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December 17, 2010

Jonathan Eisenmenger, Executive Director
New Jersey State Board of Dentistry
124 Halsey Street
PO Box 45005
Newark, New Jersey 07101

RE: Proposed new rule N.J.A.C. 13:30-8.4A

Dear Mr. Eisenmenger:

The Medical Society of New Jersey (MSNJ) has reviewed the above referenced regulatory proposal and appreciates the opportunity to provide comments on the proposed new rule. We are categorically opposed to the expansion of dental practice into cosmetic medical procedures.

MSNJ joins with the American Medical Association comments and opposition to the proposed new rules. We too have deep concerns for patient safety. We understand that a 21 hour training course cannot replace years of clinical training required to understand the pharmacologic issues and anatomical structures contemplated by the new rules.

We write separately as we believe the proposed rules expand the scope of dental practice beyond what the legislature has authorized in NJSA 45:6- 19, the Dental Practice Act. It is our position that the legislature never contemplated "dental practice" to include administering Botox®, Restylane® or collagen for cosmetic purposes.

The proposal seeks to establish and define a "peri-oral area" which is defined as "the gums, cheeks, jaws, lips and oral cavity and associated tissues." This definition expands the statute by including lips to the ever-creeping expansion of "associated tissues" for the sole purpose of allowing dentists to provide cosmetic procedures that are currently performed by medical doctors. Such expansion is not permitted through rulemaking and is the province of the legislature.

Jonathan Eisenmenger, Executive Director
New Jersey State Board of Dentistry

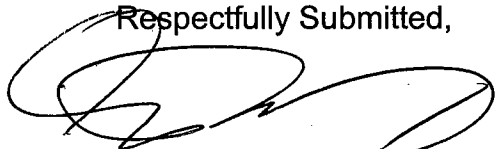
Medical Society of New Jersey Comments RE: Proposed new rule N.J.A.C. 13:30-8.4A

We also disagree with the economic impact statement contained in the rule proposal, specifically - *"The Board, however, believes that the costs to licensees, registrants, permit holders and applicants are outweighed by the benefit to the public in protecting the public's health, safety and welfare by ensuring that dental services are provided by qualified professionals consistent with the professional practice standards established in the rules."*

MSNJ objects to the classification of the administration of Botox®, Restylane® or collagen as "dental services". Moreover, the economic impact on patients for mistakes in the administration of toxic pharmacologic agents by inadequately trained individuals is not contemplated by the proposal. This proposal does not protect the public health but jeopardizes it by permitting lesser trained professionals to administer medical procedures.

To the extent that the New Jersey Board of Dentistry understands that its licensee's are performing medical procedures beyond the scope of their training the Board should investigate those licensees and intervene to protect the public.

Respectfully Submitted,



Lawrence Downs, Esq.
General Counsel
Medical Society of New Jersey