

ALASKA STATE LEGISLATURE
SENATE HEALTH, EDUCATION AND SOCIAL SERVICES STANDING COMMITTEE

February 15, 2008

2:33 p.m.

MEMBERS PRESENT

Senator Bettye Davis, Chair
Senator Joe Thomas, Vice Chair
Senator John Cowdery
Senator Kim Elton

MEMBERS ABSENT

Senator Fred Dyson

COMMITTEE CALENDAR

SENATE BILL NO. 239

"An Act relating to the practice of dentistry and to dental assistants."

MOVED CSSB 239(HES) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 239

SHORT TITLE: DENTISTS & DENTAL ASSISTANTS

SPONSOR(s): SENATOR(s) THOMAS

01/18/08	(S)	READ THE FIRST TIME - REFERRALS
01/18/08	(S)	HES, FIN
02/13/08	(S)	HES AT 1:30 PM BUTROVICH 205
02/13/08	(S)	<Bill Hearing to Continue 2/15/07>
02/15/08	(H)	HES AT 1:30 PM CAPITOL 106

WITNESS REGISTER

DR. DAVID LOGAN, DDS
Juneau, AK

POSITION STATEMENT: Supported the CS for SB 239.

DR. PETE HIGGINS, DDS
Anchorage, AK

POSITION STATEMENT: Supported SB 239.

DAVID L. EICHLER, DMD, President
Alaska Board of Dental Examiners

North Pole, AK

POSITION STATEMENT: Supported SB 239.

DR. MIKE BOOTH, DDS

Anchorage, AK

POSITION STATEMENT: Supported SB 239.

DR DAN PITTS, DDS

Soldotna, AK

POSITION STATEMENT: Supported SB 239.

DR. MARK PRATER, DDS

Wasilla, AK

POSITION STATEMENT: Supported SB 239.

PHYLLIS PENDERGRAST, DDS

Fairbanks, AK

POSITION STATEMENT: Supported SB 239.

CATHERINE REARDON, Staff to Senator Thomas

Juneau, AK

POSITION STATEMENT: Provided a sectional analysis of CSSB 239/e.

ACTION NARRATIVE

CHAIR BETTYE DAVIS called the Senate Health, Education and Social Services Standing Committee meeting to order at [2:33:23 PM](#) Present at the call to order were Senators Thomas, Elton, Davis

SB 239-DENTISTS & DENTAL ASSISTANTS

CHAIR DAVIS announced SB 239 for consideration.

[2:34:27 PM](#)

SENATOR THOMAS presented his sponsor statement and a brief overview. SB 239 would improve the efficiency of dental care and reduce treatment costs by expanding the functions dental assistants are permitted to perform. It would allow a certified dental assistant to place fillings into a cavity prepared by a licensed dentist and to polish teeth that are already clean of tartar. He noted that dental assistants are not currently

regulated by the state. They work very closely with dentists, who are responsible for monitoring the quality of their work.

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DR. DAVID LOGAN, Doctor of Dental Surgery (DDS), Juneau AK requested the committee adopt the changes in the CS for SB 239. He said this is a bill about access to care in rural areas and for the underserved. He explained that it is difficult children to be seen by a dentist or hygienist for a cleaning because, in Alaska the Medicaid reimbursement for a child cleaning is \$48.00 and the average hourly salary for a hygienist is \$54.00. They are looking for avenues to resolve the problem using the available labor pool and dental assistants are a logical choice. They would be trained and certified to perform the task, so it would be safe and cost-effective. He noted that it is already done in many other states.

The restorative function would primarily serve the rural areas for itinerant teams moving in. The dentists would numb the patients, work with the assistants to prepare the teeth, and the assistants would do the fillings. The dentists would return to check their work afterward to make sure everything has been done properly. This would provide a tremendous increase in service, from 70 to 100 percent.

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SENATOR COWDERY joined meeting the meeting via teleconference and asked how this addressed the concerns that cropped up from prior proposals.

DR. LOGAN said he did not understand the question and asked what concerns the senator was referring to.

SENATOR COWDERY responded that there were concerns that cropped up from prior proposals regarding expanded duties of dental assistants and he wondered whether all of them had been addressed.

CHAIR DAVIS explained that this is the first hearing of the bill and suggested that Senator Cowdery might be referring to a bill on dental hygienists that had already passed the committee.

DR. PETE HIGGINS, DDS, said the bill would help in rural areas and with elderly care. Alaska Dental Outreach Corporation (ADOC) is a nonprofit organization put together by the Alaska Dental Society to get dentists out in field with assistants, and this would allow them to see more patients in the villages, where

they have limited capacity. He noted that the federal government has certified assistants for expanded duties for years and one of his assistants had been certified in California. The Anchorage and Fairbanks Hygienist Associations were working with them on training, and he was confident that the board could put together a good certification program. He felt the bill was long overdue and strongly supported passage.

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SENATOR ELTON asked about the training his assistant received for certification in California.

DR HIGGENS said she trained for 16 months because she started from scratch and had to take the core courses as well. In California one can pick and choose what areas one wants to expand into, but they would prefer to limit it cleaning and fillings here in Alaska. He was not sure how long that training would be.

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DAVID L. EICHLER, DMD, President, Alaska Board of Dental Examiners supported the bill.

SENATOR ELTON asked whether a dental assistant is more highly trained than a dental hygienist or vice versa.

DR EICHLER answered no, hygienists typically study for 3 to 5 years; assistants receive on-the-job training, although there are some continuing education courses available at University of Alaska Fairbanks.

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DR. MIKE BOOTH, Dentist, thought the bill would be a great advantage to the children of state because dentists tend to be old, male and grouchy; hygienists tend to be highly educated, a little older and very expensive; dental assistants are usually young women who look a lot like mom, which may be a lot less stressful for them.

DR DAN PITTS, Dentist, Soldotna AK, spoke in favor of SB 239. He had been practicing for 30 yr practice, the first 6 of which were in the villages of Toke, Tetlin and Northway. This isn't a new idea. He was trained to work with expanded-duty dental assistants 30 yrs ago and it has continued to be common practice in many states.

DR. MARK PRATER, Dentist, said he had practiced in the state for 31 years in Anchorage, Kotzebue, Amblin and Wasilla, so he was familiar with the problems of access to care in the villages.

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He could see that passing this bill would be of great benefit to people in the rural areas, to bring them adequate care. He added his support for passage of SB 239.

PHYLLIS PENDERGRAST, Dentist, Fairbanks AK, said she had been practicing in Alaska for 30 years, acted as president of the dental board, president of the Alaska Dental Society, and president of the Western Regional Examining Board. For the first seven years she worked in villages, including four years in Galena. She felt privileged to work with several extended-duty dental assistants who would place amalgam and composite, chair side reversible filling materials, in teeth after she had prepared them. They were skilled, very professional, and good with the patients. One of her assistants graduated from school in Idaho and was certified to place amalgams and composites. Another of her staff helped start the dental assisting program in Fairbanks and actually practices placing amalgams in dentiform teeth. That program could be expanded. The use of expanded function dental assistants could help to solve the bush problem and possibly a statewide shortage of dentists and dental personnel.

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SENATOR THOMAS moved CSSB 239, referred to as Version e, be adopted as the working document. There being no objection, the motion carried.

CATHERINE REARDON, Staff to Senator Thomas, provided a brief analysis of the bill. Page 1, paragraph B, line 9 authorizes an assistant to perform coronal polishing only on teeth without calculus and under direct supervision. She emphasized that this should not be confused with full cleaning, it is just the last step. It would also give the board the authority to establish fees and renewal and continuing education requirements.

The second part, at the bottom line [page] one, covers certification for packing a cavity with filling after the dentist has drilled it out. Specific training requirements are detailed at the top of line [page] two, including successful completion of a program accredited by the Commission on Dental Accreditation of the American Dental Association or other course approved by the board; and passage of the Western Regional

Examining Board's restorative examination or other equivalent examination approved by the board within the five years preceding the dental assistant's certification application.

The next section lists what a dentist may delegate to a dental assistant and is broken into two sections: what may be delegated under indirect supervision what may be delegated under direct supervision. Those terms are defined at the end of the bill.

Because dental assistants were not in statute previously, the bill sets out things that they are already permitted to do under indirect supervision. That list begins on page 2, line 18 and includes such tasks as: x-rays, application of topical preventative agents (fluoride) or pit and fissure sealants.

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Although other duties may be approved by the board under direct supervision, they cannot include certain items under the hygienist statute 08.32.110, such as anesthesia, even if the board decided to allow it.

MS. REARDON finished by saying that additional terms are defined at the end of the bill. She pointed out that the only reference to "dental assistant" in statute was in 08.32.110 (d) and would no longer be needed if this bill were to pass, so it is repealed in this bill.

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SENATOR ELTON returned to the programs accredited by the commission on the top of page two, paragraph (2) where it says "...or the dental assistant has legal authorization from another state or jurisdiction...." He warranted that another state may have standards or requirements that are less stringent than the state of Alaska's, and it seemed odd to him that we would be willing to accept that. He asked if he was misreading that paragraph.

MS REARDON answered that he was not misreading it.

SENATOR THOMAS said he believed it would have to be an equivalent exam approved by the board, so the board would have to approve it.

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SENATOR THOMAS moved to report CSSB 239(HES) version E from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

There being no further business to come before the committee,
Chair Davis adjourned the meeting at [3:13:27 PM](#).