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Recent amendments to California's Dental Practice Act now make the professional responsibility and standard of care obligations of a traditional, in-person dental practitioner equally applicable when providing care utilizing teledentistry services. This would include dental care delivered under any of the growing number of technology-driven, direct-to-consumer orthodontic teledentistry companies that offer patient customers teeth aligners without having to first undergo an in-person, dental office visit. The law triggering these amendments, which took effect 1/1/2020, aims to promote patient protection and transparency, however opponents of the law have argued that it will curtail access to more affordable orthodontic care in the state.

CA joins an increasing number of states (AZ, MA, OH, OR, SD, TN) that have either proposed or already enacted legislation requiring parity in the standard of care rules applied to dental practitioners who treat patients in the traditional, office setting and those that treat patients via telecommunication technology driven, teledentistry systems.

The law extends the following standard of care and professional conduct provisions to practitioners delivering care in a teledentistry setting:

- Prior to any initial diagnosis or use of orthodontic appliances (including teeth aligners), the treating dental practitioner must first perform an examination that includes a review of the patient's most recent dental x-rays.
- Customer notice requirements identifying the practitioner's license status as well as the telephone number and website of the Dental Board of California, must also be made available, and in an electronically accessible format, to patients receiving care via teledentistry.
- Prior to rendering services, and at any time upon the patient's request, any individual or entity (including DTC orthodontic teledentistry companies) providing dental care by teledentistry methods must disclose to the patient receiving care the name, phone number, practice address, and state license number of any dentist involved in the provision of care.
- Practitioners are prohibited from requiring patients to agree to non-disclosure agreements limiting their ability to file complaints with the Dental Board of California.

DTC orthodontic teledentistry companies continue to grow in use and popularity and as a result the industry has seen increased collaboration with dental insurers in recent years in the form of new direct provider network relationships with insurers as well as insurance plan designs more explicit in their coverage of reimbursable teledentistry services. It will be interesting to see if that momentum will continue into 2020 as state legislators and dental boards begin to assert more direct authority over the practice.

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