

ALASKA STATE LEGISLATURE

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North to the Future

Senator Cathy Giessel Senate District N

Sectional Analysis CS for SSSB 68 (vsn R) 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

Adds a new section to AS 08.32:

AS 08.32.125. Advanced practice permits.

Outlines 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 (1) – (12)

- (b) Describes patients a licensed dental hygienist who holds an advanced practice permit may provide services to, including:
- A patient not able to receive dental treatment due to age, infirmity, or disability, and is
 - A resident of a senior center, hospital, long-term care, residential care facility, adult foster home, adult congregate living facility, an inmate in a local correctional facility a healthcare facility, residential treatment center or facility for those with disabilities, nursery school, day care, vocational training program, secondary school, private school, or charter school
 - A patient receiving benefits under the Special Supplemental Food Program (WIC), homebound, or a resident where there's a shortage of dental health professionals. (1) – (7)
- (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 do the following:

- ~ maintain professional liability insurance.
- ~ give the patient, parent, or legal guardian written notice that the treatment provided will be limited to services listed under subsection (a)
- ~ provide a written recommendation that the patient be examined by a licensed dentist for comprehensive oral care
- ~ provide assistance for 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

Amends 08.32.160_ Grounds for discipline, suspension or revocation of license.

Outlines and amends grounds for discipline; allows the Board of Dental Examiners to discipline, suspend, or revoke the license of an advanced practice permit-holder who:

- Knowingly commits fraud or misrepresentation to obtain a license
- Knowingly commits fraud/misrepresentation in providing services or billing procedures
- False advertises or misleads
- Been convicted of a felony or other crime that would affect ability to practice competently
- Failed to comply to statute or regulations or board order
- Practices if unfit due to incompetence, addiction or dependence on drugs or alcohol, is physically or mentally disabled, engaged in immoral conduct while in practice
- performs procedures outside scope of practice or without supervision of a dentist
- **allows a dental assistant to perform duties outside their scope**
- **Falsifies or destroys a patient or facility record or fails to maintain a patient or facility record for at least seven years after the date the record was created.**

Section 4

Adds a new subsection to AS 08.36.346. (Delegation to dental assistant.)

Allows delegation of 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 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. (Medicaid)

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, 2021.