March 31, 2017

MEMO

FROM: Dr. Bob Kinniburgh, President
Canadian Association of Orthodontists

Re: SmileDirect Club

With the evolution of technology and alternative delivery methods of orthodontic care, it is incumbent upon the Canadian Association of Orthodontists (CAO) to create awareness to the possibility of the infiltration of mail order, direct-to-consumer aligner systems into the Canadian marketplace. These systems have potential to provide orthodontic treatment without clinical examination or supervision by a licensed dental professional.

Currently in the United States, the most prominent direct-to-consumer aligner company is SmileDirectClub (SDC). To start treatment with SDC, the customer completes an online questionnaire and purchases an impression starter kit. Polyvinyl siloxane impressions are then taken by the patient. Intraoral photographs taken by the customer are uploaded to the company website. Alternatively, the patient can have a digital impression scan at a regional “scanning center”, again, without the supervision of a licensed dental professional.

SDC and their investors may see the Canadian market as an opportunity in the near future. This system of delivery of orthodontic care raises numerous questions for the provincial licensing bodies and other stakeholders. Does this system of delivery of dental services comply with respective provincial health acts? What are the legal concerns in licensure of reviewing dental professionals out of province or country? Do the dental professionals involved have coverage for this service through malpractice insurance? What standard of care would courts apply to a dental professional involved? Will insurance carriers receive claims from these organizations or patients receiving this service? What protection do the patients have from malpractice with this mode of delivery of care?

Any time an orthodontic procedure is undertaken by an untrained individual or without professional supervision, there is a substantial risk for irreparable damage. The CAO is committed to the health and safety of the public. Consumers of this product are not aware of the risks. The risks associated with the direct-to-consumer orthodontics are predictable...
and it is incumbent upon the provincial licensing bodies to be proactive in the prevention of unsupervised delivery of orthodontic care for the protection of the public. The CAO will continue to educate the public on the dangers of do-it-yourself and direct-to-consumer orthodontic care.

The CAO hopes awareness of the pending introduction of direct-to-consumer orthodontic care to Canada will allow provincial DRA’s to create and support existing legislation for protection of the public and their members in the utilization of direct-to-consumer orthodontic treatment.

Respectfully,

[Signature]

Dr. Robert Kinniburgh
President, Canadian Association of Orthodontists

cc:

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