

**CS FOR HOUSE BILL NO. 136(FIN)(title am)**  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

**BY THE HOUSE FINANCE COMMITTEE**

**Amended: 4/11/07**

**Offered: 3/28/07**

**Sponsor(s): REPRESENTATIVES STOLTZE, Gardner, Foster**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the supervision of dental hygienists by dentists, establishing a**  
2 **restorative function license endorsement for dental hygienists and allowing collaborative**  
3 **agreements between licensed dentists and dental hygienists."**

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

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

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

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

13 (2) passed the Western Regional Examining Board's restorative  
14 examination or other equivalent examination approved by the board within the five

1 years preceding the licensee's endorsement application, or the licensee is licensed in  
2 another state or United States territory to perform restorative functions.

3 (b) An endorsement issued under this section authorizes a licensed dental  
4 hygienist under the direct supervision of a licensed dentist to place restorations into a  
5 cavity prepared by the licensed dentist and thereafter carve, contour, and adjust  
6 contacts and occlusion of the restoration.

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

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

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

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

16 (2) apply topical preventive agents;

17 (3) apply pit and fissure sealants;

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

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

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

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

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

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

28 (2) who has entered into a collaborative agreement approved by the  
29 board under AS 08.32.115 from performing the activities authorized under the  
30 collaborative agreement.

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

1                   **Sec. 08.32.115. Collaborative agreements.** (a) If the collaborative agreement  
 2 is approved by the board under (d) of this section, a dental hygienist with a minimum  
 3 of 4,000 documented hours of clinical experience within the five years preceding  
 4 application for the board's approval may enter into a collaborative agreement with a  
 5 dentist licensed under AS 08.36 in which the licensed dentist authorizes the dental  
 6 hygienist to perform one or more of the following:

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

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

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

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

29                  (d) The board may approve a collaborative agreement between a licensed  
 30 dentist and a dental hygienist. However, the board may not approve more than five  
 31 collaborative agreements with a licensed dentist, not including any collaborative

1 agreements that have been terminated. A dental hygienist shall notify the board of the  
2 termination of a collaborative agreement with a licensed dentist.

3 \* **Sec. 5.** AS 08.32.140 is amended to read:

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