



AMERICAN SOCIETY OF
PLASTIC SURGEONS®

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THE PLASTIC SURGERY
FOUNDATION™



February 8, 2021

The Honorable Heather Sanborn, *Chair*
The Honorable Denise Tepler, *Chair*
2 State House Station
Room 333 State House
Augusta, ME 04333

RE: Amend L.D. 26

Dear Chairwomen Sanborn and Tepler:

On behalf of the Northeastern Society of Plastic Surgeons (NESPS) and the American Society of Plastic Surgeons (ASPS), we are writing to urge you to amend L.D. 26. ASPS is the largest association of plastic surgeons in the world, representing more than 7,000 members and 94 percent of all board-certified plastic surgeons in the United States. Our mission is to advance quality care for plastic surgery patients and promote public policy that protects patient safety.

We appreciate your efforts to undo this significant administrative overreach. By doing so, you are working to restore some measure of patient safety. The protection of patients from non-physicians attempting to practice medicine is one of the central ways that legislators can engage in the advancement of high-quality care.

However, as surgeons, we encourage you to maintain the high level of patient care that has been established and maintain current standards that permit only licensed Medical Doctors (MD) or Doctors of Osteopathic Medicine (DO) who meet appropriate education, training, and professional standards to perform surgery in the maxillofacial region. If passed in its current state, the bill would still allow dentists – and likely the worst actors among that profession – to perform procedures that fall squarely outside the scope of dentistry.

ASPS recommends that you include a more specific prohibition on the administration of botulinum toxins or dermal fillers for any cosmetic purposes and that you remove the phrase "or is not part of a patient's dental treatment plan." There are serious patient risks involved with allowing these injections into the dental scope of practice given the fact that dentists lack clinical training to perform surgery outside of the oral cavity. As such, we remain concerned that unscrupulous providers will be tempted to include cosmetic applications of botulinum toxins or dermal fillers in what would otherwise be legitimate treatment plans.

As you clearly understand, allowing dentists who have not also fulfilled the requisite medical school and postdoctoral residency training to perform surgical procedures in this region, including injecting botulinum toxin neuromodulators and/or dermal fillers, jeopardizes patient safety and lowers the standard of care in Maine. For that reason, we appreciate your efforts. We hope that L.D. 26 moves swiftly and successfully through the legislature, and we hope you reach out if we can be of any assistance. Additionally, we hope

you consider our recommended adjustment to the language, which we think takes a very strong and clear objective and makes it an ironclad policy outcome when put into practice day-to-day in your state.

Please do not hesitate to contact Patrick Hermes, Director of Advocacy and Government Relations, at phermes@plasticsurgery.org or (847) 228-3331 with any questions or concerns.

Sincerely,



Joseph E. Losee, MD, FACS, FAAP
President, American Society of Plastic Surgeons



Brian Glatt, MD, FACS
President, Northeastern Society of Plastic Surgeons

cc: Members, Health Coverage, Insurance and Financial Services