

# Dr. Kevin Cassidy, DDS, MS

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Date: January 25, 2022

To: Senate Committee on Public Health and Welfare

From: Dr. Kevin Cassidy, DDS

RE: **Written Comments in SUPPORT of SB 212**

I am Kevin Cassidy, DDS, an orthodontist practicing in Topeka. Thank you for allowing me the opportunity to submit written comments to the Senate Committee on Public Health and Welfare regarding my support of SB 121. I'd like to address the provisions in SB 121, not only as a trained orthodontist, but also from the experiences of patients who have had poor experiences with at least one direct to consumer teeth straightening service.

Section 1 requires an xray and exam before diagnosis and orthodontic treatment. It is important to have an in-person exam with updated diagnostic radiographs to make sure there is no underlying issues within the bony structures of the jaws that could become worse with orthodontic treatment. Potential issues include undetected gum disease that could make certain teeth more susceptible to falling out. Impacted teeth that may damage the roots of the teeth that are moving are two such examples.

I have had patients seek my opinion and treatment after first trying the services of a direct-to-consumer mail service. One such patient came to me for a second opinion after the proposed treatment plan did not address her main complaint and the movements that were predicted by her treatment plan were too difficult for plastic aligners which was easily diagnosed with xrays that had not been required or viewed by the direct-to consumer mail service. I eventually treated her with regular braces to address her chief complaint.

Section 2 requires a treating dentist to provide emergency contact information. It is important to have contact information for the treating dentist available to the patient in case an issue arises with treatment. If I have a patient who has an issue or emergency with their treatment, they can call me and get my opinion and service. If the dentist is not known by the patient how/who can the patient call to get their issues resolved?

I have seen this firsthand as a patient who was unsatisfied with her treatment from a direct-to-consumer company came to me after she could not could never talk to the dentist who

formulated her treatment. She eventually stopped her treatment with the direct-to-consumer company and came to me for retreatment. She was unable to get her money back.

Section 3 prohibits a dentist from circumventing a patient's right to file a complaint with the Kansas Dental Board. It is my understanding that at least one direct-to-consumer dental service has their patients sign an agreement that prohibits them from filing a formal complaint with the dental licensing board if they are unhappy with their treatment. This is grossly unfair to me as a licensed dentist who is not allowed those protection under the dental practice act. As a licensed professional I should have to be held accountable for my treatment if it is not at an acceptable level- same should hold true for a company that practices dentistry.

Thank you for your consideration of my comments regarding SB 121. Please contact me directly [dr\\_kevin@cassidyorthodontics.kscoxmail.com](mailto:dr_kevin@cassidyorthodontics.kscoxmail.com) or call/text my cell phone at 785.640.4484 if I can provide the Committee with additional information.