

CS FOR HOUSE BILL NO. 136(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/28/07

Referred: Rules

Sponsor(s): REPRESENTATIVES STOLTZE, Gardner, Foster

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to dental hygienists."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 08.32 is amended by adding a new section to read:

4 **Sec. 08.32.085. Restorative function license endorsement.** (a) The board
5 shall issue a restorative function endorsement to a dental hygienist who is licensed
6 under this chapter if the licensee furnishes evidence satisfactory to the board that the
7 licensee has

8 (1) successfully completed a program accredited by the Commission
9 on Dental Accreditation of the American Dental Association or other course of
10 instruction approved by the board; and

11 (2) passed the Western Regional Examining Board's restorative
12 examination or other equivalent examination approved by the board within the five
13 years preceding the licensee's endorsement application, or the licensee is licensed in
14 another state or United States territory to perform restorative functions.

15 (b) An endorsement issued under this section authorizes a licensed dental

1 hygienist under the direct supervision of a licensed dentist to place restorations into a
2 cavity prepared by the licensed dentist and thereafter carve, contour, and adjust
3 contacts and occlusion of the restoration.

4 (c) The board may by regulation establish renewal and continuing education
5 requirements for an endorsement under this section.

6 * **Sec. 2.** AS 08.32.110(a) is amended to read:

7 (a) The role of the dental hygienist is to assist members of the dental
8 profession in providing oral health care to the public. A person licensed to practice the
9 profession of dental hygiene in the state may

10 (1) remove calcareous deposits, accretions, and stains from the
11 exposed surfaces of the teeth beginning at the epithelial attachment by scaling and
12 polishing techniques;

13 (2) apply topical preventive agents;

14 (3) apply pit and fissure sealants;

15 (4) perform root planning and periodontal soft tissue curettage;

16 (5) perform other dental operations and services delegated by a
17 licensed dentist if the dental operations and services are not prohibited by (c) of this
18 section; and

19 (6) if certified by the board and under the direct, [OR] indirect, or
20 general supervision of a licensed dentist, administer local anesthetic agents.

21 * **Sec. 3.** AS 08.32.110 is amended by adding a new subsection to read:

22 (e) This section does not prohibit a dental hygienist

23 (1) with an endorsement issued under AS 08.32.085 from performing
24 the activities authorized under AS 08.32.085; or

25 (2) who has entered into a collaborative agreement approved by the
26 board under AS 08.32.115 from performing the activities authorized under the
27 collaborative agreement.

28 * **Sec. 4.** AS 08.32 is amended by adding a new section to read:

29 **Sec. 08.32.115. Collaborative agreements.** (a) If the collaborative agreement
30 is approved by the board under (d) of this section, a dental hygienist with a minimum
31 of 4,000 documented hours of clinical experience within the five years preceding

1 application for the board's approval may enter into a collaborative agreement with a
 2 dentist licensed under AS 08.36 in which the licensed dentist authorizes the dental
 3 hygienist to perform one or more of the following:

- 4 (1) oral health promotion and disease prevention education;
- 5 (2) removal of calcareous deposits, accretions, and stains from the
 6 surfaces of teeth;
- 7 (3) application of topical preventive or prophylactic agents, including
 8 fluoride varnishes and pit and fissure sealants;
- 9 (4) polishing and smoothing restorations;
- 10 (5) removal of marginal overhangs;
- 11 (6) preliminary charting and triage;
- 12 (7) radiographs;
- 13 (8) use of local periodontal therapeutic agents; and
- 14 (9) performance of nonsurgical periodontal therapy, with or without
 15 the administration of local anesthesia, subsequent to a licensed dentist's authorization
 16 or diagnosis as specified in the licensed hygienist's collaborative agreement.

17 (b) The services described in (a) of this section may be performed under a
 18 collaborative agreement approved by the board

- 19 (1) without the presence of the licensed dentist;
- 20 (2) in a setting other than the usual place of practice of the licensed
 21 dentist; and
- 22 (3) without the dentist's diagnosis and treatment plan unless otherwise
 23 specified in the collaborative agreement or in (a) of this section.

24 (c) The board shall adopt regulations regarding approval of collaborative
 25 agreements between licensed dental hygienists and licensed dentists.

26 (d) The board may approve a collaborative agreement between a licensed
 27 dentist and a dental hygienist. However, the board may not approve more than five
 28 collaborative agreements with a licensed dentist, not including any collaborative
 29 agreements that have been terminated. A dental hygienist shall notify the board of the
 30 termination of a collaborative agreement with a licensed dentist.

31 * **Sec. 5.** AS 08.32.140 is amended to read:

1 **Sec. 08.32.140. Supervision required.** A dental hygienist, **other than a**
2 **dental hygienist practicing according to a collaborative agreement approved**
3 **under AS 08.32.115,** may not practice except under the general supervision of a
4 licensed dentist or, if required by regulations adopted under AS 08.32.110(b), the
5 direct or indirect supervision of a licensed dentist.