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Client Alert: Guidance for Re-Opening Dental Practices During the COVID-19 Pandemic

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Dental practices are classic health care settings where in-person care is often necessary, and cannot be performed via telehealth. While there are urgent dental care needs, regular non-urgent in-person dental care is also important preventative health care. However, both urgent and non-urgent dental care present special COVID-19 transmission risks due to the aerosols, fluids, and open unmasked mouths that are often present in treatment. Recognizing these increased risks and the importance of both urgent and non-urgent dental care, the Centers for Disease Control and Prevention ("CDC") has issued special Guidance for Dental Settings ("Guidance"), most recently updated on May 20, 2020.

Under this Guidance, dental practices must monitor and be aware of the status of the spread and extent of COVID-19 in their communities. They must also look at state and local guidance and rules when determining whether and when to re-open. The Guidance provides specific direction regarding a number of issues that dental practices may run into when re-opening. Patient management measures include telephone and in-person screening of patients prior to treatment and limiting guests. Facility-specific recommendations include a suggested chair configuration for the waiting room and the removal of toys and magazines from the waiting room. The guidance also covers equipment considerations concerning maintenance, cleaning, and administrative controls limiting the number of patients in the practice at any one time. Specific guidance is provided for aerosol-generating procedures such as high evacuation suction and dental dams. The Guidance also contains a section on engineering controls which provides best practices on ventilation systems in the dental practice. Dental practitioners are also encouraged to wear a facemask at all times and have sanitizer and/or hand washing stations available. Finally the Guidance provides the details on the sequences of donning and doffing Personal Protective Equipment ("PPE"). The full Guidance is located at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/dental-settings.html> and should be reviewed carefully by all dental providers and dental office managers.

The American Dental Association ("ADA") has also issued a very helpful toolkit for dental offices re-opening during the pandemic. This toolkit has sample letters to welcome patients back and to prepare them on what to expect. It also has sample pre-appointment screening documents, reception area preparation strategies, a chairside checklist, and Staff Protection Strategies. This toolkit can be requested at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/dental-settings.html>.

While this is helpful national guidance, dental providers must also check state and local authorities for further orders, guidance, and information. For example, in the State of Florida, elective dental procedures were specifically permitted on May 4, 2020 pursuant to Executive Order 20-112. By reviewing and complying with national, state, and local guidance and law, dental providers and dental practice managers can help to create a safe environment for both their patients and their staff and limit their liability.