



Now Arriving: “Uber-like Staffing Options

by Alan Twigg

The convergence of Uber-like technology, the ongoing staffing shortages in dentistry, as well as enterprising companies, are bringing about the emergence of app-based temp services for dental assistants and hygienists, and even front-office and associates.

Unlike traditional temp agencies typically operating in one city or defined geographic area, these companies have a much bigger footprint. Via their app/software/platform, they act as the intermediary between the dental office and a pool of available workers.

No doubt these companies represent a creative solution and another option for your hiring toolbox. Since they are gaining popularity and expanding nationwide, we want to share some pros and cons to take into consideration if you're thinking about using these new tools.

Geographic Availability

Currently, there isn't (yet) a nationwide company. And, as is the case with other sharing economy platforms, the availability of potential workers is commensurate with population size. Practices in smaller towns may struggle to find sufficient quantities of available workers on these apps, while offices in larger cities may have dozens or hundreds of workers to choose from.

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Vetting

Vetting varies from company to company, so it is important to make sure they or you are ensuring the due diligence needed for someone to work in your practice. Most do basic identity verification to make sure the individuals are who they say they are and perform individual license/certification checks based on the particular state. There is also variation in performing basic criminal background checks, how extensive, and what is checked.

Important Reminder: As a dental practitioner, keep in mind that your ultimate responsibility is to ensure that all workers in your practice have the appropriate credentials.



You Are Being Reviewed Too

Similar to other platforms, there is a dual-review process: workers can give you and your practice a rating, and the practice can give the worker a rating (on a 5-star scale). If a worker or practice's rating falls below a certain level, they are excluded from the app. This can help ensure everyone stays on their best behavior.

W-2 Employee vs. 1099 Contractor Status

This is the big one, and this overall theme of Employee vs. Contractor has been the source of litigation with Uber and similar companies. When a temp works in your office, are they a W-2 employee or a 1099 independent contractor? In a traditional temp agency, the workers are W-2 employees of the temp agency, the agency charges a fee to the practice, and the workers are not employees of the practice itself. However, like Uber,

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*What They
Say about Trojan*

Jon, Office Manager

Having Trojan makes it so much easier for the front staff to do a quick, efficient eligibility check.

Ask the Consultant

Answer by Katheleen Johnson

Q: We have a patient with a Hybrid Upper Denture attached to 8 implants and lower bottom teeth, which required a D4910. The doctor needs to clean around the implants, which requires: removing screws, scaling around implants, replacing dentures and securing them to implants, then adding composite to all 8 implant areas on the hybrid dentures. This is not simple and is not a D4910. What codes do I use here? Do we have codes for this? Dentistry is advancing quicker than ADA codes.

A: There is no specific code for the procedures you described.

You can bill D6199-Unspecified Implant Procedure, by report. This code is used to describe the reattachment of an implant-supported screw-retained crown and placement of a composite in the access.

Be very specific when you write your narrative.



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Free Resource:

Dental Practice Solutions:

The Dental Power Hour

American Dental Association

ADA Library

From Temp to Regular Hiring

What if you want to hire a temp on a non-temporary basis to fill a “permanent” position in your office? Each company approaches this differently. Some of them act as just a job board like Indeed or Craigslist. In this regard, workers and employers can find each other and agree to work together on a regular ongoing basis, without a placement or finder’s fee. Other companies function like a traditional temp agency and charge a placement or finder’s fee to the practice, based on the position.

How does the money change hands?

Some of the temp companies allow you to pay the worker directly, while others require or offer you the option of paying within the app.

This begs an important question: If the worker has 1099 contractor status and they are paid via the app, whose business name is on the worker’s 1099 form? In all cases (when paying via the app), the business name that will be on the 1099 is the temp company’s name.

On the surface, this may seem like a way to insulate the practice from liability since the temp company is listed on the 1099. However, if the IRS or state labor board were to take action, the practice could potentially be included in the review process since the practice received the actual benefit of the work. This represents a new gray area for compliance and will (hopefully) become clearer as this technology develops.

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Other Considerations

As is the case with any temporary worker, keep in mind they are strangers to you. There are unknowns about their capabilities, skills, communication, attitude, etc.

Final Thoughts

Temp apps represent a potentially new “cool tool” for your toolbox and something to consider when/if you need a temp. They have the added benefit of economically supporting the transition from temp to regular employment. Based on the app, your state, your utilization, and risk tolerance may prove helpful. Do your due diligence and make sure you still have your employment compliance bases covered. Remember that you are being reviewed, too! Pay attention to your office culture, employee experience, pay/benefits, employee engagement, workplace appreciation, and everything else that would make your office a coveted and amazing place to work.

Alan Twigg is a Co-Owner at Bent Ericksen & Associates. For over 10 years, Alan has guided thousands of clients and consultants through the ever-changing world of HR and Employment Compliance. He is a speaker, consultant, and author. Alan is passionate about bringing education and peace-of-mind to such a confusing topic.

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