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Bill Analysis
Legislative Service Commission

H.B. 518

126th General Assembly
(As Introduced)

Reps. Reidelbach, White, J. McGregor, Collier, Fessler, Brown, Schneider, Blasdel, S. Smith

BILL SUMMARY

- Permits a dental hygienist to practice with authorization of a dentist, rather than requiring supervision by a dentist.
- Reduces the number of requirements a dental hygienist must meet to practice when a dentist is not physically present.
- Eliminates the authority of the State Dental Board to make rules identifying procedures a dental hygienist may not perform when a dentist is not physically present.
- Increases the number of physical locations in which a dental hygienist is permitted to practice.

CONTENT AND OPERATION

Dentists' supervision

Current law requires that a dental hygienist practice "under the supervision, order, control, and full responsibility of a licensed dentist." The bill provides instead that a dental hygienist must practice "with the authorization" of a licensed dentist. The bill does not specify what is meant by "authorization."

Requirements for practicing in the absence of a dentist

Under current law, to practice when the supervising dentist is not physically present, a dental hygienist must meet a number of requirements. The bill retains some of these requirements but eliminates several others and adds one new requirement.

Requirements retained and added by the bill

The bill retains the following requirements of current law that must be met for a dental hygienist to practice when the dentist is not present:

- (1) The hygienist must have at least two years and a minimum of 3,000 hours of experience in the practice of dental hygiene.
- (2) The hygienist must have successfully completed a course approved by the State Dental Board in the identification and prevention of medical emergencies.
- (3) The hygienist must comply with written protocols or written standing orders the authorizing dentist establishes, including protocols for emergencies.
- (4) If the dental hygiene services are provided in a health care facility, a doctor or registered nurse must be present in the facility when the services are provided.

In addition to the above requirements, the bill requires that the dental hygienist refer a patient to the authorizing dentist for diagnosis and restorative treatment.

Requirements eliminated by the bill

The bill eliminates from current law the following requirements that must be met for a dental hygienist to practice when the dentist is not present:

- (1) The dental hygienist does not perform, while the supervising dentist is absent from the location, procedures while the patient is anesthetized, definitive root planning, definitive subgingival curettage, or other procedures identified in the rules the State Dental Board adopts.
- (2) The supervising dentist has evaluated the dental hygienist's skills.
- (3) The supervising dentist examined the patient not more than seven months prior to the date the dental hygienist provides the dental hygiene services to the patient.
- (4) The supervising dentist completed and evaluated a medical and dental history of the patient not more than one year prior to the date the dental hygienist provides dental hygiene services to the patient and, except when the dental hygiene services are provided in a health care facility, the supervising dentist determines that the patient is in a medically stable condition.

(5) In advance of the appointment for dental hygiene services, the patient is notified that the supervising dentist will be absent from the location and that the dental hygienist cannot diagnose the patient's dental health care status.

(6) The dental hygienist is employed by, or under contract with the supervising dentist, a dentist in a professional arrangement with the supervising dentist, or a government entity.

The bill also eliminates the current law that allows dental hygienists to practice without the physical presence of a dentist if the services are provided as part of a dental hygiene program that is approved by the State Dental Board and all of the following requirements are met:

(1) The program is operated through a school district board of education or the governing board of an educational service center, a local board of health, a dental association, or any other entity recognized by the State Dental Board.

(2) The supervising dentist is employed by or a volunteer for, and the patients are referred by, the entity through which the program is operated.

(3) The services are performed after examination and diagnosis by the dentist and in accordance with the dentist's written treatment plan.

State Dental Board's role

The bill eliminates the current provision authorizing the State Dental Board to adopt rules¹ identifying procedures a dental hygienist may not perform when practicing in the absence of the supervising dentist.

Practice locations

Current law specifies the physical locations in which a dental hygienist is authorized to practice. These locations are: (1) a dental office, (2) public or private school, (3) health care facility,² (4) dispensary, (5) public institution. The bill authorizes dental hygienists to practice at these additional locations: (1) public or privately funded clinic or shelter, (2) mobile dental unit, (3) community health fair, (4) head start program, (5) home of a patient, and (6) any other location approved by the State Dental Board.

¹ Under Revised Code section 4715.03(C).

² These health care facilities are hospitals and nursing homes and certain other long-term care facilities.

COMMENT

The bill retains two restrictions of current law. One is that no person may practice dental hygiene in a manner that is separate or otherwise independent from the dental practice of a dentist. The other that no person may establish or maintain an office or practice that is primarily devoted to the provision of dental hygiene services.

HISTORY

ACTION	DATE
Introduced	02-14-06

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