendar – THURSDAY, FEBRUARY 9!!!

To conclude, I'd like to express my thanks to the Kansas dentists and specifically the members of the Kansas Dental Association. With your support, I was recently presented with an Honorary Fellow of the Pierre Fauchard Academy (PFA) during its Annual Meeting in Denver. Joining me on this special day were 15 Kansas dentists, along with my membership sponsor, Dr. Hal Hale. It is a great honor, and I certainly appreciate the acknowledgement of the dental community.



Kevin Robertson (left) and Dr. Hal Hale at the induction ceremony for the Pierre Fauchard Academy during the 2016 ADA Annual Meeting.

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KDA Hires New Administrative Assistant and Welcomes Other Staff Changes

The KDA has gone through several recent staff transitions, beginning in May 2016 with the departure of former Communications Coordinator, Brian Bookwalter.

As Brian moved on to another opportunity, Kylie Fleck, who had been the KDA's Administrative Assistant since March 2013, took over the position of Communications Coordinator.

Fleck said, "I am excited to work with KDA members as the Communications Coordinator, and look forward to serving the organization in this new capacity."

Fleck will maintain her duties in administering the KDA's National

Children's Dental Health Month contests and activities, but is now also responsible for all web based, print, and video publications, as well as email communications with member dentists. She also manages the KDA's social media channels.

In addition, the KDA hired Mia Hoang to fulfill the role of Administrative Assistant in July 2016. Hoang will serve as the KDA's front desk receptionist and provide administrative support for membership initiatives, legislative activities, and the Peer Review program. She will also maintain KDA event registrations and assist in preparing for meetings and continuing education courses.

"I am really enjoying my new position and getting to know the member dentists and other staff members," said Hoang. "I am also learning a lot about the dental profession and what it means to be a part of organized dentistry in the state of Kansas."

Please join in welcoming Kylie and Mia into their new positions at the KDA office!



Kylie Fleck took over the position of Communications Coordinator on May 16, 2016. She had previously been the KDA's Administrative Assistant for just over three years. Kylie is also a student at Washburn University in Topeka and majors in Legal Studies. She plans to graduate in May 2017 and attend law school in 2018.



Mia Hoang began her position as Administrative Assistant at the KDA office on July 5, 2016. Mia brings a wealth of experience in bookkeeping, accounting, and office management. In her spare time, Mia likes to spend time with her husband, Brian, and her son, Hunter, and is an active Scout Mom.

To contact Kylie, Mia, or another KDA staff member, visit ksdental.org and click on the **About** tab. Then select **KDA Staff** from the drop down list.

Distance vs. Direction

Written by Kenneth Jones, Jr., DDS, JD

I've come to realize that there are unconventional lessons to be learned from many of life's everyday endeavors – even those in which we participate just for fun. All we have to do is pay attention to the little voice inside our heads that tells us there's another message in what we're doing – a message that we often try to suppress.

I've been playing golf for more than five and half decades. In 1960, I sat on the par five, dog-leg, 625 yard 16th hole of Akron's Firestone Country Club and watched my hero, Arnold Palmer, put his blind, second shot over the water and over the green, and end up with a par on the hole soon to be forever known as "the monster." That day was great and my love of the game was born.

I still remember the very first morning, just a few days after that Arnie's Army moment, that my sixteen year old self went out to "hit a few" in my back yard. My parents were both at work and I was psyched, so I hauled out my brand new set of clubs and tried to figure out how to hit that damned 7-iron like Arnie did, and not to let the ball just roll away into the adjacent high school football practice field.

Yeah, you guessed it! When I finally heard that solid "click" and saw that beautiful trajectory, I was ecstatic – for about five seconds before I saw it descend and land squarely in the middle of the kitchen window. I never thought about the consequences of hitting back toward the house – until it was way too late.

Thankfully, our neighbor, who owned the local hardware store, took pity on me. He replaced the glass that very morning, never told my parents, and let me pay off the bill by mowing his lawn the rest of the summer.

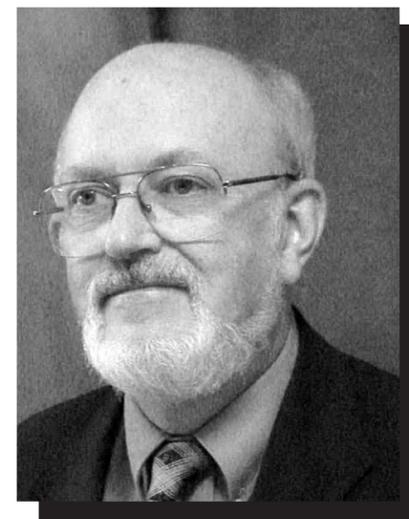
That morning, I learned that distance is great. I learned that looking impressive is really self-satisfying. I learned that doing it like a pro makes you feel all warm and fuzzy and impressed with yourself. I also learned that if you don't pay attention to the direction you're going, there's trouble just around the bend.

Occasionally, I golf with a dentist friend who goes all out for distance and power. He buys new clubs constantly to get more shot length and still sprays all over: in the trees – in the sand – in the other fairway. He's more than impressive on those few shots that he actually makes, but he's still always trying to find another magic bullet.

My buddy's a distance and power guy in his practice, too. His goal is to make lots of profits by only treating the well-off who can pay his big bucks fees with both highly insured compensation and lots of cash up front. He cares little for those who can only afford basic dentistry. Impressive cars, clothes, and financial reputation are his goals, not serving those who need help. He is the magic bullet – just ask him.

And then there's me, who seldom hits a club longer than a seven iron. But on most days, when I'm not too tired, I'm down the fairway and short rough, and not much in the trees. Direction is the quality I seek from my golf game. Most days I'm able to go the right direction. When that happens, I usually win.

I always tried to be a direction guy in dentistry, as well as on the golf course. My first and foremost goal was to make better the health care of all our population. Being a "health-care practitioner" meant treating patients of all kinds. That's what I was taught during my dental education. That's what I learned from those I looked up to. That's what I tried to teach when I served and spoke for the profession on any level, be it local, state, or national. That's what I tried to do for almost 45 years of private practice.



Kenneth Jones, Jr., DDS, JD has been licensed as a dentist since 1970 and as an attorney since 1996. While no longer involved in hands-on patient care, he currently works primarily as an expert witness and consultant for local, state, and federal law enforcement agencies and dentistry in the fields of substance abuse, dental malpractice, and fraud.

Dr. Jones has been an active member of organized dentistry for 46 years and, among other positions, served as a member and Chair of both the Ohio and American Dental Associations' Councils on Ethics, Bylaws and Judicial Affairs.

He has been a contributing editorialist and columnist for both the American and the Ohio Dental Associations for almost two decades.

Today, I keep looking at health-care in America. The older I get, the less excited and the less impressed I am with the direction it's going and of what's available to those of us in need. Unfortunately, as our dental professionals age and leave active practice, I see the same trends coming at dental care from every direction. Those are the same trends we fought so hard to keep at bay in years past.

Maybe I'm wrong. Maybe I'm not. But maybe it's time for our profession to decide which direction it should be heading in order to go the distance of professionalism.



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2017 Legislature Chooses Leadership

The recently-elected Kansas Legislature gathered in Topeka on Monday, December 5, 2016 to choose their new leaders for the next two (House) to four (Senate) years.

The leadership election outcomes were mostly anticipated by Statehouse regulars, with only a few surprises. Overall, it's a mixed bag of conservative and moderate Republicans leading the Legislature in 2017.

However, while conservatives walked away with the top positions in both Chambers, the Senate Vice President and House Majority Leader offices lean more toward the center than their predecessors.

Below is a summary of those chief positions:

- Senate Republicans re-elected **Susan Wagle** (R-Wichita) to a second term as Senate President
- **Jeff Longbine** (Emporia) was elected Vice President
- **Jim Denning** (R-Overland Park) ran unopposed for Majority Leader.
- House Republicans elected **Ron Ryckman Jr.** (R-Olathe) as their new Speaker
- Don Hineman (R-Dighton) was elected Majority Leader

- **Scott Schwab** (R-Olathe) was elected Speaker Pro Tem

For the Democrats, a significant upset was **Jim Ward** (D-Wichita) unseating Tom Burroughs (D-Kansas City) as House Minority Leader by a narrow vote, while **Anthony Hensley** (D-Topeka) was elected to serve his 6th term as Senate Minority Leader.

Below is the list of the remaining 2017-18 House and Senate Leadership:

Senate:

- Assistant Majority Leader - Vickie Schmidt (R-Topeka)
- Assistant Minority Leader - Laura Kelly (D-Topeka)
- Majority Whip - Elaine Bowers (R-Concordia)
- Minority Whip - Oletha Faust-Goudeau (D-Wichita)
- Agenda Chair - Marci Francisco (D-Lawrence)
- Caucus Chair - Tom Hawk (D-Manhattan)

House:

- Assistant Majority Leader - Tom Phillips (R-Manhattan)

- Assistant Minority Leader - Stan Frownfelter (D-Kansas City)
- Majority Whip - Kent Thompson (R-Iola)
- Minority Whip - Ed Trimmer (D-Winfield)
- Majority Caucus Chair - Susan Concannon (R-Beloit)
- Minority Caucus Chair - Barbara Ballard (D-Lawrence)
- Agenda Chair - Brandon Whipple (D-Wichita)
- Policy Chair - Adam Lusker (D-Frontenac)

The new Leadership is diligently working on Committee assignments in front of the Monday, January 9 convening of the 2017 Kansas Legislative Session.

The KDA hopes to see you all at **Dental Day 2017!**

Dental Day 2017
Thursday, February 9
Dillon House
Topeka, KS

Look for registration materials in your mailbox and at ksdental.org.



KDA Hosts Fall Break Reception for UMKC Dental Students

On Thursday, October 6, 2016, the Kansas Dental Association hosted a fall break reception for 1st-4th year students attending the University of Missouri-Kansas City (UMKC) School of Dentistry.

The event was held on the 2nd floor terrace at Teocali Mexican Restaurant, 2512 Holmes St, near the dental school in Kansas City, MO.

Thanks to a grant from the American Dental Association, the KDA was able to provide students with drink tickets and light hors d'oeuvres, and KDA staff members mingled with dental students and discussed with them the benefits of organized dentistry.

The KDA staff met with 52 students total - 15 first year students, 6 fourth year students, and 31 second and third year students.

Dr. Jill Jenkins, Chair of the KDA's Membership Committee, was also in attendance. Dr. Jenkins encouraged students to start networking, especially during their second and third years of dental school, to get a feel for associateships and opportunities before they enter their final year.

Thank you to all who attended!

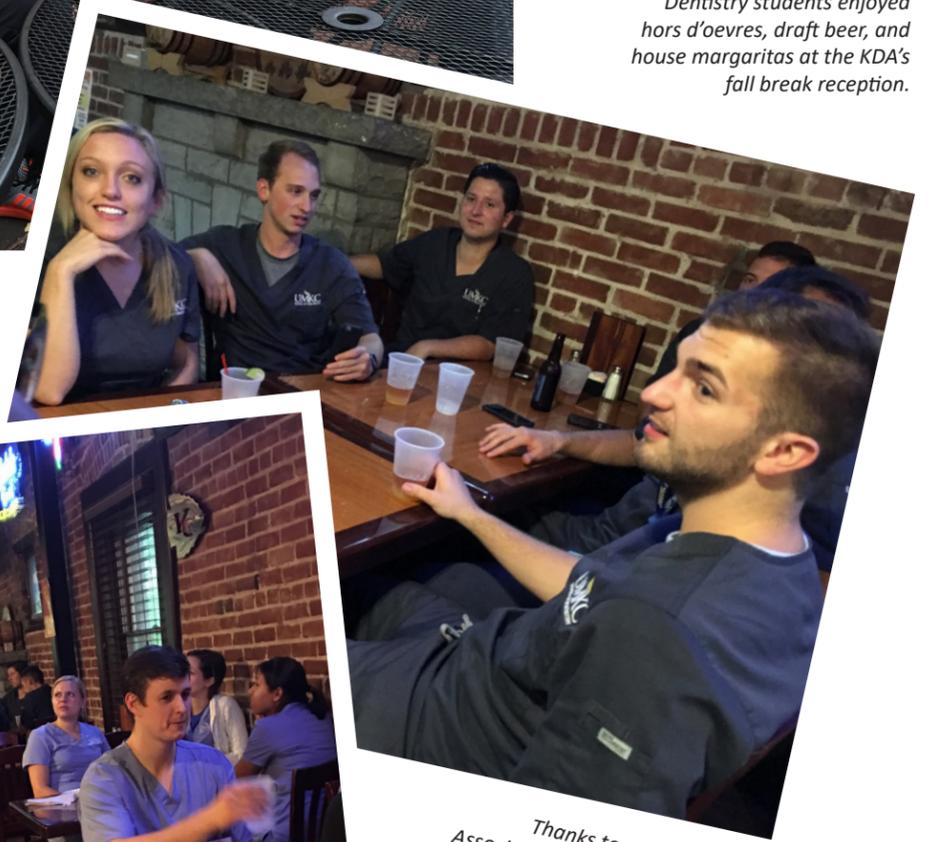
1st-4th year UMKC School of Dentistry students met with KDA staff on the 2nd floor terrace at Teocali Mexican Restaurant.



UMKC School of Dentistry students enjoyed hors d'oeuvres, draft beer, and house margaritas at the KDA's fall break reception.



KDA Executive Director, Kevin Robertson (pictured below), spoke with dental students about the KIND Program and other benefits of organized dentistry.



Thanks to a grant from the American Dental Association, KDA staff members were able to mingle with students and discuss Tripartite Membership.



Dr. Jill Jenkins, Chair of the KDA's Membership Committee, encouraged students to start networking early, especially during their second and third years of dental school.



Thank you to all who attended the fall break reception!

NEW MEMBERS

Central District

Dr. Austin Hrencher - Dodge City, KS

Fifth District

Dr. Vanessa Axelsen - Olathe, KS

Dr. Mark Juarez - Olathe, KS

Dr. Kory Kirkegaard - Mission, KS

Dr. Katherine Lovinger - Mission, KS

Dr. Lorenzo Neilsen - Leawood, KS

Dr. Nader Rastgoftar - Lenexa, KS

Dr. Jennifer Schilke - Lenexa, KS

Dr. Douglas Sjogren - Olathe, KS

Dr. Andrew Watkins - Overland Park, KS

First District

Dr. Hunaiza Ather - Kansas City, KS

Dr. Davy Chen - Kansas City, KS

Dr. Morgan Gardner - Leavenworth, KS

Dr. Eric McDonald - Kansas City, KS

Northwest/Golden Belt District

Dr. Jill Ahlers - Minneapolis, KS

Dr. Kristine Harr - Junction City, KS

Dr. Breanna Koch - Salina, KS

Dr. Cynthia Mo - Salina, KS

Wichita District

Dr. Daniel Cepeda - Wichita, KS

Dr. Richard Gallant - Wichita, KS

Dr. Debra King Schmidt - Wichita, KS

Dr. Lisa Le - Wichita, KS

Dr. Parth Patel - Wichita, KS

Dr. Emily Ruthven - Wichita, KS

Dr. Kelli Steinlage - Wichita, KS

Dr. Daniel Sucher - Wichita, KS

Dr. Travis Tanaka - Wichita, KS

Dr. Charley Twietmeyer - Wichita, KS

Let's give our new member dentists a warm welcome to the Kansas Dental Association!

Do you know of a new dentist in your community, a recent graduate, or even a new colleague in your practice who is not on this list? Please contact the KDA at 785.272.7360 so we can invite them to become a member.

U.S. Department of Labor Updates Federal Employment Laws Posters



UNITED STATES DEPARTMENT OF LABOR

Some of the statutes and regulations enforced by agencies within the Department of Labor require that posters or notices be posted in the workplace. The Department provides electronic copies of the required posters (and some of the posters are available in languages other than English).

Revisions to most of the required posters were finalized on **August 1, 2016**.

Please note that posting requirements vary by statute; that is, not all employers are covered by each of the Department's statutes and thus, may not be required to post a specific notice. For example, some small businesses may not be covered by the Family and Medical Leave Act (FMLA) and would not be subject to the Act's posting requirements.

Ensure that your dental practice is in compliance, download the new required posters, and learn more at the U.S. Department of Labor web site: dol.gov. Click on the **Popular Topics** heading and then select **Posters** from the drop-down list.

The Kansas Dental Association will provide its member dentists with revised consolidated Federal Employment Laws posters for the dental practice (free of charge) in 2017.

For more information about poster requirements or other compliance assistance matters, you may contact the U.S. Department of Labor at **1-866-4-USA-DOL**.

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Medicaid Cuts

Continued from page 5

reimbursement rates led to dentists taking many more Medicaid patients.

"Within three years the percentage of children covered by Medicaid being seen was higher than the percentage of children covered by private insurance (receiving treatment)," Fales said. "Private insurance was still paying more than Medicaid, but it was close, and so the dentists — who I think have a generous heart to begin with — said, 'I'm all in, let's do this.'"

**Have a question?
We're here to help!**



5200 SW Huntoon
Topeka, KS 66604
ksdental.org
p: 785-272-7360
f: 785-272-2301



Kansas Dental Association



@ksdental

UPDATE: CMS Delays Medicare Enrollment Rule to 2019

Written by Theresa Pablos, DrBicuspid.com
Assistant Editor

Dentists may get a temporary reprieve from a U.S. government program designed to get a handle on the country's opiate crisis.

The U.S. Centers for Medicare and Medicaid Services (CMS) said it has delayed by two years the date by which dentists must be enrolled with the government to be able to prescribe powerful Part D drugs such as opiates, moving its Medicare Part D prescriber enrollment rule from 2017 to 2019. The rule requires dentists who prescribe Part D drugs to officially enroll in Medicare to receive reimbursement.

The pushback of the enforcement date is seen as a victory by the

ADA, which has been opposing the requirement for dentists for several years. However, the enrollment rule will still be enforced in 2017 for some providers, such as those with a recent felony conviction.

"We are phasing in enforcement of prescriber enrollment between now and January 1, 2019, in order to help strike the appropriate balance between minimizing the impact on Medicare beneficiaries and protecting the Medicare Trust Funds," Tony Salters, a CMS spokesperson, wrote in an email to DrBicuspid.com.

"CMS will conduct special outreach and enrollment to prescribers based on their prescribing patterns of schedule II drugs, prioritizing the prescription of opioids as well as [the] high volume of Part D prescriptions. People with Medicare benefits will be better protected by ensuring that healthcare professionals who prescribe medications covered under Medicare's Part D program and schedule II drugs are enrolled and that their enrollment is monitored appropriately."

Kansas Dental Board to Allow Continuing Education Credits for Charity Care

Information courtesy of the Kansas Dental Board, the Kansas Dental Association, and the Kansas Dental Charitable Foundation.

November and December is license renewal time for dentists and dental hygienists - 2016 was for those who have even-numbered licenses, and 2017 will be for those who have odd-numbered licenses.

During the 2016 legislative session, the Kansas Dental Association (KDA) was instrumental in acquiring a change to the Kansas Dental Practices Act regarding continuing education credits for dentists who render charitable care.

Now, a dentist who is a charitable healthcare provider, who has signed an agreement to provide gratuitous services, may fulfill one hour of continuing education credit by the performance of two hours of gratuitous services to medically indigent persons, up to a maximum of six continuing education credits per licensure period.

The new law became effective **July 1, 2016**.

A prime example of dentists providing gratuitous services is the Kansas Mission of Mercy (KMOM) free dental clinic, a project of the Kansas Dental Association and the Dental Charitable Foundation. A volunteer dentist who provides 2 hours of gratuitous services at

KMOM MANHATTAN

JANUARY 27-28, 2017

LITTLE APPLE, BIG HEARTS!

Kansas Mission of Mercy Making a Difference
Kansas Dental Charitable Foundation

KMOM can receive 1 hour of CE.

The next KMOM will be held on **January 27-28, 2017**, in Manhattan, Kansas, at the National Guard Armory.

To date, Kansas dentists volunteering at KMOM have provided almost 27,000 Kansans free dental care valued at over \$15.3 million.

The KDA and Kansas Dental Charitable Foundation (KDCF) will be working with volunteer dentists

during and after KMOM to ensure that CE certificates are provided to volunteers before they renew their licenses.

Dentists across the state are encouraged to contact the KDA with questions about volunteering at KMOM and obtaining CE certificates at the KMOM in Manhattan, KS on **January 27-28, 2017**.

Learn more about KDCF and KMOM, and register to volunteer, at ksdentalfoundation.org.

KDPAC
Kansas Dental Political Action Committee



ADPAC
American Dental Political Action Committee
ADA American Dental Association®

Your Involvement Today Is More Important Than Ever!

Whether it's legislation in Kansas or Washington D.C., our profession needs lawmakers who understand dentistry and who seek advice from dentists and organized dentistry when considering legislation and policies and that may affect our profession and patients.

Kansas Dental PAC (KDPAC) and American Dental PAC (ADPAC) compliment each other by supporting candidates at both the state and federal levels who are supportive of dentistry.

Your contribution is critical to our ability to continue to protect you, your practice and your patients. Your \$150 contribution is all that is necessary to become a KDPAC and ADPAC member. Please consider an additional contribution of \$150 or \$350 in 2016 as we approach a critical election for both Kansas and the nation.

Thanks for supporting KDPAC and ADPAC to help preserve dentistry — health care that works!

Please support your KDPAC today!

NEW MEMBER SPOTLIGHT



Casey Rhoads, DDS, MDS

Dr. Casey Rhoads was born and raised in Hays, KS and after completing undergrad at The University of Kansas (Rock Chalk!), she attended dental school in Lincoln, NE. In June 2016, Dr. Rhoads completed her pediatric dentistry residency in Memphis, TN where she had the unique and humbling experience of training at St. Jude Children's Research Hospital and LeBonheur Children's Hospital.

"I was fortunate to find a WONDERFUL job in the Kansas City area at the offices of Jenkins and LeBlanc Dentistry for Children. I enjoy being an associate in a group practice. Being able to learn from the other talented dentists I work with on a daily basis is something I cherish. I adore all of my patients and feel so honored to get to work with them every day," Dr. Rhoads said.

Dr. Rhoads enjoys staying active and exploring new

The KDA New Member Spotlight is a membership benefit. If you are interested in being featured, please contact Kylie Fleck at kylie@ksdental.org.

places with her husband, RJ. RJ is currently a general dentist in Grandview, MO. The couple is new to the Kansas City area and are anxious to see everything the city has to offer!

"We feel so blessed to call this our home," said Dr. Rhoads.



Michael Barber, DDS

Dr. Michael Barber is an Oral and Maxillofacial Surgeon who completed his undergraduate studies at Brigham Young University in 2006 and obtained his Doctor of Dental Surgery (DDS) degree in 2010 from the University of Michigan. He completed a General Practice Residency from the University of Utah in 2011 and went on to complete a 4 year Oral and Maxillofacial Surgery Residency at the University of Rochester in Rochester, New York.

Dr. Barber has received extensive training in advanced oral surgical procedures (impacted wisdom teeth, dental implants, bone grafting), outpatient anesthesia (sedation), orthognathic surgery (corrective jaw surgery), facial trauma and maxillofacial pathology. He is certified in Basic Life Support, Advanced Care Life

Please join in welcoming our new members!

Support, and Advanced Trauma Life Support.

Dr. Barber lives in Kansas City with his wife and 3 children (2 boys, 1 girl). In his free time he enjoys spending time with his family, traveling, playing basketball, tennis, snowboarding, and exercising.

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ACA Section 1557 Went Into Effect October 16, 2016, Dentists Who Provide Federal Services Must Post Nondiscrimination Notice and State Taglines

Information courtesy of the American Dental Association and the U.S. Department of Health and Human Services. Visit ada.org or ksdental.org for updates on Section 1557.



In accordance with Affordable Care Act (ACA) Section 1557 rules, covered dental practices are now required to post two notices: (1) a Notice of Nondiscrimination and (2) Taglines. These notices must have been posted by **October 16, 2016**.

Notice of Nondiscrimination:

The Notice of Nondiscrimination tells the public that you don't discriminate on the basis of race, color, national origin, sex, age, or disability. The Office for Civil Rights ("OCR") has provided a sample Section 1557 Notice, a link to which is available at ada.org and ksdental.org.

The American Dental Association (ADA) has also provided a sample nondiscrimination notice specifically for offices who employ less than 15 employees. While the notice is posted in English, OCR will make their sample notice available in some non-English languages which can help if a patient asks a dentist for a translation. This notice can also be found at ada.org and ksdental.org.

Taglines:

Taglines are short statements in the top 15 non-English languages in your state, telling the public that you provide language assistance services and saying how the language assistance can be obtained.

The OCR has provided the following sample tagline:

ATTENTION: If you speak [insert language], language assistance services, free of charge, are available to you. Call 1-xxx-xxx-xxxx (TTY: 1-xxx-xxx-xxxx).

As a member value, the ADA has also developed a sample Tagline and is providing it in the top 15 languages for states and US territories to all our members. Download the ADA's sample Kansas Taglines at ada.org or ksdental.org. You will still need to add how the language assistance can be obtained.

Where must I post the Notice of Nondiscrimination and the 15 taglines?

The notices are required in your office, on your website, and in significant publications and communications targeted to patients or the public.

- your state, instead of the top 15.
- An abbreviated Nondiscrimination Statement:** [NAME OF DENTAL PRACTICE] does not discriminate on the basis of race, color, national origin, sex, age, or disability in its health programs and activities.

The ADA has provided an editable sample shortened notice of nondiscrimination for small sized significant publications and communications, available at ada.org and ksdental.org.

More Information:

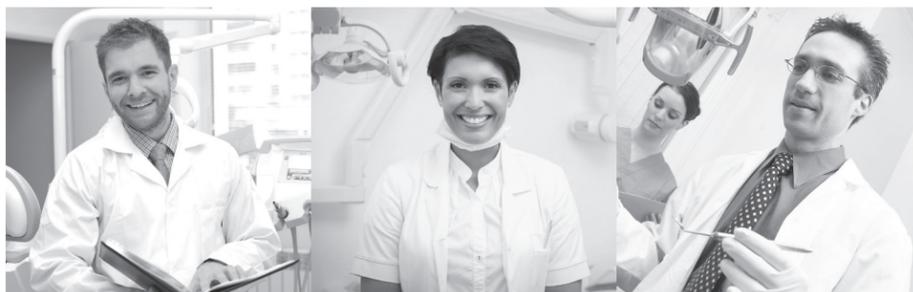
More information is available in the ADA's Notice and Taglines Requirements FAQ at ada.org/1557.

The U.S. Department of Health and Human Services (HHS) provides free aids and services to people with disabilities to communicate effectively, such as:

- Qualified sign language interpreters
- Written information in other formats (large print, audio, accessible electronic formats, other formats)
- HHS also provides free language services to people whose primary language is not English, such as:
 - Qualified interpreters
 - Information written in other languages

If you need these services, contact HHS at **1-877-696-6775**.

Reproduction of this material by member dentists and their staff is permitted for non-commercial use in their dental offices, on their websites, and on publications and communications for purposes of compliance with the Section 1557 final rule. Any other use, duplication or distribution by members or any other party requires the prior written approval of the American Dental Association. This material is for general reference purposes only and does not constitute legal advice. It covers only the Section 1557 final rule tagline requirement, not other federal or state law. Changes in applicable laws or regulations may require revision. Dentists should contact qualified legal counsel for legal advice, including advice pertaining to compliance with Section 1557 of the Affordable Care Act, and the U.S. Department of Health and Human Services rules and regulations.



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- **Office:** The notices must be placed in locations where you interact with the public, and must be in a conspicuously-visible font size.
- **Website:** On your website, they must be in a conspicuous location accessible from the home page.
- **Publications and Communications:** The notices must be printed in significant publications and/or communications targeted to patients and to the public. This may include patient handbooks, outreach publications, or written notices pertaining to rights or benefits or requiring a response from an individual, as well as significant communications (such as letters) to an individual.

If a significant publication or communication is small-sized, such as a postcard or tri-fold brochure, you may post:

1. **Taglines in the top two languages in**

KMOM Volunteer Registration is Now Open!
Visit ksdentalfoundation.org to register.

KMOM MANHATTAN



LITTLE APPLE, BIG HEARTS!

New Rule Would Grant Overtime Pay to Additional Salaried Employees, Halted by Federal Judge

Information courtesy of the American Dental Association and the U.S. Department of Labor

Does your dental practice employ salaried staff earning less than \$47,476.00 per year? If so, a new proposed U.S. Department of Labor rule might require you to pay overtime to those employees for any hours worked over 40 per week.

The new rule, contained within the Fair Labor Standards Act (FLSA), was scheduled to take effect on December 1, 2016; however, U.S. District Judge Amos Mazzant, of the Eastern District of Texas, issued a preliminary injunction on November 22, 2016, blocking its implementation.

In his ruling in *State of Nevada, et al, v. the United States Department of Labor, et al*, which included 20 other states, Judge Mazzant granted the plaintiffs' motion for a nationwide injunction.

The rule would have doubled the salary threshold — from \$23,660 to \$47,476 per year — under which most salaried workers are guaranteed overtime (not applied to hourly workers), automatically updated the salary threshold every three years, based on wage growth over time, and strengthened overtime protections for salaried workers already entitled to overtime.

The American Dental Association (ADA) has opposed the new rule and sent a letter to the Department of Labor stating such in September 2015.

According to the ADA, "As proposed, the revision to the salary level threshold would leave most employers with two options for controlling overhead costs. The first option would be to limit the hours currently exempt employees work (to less than 40 in a given work week). This is not an option for the 20 percent of dental practices that would be affected, due to after-hours emergencies and other patient problems that make working hours unpredictable."

Further, the ADA suggested that, "The second option would be to raise fees, which could be detrimental to the millions of Americans already struggling to pay for the dental care they need."

The Department of Labor said it received more than 270,000 public comments on the rule.

"We strongly disagree with the decision by the court, which has the effect of delaying a fair day's pay for a long day's work for millions of hardworking Americans," said the



Department of Labor in a statement.

"The department's overtime rule is the result of a comprehensive, inclusive rulemaking process, and we remain confident in the legality of all aspects of the rule. We are currently considering all of our legal options."

The Department of Labor has requested an expedited appeal on the ruling. We will keep you updated as this story progresses.

View frequently asked questions about overtime pay and learn more about the new overtime rule at: ksdental.org, ada.org, and dol.gov.



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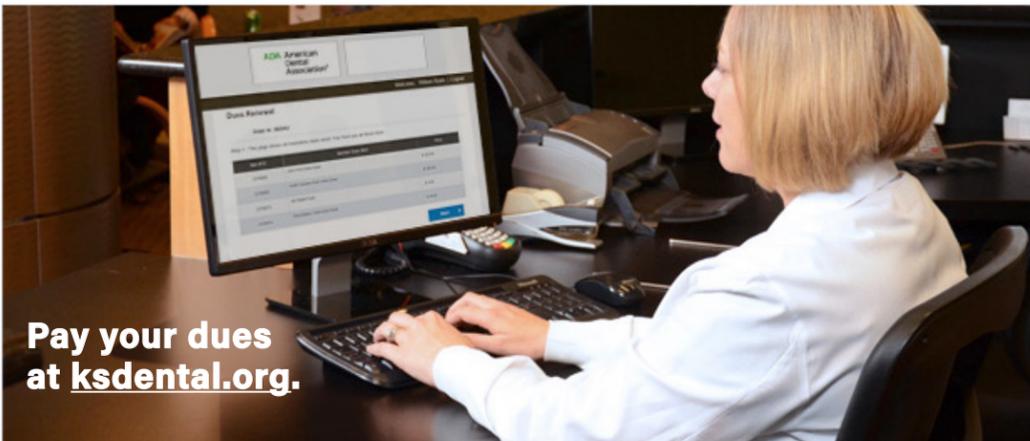
June 15-17, 2017

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**Now Available to KDA Member Dentists:
Pay Your Dues Online, Sign Up for Installment Plans**



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at ksdental.org.**

It's that time of year again – time to pay your ADA, KDA, and local district membership dues!

KDA member dentists: Simply login with your ADA number at ksdental.org to pay your annual membership dues or sign up for installment plans.

Installment plans will divide your dues into four equal payments and run from January – April 2017. This will replace our normal Prepaid Dues payment option.

Please direct questions about your membership dues to Finance and Membership Coordinator, Jennifer Jones, at the KDA office, by phone at 785.272.7360 or email at jennifer@ksdental.org.

The Kansas Dental Association would like to pay our respects to the following deceased dentists:

Dr. Jimmie Underwood

August 13, 2016
Lawrence, KS
First District

Dr. John "Jack" Flickinger

August 14, 2016
Lawrence, KS
First District

Dr. Leonard Lausten

August 15, 2016
Overland Park, KS
Fifth District

Dr. Ronald Gier

September 9, 2016
Overland Park, KS
Fifth District

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