

Original sponsor: Hackney by request

Offered: 3/28/78  
Referred: Commerce

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

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CS FOR SENATE BILL NO. 474

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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TENTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

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

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Sec. 08.32.010. LICENSE REQUIRED. No person may practice, offer

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or attempt to practice, or advertise or announce oneself [HIMSELF] as

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prepared or qualified to practice dental hygiene without a license.

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

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Sec. 08.32.015. MALPRACTICE INSURANCE. If medical malpractice

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insurance for dental hygienists becomes unavailable on the voluntary

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market and the director of insurance finds, after public hearing, that

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the unavailability is impairing the delivery of dental hygiene services

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to the public, the director of insurance may require all persons licensed

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under this chapter to carry medical malpractice insurance and to purchase

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their insurance from the Medical Indemnity Corporation of Alaska estab-

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lished under AS 21.88. If a finding of unavailability of insurance on

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the voluntary market and impairment of services has been made under this

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section, purchase of medical malpractice insurance from the Medical In-

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demnity Corporation of Alaska is a condition of licensure under this

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chapter. The provisions of this section are satisfied if the licensee's

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employer maintains insurance for the licensee [HIM] from the Medical

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Indemnity Corporation of Alaska.

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

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(a) An applicant for examination shall be

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(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 clinical  
18 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 examina-  
2           tion shall be held once each year at the same time as the examination of  
3           dentists. The examination shall cover subjects considered essential by  
4           the board for the practice of dental hygiene [A DENTAL HYGIENIST]  
5           including a clinical [PRACTICAL] examination on the removal of calcarious  
6           deposits, accretions, and [DEPOSITS OR] stains from the exposed surfaces  
7           of the teeth beginning at the epithelial attachment by scaling and  
8           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 diagnosing,  
15 treatment planning, and writing prescriptions for drugs; writing authori-  
16 zations for restorative, prosthetic, or orthodontic appliances; or  
17 operative or surgical procedures on hard or soft tissues except to the  
18 extent allowed by regulation of the board; or of other procedures which  
19 require the professional competence and skill of a dentist.

20 \* Sec. 10. AS 08.32.120 is amended to read:

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

27 \* Sec. 11. AS 08.32.130 is amended to read:

28 Sec. 08.32.130. INFORMATION REQUIRED. Every dental hygienist  
29 practicing dental hygiene in the state shall furnish the board with the

1 name and address of the dentist under whose supervision the dental  
2 hygienist is practicing [HIS EMPLOYER].

3 \* Sec. 12. AS 08.32.140 is amended to read:

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

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

9 Sec. 08.32.190. DEFINITIONS. In this chapter

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

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

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

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

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

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

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

29 \* Sec. 15. The following laws are repealed: AS 08.32.090, 08.32.165(b),

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and 08.32.170.