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House Labor & Commerce, Chair

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Serving House District 16: Anchorage

Sectional Analysis

HB 127 Version M: Dental Hygienist Advanced Practice Permit

Section 1

AS 08.32.110. Scope of practice of dental hygienists.

Amends section (e) of dental hygienists' scope of practice to allow a licensed dental hygienist who holds an advanced practice permit issued by the board to perform the duties allowed by the permit.

Section 2

AS 08.32.125. Advanced practice permits. Enumerates the advanced practice permit requirements and privileges.

- (a) The Board of Dental Examiners may issue an advanced practice permit to a licensed dental hygienist with a minimum of 4,000 documented hours of clinical experience. A licensed dental hygienist with an advanced practice permit may perform the specific services listed in this section.
- (b) Describes patients a licensed dental hygienist who holds an advanced practice permit may provide services to, including:
 - i. A patient who is not able to receive dental treatment because of age, infirmity, or disability.
 - ii. A resident of a senior center, residential health facility, or an inmate in a local correctional facility.
 - iii. A patient who is enrolled in certain schools, receiving benefits under the Special Supplemental Food Program (WIC), homebound, or a resident of a community that has a shortage of dental health professionals.
- (c) A licensed dental hygienist holding an advanced practice permit can provide services listed in subsection (a) to a patient described in subsection (b) without the presence, authorization, or supervision of a licensed dentist and without an examination from a licensed dentist.
- (d) A licensed dental hygienist with an advanced practice permit who provides services must maintain professional liability insurance. They must also give the patient, parent, or legal guardian written notice that the treatment provided will be limited to services listed under

subsection (a), a written recommendation that the patient be examined by a licensed dentist for comprehensive oral care, and assistance in receiving a referral to a licensed dentist for further oral treatment.

- (e) A licensed dental hygienist with an advanced practice permit may practice as an independent contractor.
- (f) An advanced practice permit is valid until the license of the dental hygienist expires. A licensed dental hygienist can renew their advanced practice permit at the same time they renew their license.

Section 3

AS 08.32.160. Grounds for discipline, suspension or revocation of license.

Amends grounds for discipline to allow advanced practice permit-holders to perform allowable services outlined in Section 2(a) independently without being punished. Section 3 also allows the Board of Dental Examiners to discipline, suspend, or revoke the license of an advanced practice permit-holder who:

- a. Permits a dental assistant under their supervision to perform dental procedures outside of their scope of practice (AS 08.32.110 or AS 08.36.346),
- b. Falsifies or destroys a patient or facility record, or
- c. Fails to maintain a patient or facility record for at least seven years after the date the record was created.

Section 4

AS 08.36.346. Delegation to dental assistants.

Amends statute regarding delegation to dental assistants to allow a licensed hygienist who holds an advanced practice permit to delegate the following tasks to a dental assistant:

- a. The exposure and development of radiographs,
- b. Application of topical preventative agents or pit and fissure sealants, and
- c. Other tasks specified by the board in regulations.

The dental assistant must be supervised at a level specified by the State of Alaska Board of Dental Examiners in regulation.

Section 5

AS 21.36.090. Unfair discrimination.

Adds “dental hygienist holding an advanced practice permit” to the list of providers who may not be discriminated against in subsection (d).

Section 6

AS 47.07.030. Medical services to be provided.

Adds dental hygiene services to the list of services which may be provided by the Department of Health & Social Services.

Section 7

This new section allows the Department of Commerce, Community, and Economic Development (DCCED), the Department of Health and Social Services, and the Board of Dental Examiners to adopt regulations necessary to implement the changes made in this bill. The regulations may not take effect before the effective date of this bill.

Section 8

Section 7 takes effect immediately.

Section 9

The effective date of this bill (not including Section 7) is July 1, 2020.