

Introduced: 2/8/78
Referred: Health, Education
& Social Services and
Commerce

1 IN THE SENATE

BY HACKNEY BY REQUEST

2 *CS* SENATE BILL NO. 474
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 licensed
18 under this chapter to carry medical malpractice insurance and to purchase
19 their insurance from the Medical Indemnity Corporation of Alaska estab-
20 lished under AS 21.88. If a finding of unavailability of insurance on
21 the voluntary market and impairment of services has been made under this
22 section, purchase of medical malpractice insurance from the Medical In-
23 demnity Corporation of Alaska is a condition of licensure under this
24 chapter. The provisions of this section are satisfied if the licensee's
25 employer maintains insurance for the licensee [HIM] from the Medical
26 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 an accredited dental hygiene school [AMERI-
4 CAN TRAINING SCHOOL FOR DENTAL HYGIENISTS] which requires at least a
5 two-year course and is approved by the Commission on Accreditation of
6 Dental and Dental Auxiliary Education Programs of the American Dental
7 Association [ACCREDITED 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 qualifi-
26 cation shall be accompanied by the applicant's certificate of graduation
27 from an accredited dental hygiene school and a fee of \$25.

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

29 Sec. 08.32.060. FREQUENCY AND CONTENT OF EXAMINATION. The

1 examination shall be held once each year at the same time as the examina-
2 tion of dentists. The examination shall cover subjects considered essen-
3 tial by the board for the practice of dental hygiene [A DENTAL HYGIENIST]
4 including a clinical [PRACTICAL] examination on the removal of calcarious
5 deposits, accretions, and [DEPOSITS OR] stains from the exposed surfaces
6 of the teeth beginning at the epithelial attachment by scaling and
7 polishing techniques.

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

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

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

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

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

22 Sec. 08.32.110. SCOPE OF WORK OF DENTAL HYGIENISTS. (a) A person
23 licensed to practice the profession of dental hygiene in the state may
24 (1) remove calcarious deposits, accretions, and stains from
25 the exposed surfaces of the teeth beginning at the epithelial attachment
26 by scaling and polishing techniques;
27 (2) apply topical preventive or prophylactic agents;
28 (3) apply pit and fissure sealants;
29 (4) perform root planing and periodontal soft tissue

1 curettage; and

2 (5) perform other dental operations and services delegated
3 by a licensed dentist if the dental operations and services are not pro-
4 hibited by (c) of this section.

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

11 (c) This section does not authorize delegation of diagnosing,
12 treatment planning, and writing prescriptions for drugs; writing authori-
13 zations for restorative, prosthetic, or orthodontic appliances; or
14 operative or surgical procedures on hard or soft tissues except to the
15 extent allowed by regulation of the board; or of other procedures which
16 require the professional competence and skill of a dentist.

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

18 Sec. 08.32.120. PLACE OF EMPLOYMENT. A dental hygienist may
19 practice [OPERATE] in the office of a licensed dentist, or legally in-
20 corporated eleemosynary dental dispensary or infirmary, private school
21 or welfare center, or in a building owned or occupied by the state and
22 under the [DIRECT OR] general supervision of a licensed dentist.

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

24 Sec. 08.32.130. INFORMATION REQUIRED. Every dental hygienist
25 practicing dental hygiene in the state shall furnish the board with the
26 name and address of the dentist under whose supervision the dental
27 hygienist is practicing [HIS EMPLOYER].

28 * Sec. 12. AS 08.32.150 is amended to read:

29 Sec. 08.32.150. REVOCATION OF DENTIST'S LICENSE. The board may

1 revoke the license of a dentist who permits a dental hygienist [,] em-
2 ployed by him or working under his supervision [,] to perform a dental
3 operation other than that permitted under this chapter or who permits
4 another person employed by him or working under his supervision to prac-
5 tice dental hygiene without a dental or dental hygiene license.

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

7 Sec. 08.32.190. DEFINITIONS. In this chapter

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

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

12 (3) "general supervision" means the dentist has authorized
13 the procedures and they are being carried out in accordance with his
14 diagnosis and treatment plan.

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

16 Sec. 08.32.200. APPLICATION OF ADMINISTRATIVE PROCEDURE ACT. The
17 Administrative Procedure Act (AS 44.62) applies to any action taken by
18 the board under this chapter.

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