

Original sponsors: Cotten and Parr

Offered: 5/19/78
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 809
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the practice of dental hygiene."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 08.32.010 is amended to read:

9 Sec. 08.32.010. LICENSE REQUIRED. No person may practice, offer
10 or attempt to practice, or advertise or announce oneself [HIMSELF] as
11 prepared or qualified to practice dental hygiene without a license.

12 * Sec. 2. AS 08.32.015 is amended to read:

13 Sec. 08.32.015. MALPRACTICE INSURANCE. If medical malpractice
14 insurance for dental hygienists becomes unavailable on the voluntary
15 market and the director of insurance finds, after public hearing, that
16 the unavailability is impairing the delivery of dental hygiene services
17 to the public, the director of insurance may require all persons li-
18 censed under this chapter to carry medical malpractice insurance and to
19 purchase their insurance from the Medical Indemnity Corporation of
20 Alaska established under AS 21.88. If a finding of unavailability of
21 insurance on the voluntary market and impairment of services has been
22 made under this section, purchase of medical malpractice insurance from
23 the Medical Indemnity Corporation of Alaska is a condition of licensure
24 under this chapter. The provisions of this section are satisfied if the
25 licensee's employer maintains insurance for the licensee [HIM] from the
26 Medical Indemnity Corporation of Alaska.

27 * Sec. 3. AS 08.32.020(a) is amended to read:

- 28 (a) An applicant for examination shall be
29 (1) of good moral character;

1 (2) at least 18 years of age;

2 (3) a graduate of an accredited high school;

3 (4) a graduate of a dental hygiene school [AN AMERICAN
4 TRAINING SCHOOL FOR DENTAL HYGIENISTS] which requires at least a two-
5 year course and is accredited by the Commission on Accreditation of
6 Dental and Dental Auxiliary Education Programs of the American Dental
7 Association [AND RECOGNIZED BY THE BOARD]; and

8 (5) an examinee who has successfully completed the National
9 Board [EXAMINATION] of Dental Examiners' written theory examination
10 or an equivalent [THE] written examination given by the board, thereby
11 demonstrating satisfactory theoretical knowledge of dental and basic
12 biomedical sciences.

13 * Sec. 4. AS 08.32.030 is repealed and re-enacted to read:

14 Sec. 08.32.030. LICENSURE BY CREDENTIALS. A dental hygienist who
15 (1) meets the criteria of sec. 20(a) of this chapter; (2) has success-
16 fully passed a state or regional dental hygiene clinical examination at
17 least equivalent in scope, quality, and difficulty to the Alaska clini-
18 cal examination; (3) has been in active clinical dental hygiene practice
19 averaging no less than 14 hours per week for a minimum of two years
20 immediately before application for state licensure; and (4) has not
21 failed the clinical dental hygiene examination of the state may, upon
22 evaluation of credentials by the board, be qualified for licensure in
23 the state without examination.

24 * Sec. 5. AS 08.32.040 is amended to read:

25 Sec. 08.32.040. APPLICATION AND FEE. An application for examina-
26 tion or licensing by credentials [QUALIFICATION] shall be accompanied by
27 the applicant's certificate of graduation from an accredited dental
28 hygiene school and a fee of \$25.

29 * Sec. 6. AS 08.32.060 is amended to read:

1 Sec. 08.32.060. FREQUENCY AND CONTENT OF EXAMINATION. The exami-
2 nation shall be held once each year at the same time as the examination
3 of dentists. The examination shall cover subjects considered essential
4 by the board for the practice of dental hygiene [A DENTAL HYGIENIST]
5 including a clinical [PRACTICAL] examination on the removal of calcari-
6 ous deposits, accretions, and [DEPOSITS OR] stains from the exposed
7 surfaces of the teeth beginning at the epithelial attachment by scaling
8 and polishing techniques.

9 * Sec. 7. AS 08.32.070 is amended to read:

10 Sec. 08.32.070. REGISTRATION AND LICENSING OF DENTAL HYGIENISTS.
11 If the applicant passes the examination, the board shall register the
12 applicant [HIM] and issue a certificate. The fee for registration is
13 \$20. Before May 1 of every other year after the year of registration,
14 every registered dental hygienist shall pay a registration fee of \$20.

15 * Sec. 8. AS 08.32.081 is amended to read:

16 Sec. 08.32.081. LAPSE AND REINSTATEMENT OF LICENSE. The failure,
17 neglect, or refusal of a licensed dental hygienist to pay the biennial
18 registration fee constitutes a forfeiture of the license. The board may
19 reinstate the license without examination within two [THREE] years of
20 the date on which payment was due upon written application and payment
21 of \$25.

22 * Sec. 9. AS 08.32.110 is repealed and re-enacted to read:

23 Sec. 08.32.110. SCOPE OF WORK OF DENTAL HYGIENISTS. (a) The role
24 of the dental hygienist is to assist members of the dental profession in
25 providing oral health care to the public. A person licensed to practice
26 the profession of dental hygiene in the state may

27 (1) remove calcarious deposits, accretions, and stains from
28 the exposed surfaces of the teeth beginning at the epithelial attachment
29 by scaling and polishing techniques;

- 1 (2) apply topical preventive or prophylactic agents;
2 (3) apply pit and fissure sealants;
3 (4) perform root planing and periodontal soft tissue cur-
4 ettage; and
5 (5) perform other dental operations and services delegated by
6 a licensed dentist if the dental operations and services are not pro-
7 hibited by (c) of this section.

8 (b) The Board of Dental Examiners shall specify by regulation
9 those additional intra-oral functions which may be performed by a li-
10 censed dental hygienist only upon successful completion of a formal
11 course of instruction approved by the board. The board shall promulgate
12 regulations specifying the education requirements, evaluation procedures,
13 and degree of supervision required for each function.

14 (c) This section does not authorize delegation of

15 (1) diagnosing, treatment planning, and writing prescriptions
16 for drugs; writing authorizations for restorative, prosthetic, or
17 orthodontic appliances;

18 (2) operative or surgical procedures on hard or soft tissues
19 except as allowed in (a)(4) of this section; or

20 (3) of other procedures which require the professional com-
21 petence and skill of a dentist.

22 * Sec. 10. AS 08.32.120 is amended to read:

23 Sec. 08.32.120. PLACE OF EMPLOYMENT. A dental hygienist may
24 practice [OPERATE] in the office of a licensed dentist, or legally in-
25 corporated eleemosynary dental dispensary or infirmary, private school,
26 [OR] welfare center, state or federal institution, village health
27 facility, or in another place designated by the board [OR IN A BUILDING
28 OWNED OR OCCUPIED BY THE STATE AND UNDER THE DIRECT OR GENERAL SUPER-
29 VISION OF A LICENSED DENTIST].

1 * Sec. 11. AS 08.32.130 is amended to read:

2 Sec. 08.32.130. INFORMATION REQUIRED. Every dental hygienist
3 practicing dental hygiene in the state shall furnish the board with the
4 name and address of the dentist under whose supervision the dental
5 hygienist is practicing [HIS EMPLOYER].

6 * Sec. 12. AS 08.32.140 is amended to read:

7 Sec. 08.32.140. SUPERVISION REQUIRED. A dental hygienist may not
8 practice except under the general supervision of a licensed dentist or,
9 if required by regulations issued under sec. 110(b) of this chapter, the
10 direct or indirect supervision of a licensed dentist.

11 * Sec. 13. AS 08.32.190 is repealed and re-enacted to read:

12 Sec. 08.32.190. DEFINITIONS. In this chapter

13 (1) "board" means the Board of Dental Examiners;

14 (2) "dental hygienist" means a person who is licensed by the
15 board to perform those educational, preventive, and therapeutic services
16 and procedures that licensed dental hygienists are educated to perform;

17 (3) "general supervision" means the dentist has authorized
18 the procedures and they are being carried out in accordance with his
19 diagnosis and treatment plan;

20 (4) "direct supervision" means the dentist is in the dental
21 office, personally diagnoses the condition to be treated, personally
22 authorizes the procedure, and before dismissal of the patient evaluates
23 the performance of the dental hygienist;

24 (5) "indirect supervision" means a licensed dentist is in the
25 dental facility, authorizes the procedures, and remains in the dental
26 facility while the procedures are being performed by the dental hy-
27 gienist.

28 * Sec. 14. AS 08.32 is amended by adding a new section to read:

29 Sec. 08.32.200. APPLICATION OF ADMINISTRATIVE PROCEDURE ACT. The

1 Administrative Procedure Act (AS 44.62) applies to any action taken by
2 the board under this chapter.

3 * Sec. 15. The following laws are repealed: AS 08.32.090, 08.32.165(b),
4 and 08.32.170.