

HB

319

SENATE COMMITTEE REPORT

DATE: 3/21/08

FURTHER:

DATE TURNED
IN TO OFFICE: 4/4/08

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 319(L&C)

HB 319 DENTISTS & DENTAL ASSISTANTS

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

and recommends:

- be replaced with SCS or CS HB 319 (HES)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/> Same Title	
<input type="checkbox"/> New Title	
<hr/>	
HOUSE BILL:	
<input checked="" type="checkbox"/> Same Title	
<input type="checkbox"/> Technical Title Change	
<input type="checkbox"/> New Title w/ SCR # _____	

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indef.	Zero	FN#
CEO	4/4		✓		

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indef.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Joe Thomas</i>	Thomas	✓			
<i>Phil Couders</i>	Couders	✓			
<i>Fred Dyson</i>	Dyson	✓			
CHAIR: <i>Betty Davis</i>	DAVIS	✓			

25-LS1281\T
Bullard
3/31/08

SENATE CS FOR CS FOR HOUSE BILL NO. 319(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES RAMRAS, Thomas, Salmon, Buch

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of dentistry, to dental assistants, and to dental**
2 **hygienists."**

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

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

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

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

12 (2) passed the Western Regional Examining Board's restorative
13 examination or other equivalent examination approved by the board within the five
14 years preceding the licensee's endorsement application, or the licensee is licensed in

1 another state or United States territory to perform restorative functions.

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

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

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

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

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

15 (2) apply topical preventive agents;

16 (3) apply pit and fissure sealants;

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

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

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

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

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

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

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

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

31 **Sec. 08.32.115. Collaborative agreements.** (a) If the collaborative agreement

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

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

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

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

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

28 (d) The board may approve a collaborative agreement between a licensed
29 dentist and a dental hygienist. However, the board may not approve more than five
30 collaborative agreements with a licensed dentist, not including any collaborative
31 agreements that have been terminated. A dental hygienist shall notify the board of the

1 termination of a collaborative agreement with a licensed dentist.

2 * Sec. 5. AS 08.32.140 is amended to read:

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

8 * Sec. 6. AS 08.36 is amended by adding new sections to read:

9 **Article 3A. Dental Assistants.**

10 Sec. 08.36.342. **Coronal polishing certificate.** (a) The board shall issue a
11 coronal polishing certificate to a dental assistant if the dental assistant furnishes
12 evidence satisfactory to the board that the dental assistant has completed a program of
13 instruction approved by the board.

14 (b) A certificate issued under (a) of this section authorizes a dental assistant
15 under the direct supervision of a dentist licensed in the state to perform coronal
16 polishing on teeth without calculus.

17 (c) The board may by regulation establish fees, renewal, and continuing
18 education requirements for a certificate issued under this section.

19 Sec. 08.36.344. **Restorative function certificate.** (a) The board shall issue a
20 restorative function certificate to a dental assistant if the dental assistant furnishes
21 evidence satisfactory to the board that the dental assistant has

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

25 (2) passed the Western Regional Examining Board's restorative
26 examination or other equivalent examination approved by the board within the five
27 years preceding the dental assistant's certificate application, or the dental assistant has
28 legal authorization from another state or jurisdiction to perform restorative functions.

29 (b) A certificate issued under this section authorizes a dental assistant under
30 the direct supervision of a licensed dentist to place restorations into a cavity prepared
31 by the licensed dentist and thereafter carve, contour, and adjust contacts and occlusion

1 of the restoration.

2 (c) The board may by regulation establish fees, renewal, and continuing
3 education requirements for a certificate under this section.

4 **Sec. 08.36.346. Delegation to dental assistants.** (a) Except as otherwise
5 provided in this chapter, a dentist licensed in this state may delegate to a dental
6 assistant under indirect supervision

7 (1) the exposure and development of radiographs;

8 (2) application of topical preventive agents or pit and fissure sealants;

9 and

10 (3) other dental operations and services except

11 (A) those that may be performed by a dental hygienist under
12 AS 08.32.110(a); and

13 (B) those that may not be delegated to a dental hygienist under
14 AS 08.32.110(c).

15 (b) A dentist licensed in this state may delegate to a dental assistant under
16 direct supervision

17 (1) coronal polishing on teeth without calculus, if the dental assistant is
18 certified under AS 08.36.342;

19 (2) the placement of a restoration into a cavity prepared by a dentist
20 licensed under this chapter and the subsequent carving, contouring, and adjustment of
21 the contacts and occlusion of the restoration, if the dental assistant is certified under
22 AS 08.36.344; and

23 (3) other dental operations and services as defined and regulated by the
24 board; however, a dentist may not delegate to a dental assistant a dental operation or
25 service that requires the professional skill of a licensed dentist or licensed dental
26 hygienist, including those dental operations and services specified in AS 08.32.110(c).

27 **Sec. 08.36.349. Definitions.** In AS 08.36.342 - 08.36.349,

28 (1) "direct supervision" means a dentist licensed in this state is in the
29 dental office, personally diagnoses the condition to be treated, personally authorizes
30 the procedure, and, before dismissal of the patient, evaluates the performance of the
31 dental assistant;

- 1 (2) "indirect supervision" means a dentist licensed in this state is in the
- 2 dental office, authorizes the procedures, and remains in the dental office while the
- 3 procedures are being performed by the dental assistant.
- 4 * Sec. 7. AS 08.36.370 is amended by adding new paragraphs to read:
- 5 (4) "calculus" means a hardened deposit of mineralized plaque;
- 6 (5) "coronal polishing" means the removal of supragingival plaque and
- 7 stains;
- 8 (6) "dental assistant" means a person employed to provide clinical
- 9 assistance to a dentist licensed in the state.
- 10 * Sec. 8. AS 08.32.110(d) is repealed.

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 319(L&C)
 () Publish Date: _____

Identifier (file name): HB319CS(L&C)-CED-OL-03-31-07 Dept. Affected: Commerce
 Title: Dentists & Dental Assistants RDU: Corp. Bus & Prof Licensing (117)
 Component: Corp. Bus & Prof Licensing
 Sponsor: Ramras, Thomas, Salmon, Buch
 Requester: Senate HES Component Number: 2380

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING		0.0					

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES (117)		0.0					
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1156 Interagency Receipts		0.0					
TOTAL		0.0					

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends AS 08.36 Dentistry revising the delegation of duties to a dental assistant under direct supervision and requires the board to issue certain certificates to dental assistants. Dental Assistants are not currently licensed under the program. The number of people who would seek certifications and the costs of the certification program is unknown at this time.

Occupational licensing programs are required to cover operating costs with licensing fees under AS 08.01.065; revenue generated by fees covers the full operating costs.

Prepared by: Chris Wyatt, Administrative Officer
 Division: Corporations, Business, and Professional Licensing
 Approved by: Emil R. Notti, Commissioner
Commerce, Community, and Economic Development

Phone (907) 465-2572
 Date/Time 3/31/08 11:57 AM
 Date 3/28/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 319(L&C)
 () Publish Date: _____

Identifier (file name): HB319CS(L&C)-CED-OL-03-31-07 Dept. Affected: Commerce
 Title: Dentists & Dental Assistants RDU: Corp. Bus & Prof Licensing (117)
 Component: Corp. Bus & Prof Licensing
 Sponsor: Ramras, Thomas, Salmon, Buch
 Requester: Senate HES Component Number: 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
OPERATING EXPENDITURES							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING		0.0					

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES (117)		0.0					
-----------------------------------	--	-----	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
1156 Interagency Receipts		0.0					
TOTAL		0.0					

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends AS 08.36 Dentistry revising the delegation of duties to a dental assistant under direct supervision and requires the board to issue certain certificates to dental assistants. Dental Assistants are not currently licensed under the program. The number of people who would seek certifications and the costs of the certification program is unknown at this time.

Occupational licensing programs are required to cover operating costs with licensing fees under AS 08.01.065; revenue generated by fees covers the full operating costs.

Prepared by: Chris Wyatt, Administrative Officer
 Division: Corporations, Business, and Professional Licensing
 Approved by: Emil R. Notti, Commissioner
Commerce, Community, and Economic Development

Phone (907) 465-2572
 Date/Time 3/31/08 11:57 AM
 Date 3/28/2008

Sectional HB 319- An Act relating to the practice of dentistry, to dental assistants, and to dental hygienists."

(Version 25-LS1281\T)

Section 1 authorizes the Board of Dental Examiners to issue a restorative function endorsement to a licensed dental hygienist if the hygienist has successfully completed an accredited program and has passed the required restorative function examination(s).

A restorative function endorsement will allow a licensed dental hygienist to place restorations, i.e. fillings, into a cavity prepared by a licensed dentist and thereafter carve, contour and adjust contacts and occlusion of the restoration under the direct supervision of a licensed dentist.

Section 2 authorizes a licensed dental hygienist to administer local anesthetic agents under the general supervision of a licensed dentist.

Local anesthesia renders a small part of the body, such as a tooth, insensitive to pain without affecting consciousness. Licensed dental hygienists in the state who are certified by the Board have been administering local anesthesia under "direct" or "indirect" supervision of a licensed dentist since 1981. Adding "general" supervision would allow a licensed, Board-certified dental hygienist to administer local anesthetic agents without the requirement for a licensed dentist being present in the dental facility.

Section 3 includes under dental hygienists' scope of practice the ability to place restorations (section 1) and perform the activities authorized under a collaborative agreement with a licensed dentist (section 4).

Section 4 authorizes the Board to approve a collaborative agreement between a licensed dentist and a licensed dental hygienist and specifies the services and procedures allowed under a collaborative agreement.

Working under a collaborative agreement with a licensed dentist, a dental hygienist would be able to initiate treatment within their scope of practice based on his or her assessment of a patient's needs without the specific authorization of a dentist.

Section 5 applies supervision requirements to a dental hygienist operating in conjunction with a licensed dentist under a collaborative agreement.

* **Section 6.** Adds a new section to AS 08.36 defining dental assistants.

Sec. 08.36.342 Describes the coronal polishing certificate.

Sec. 08.36.344 Describes the restorative function certificate.

Sec. 08.36.346 Describes delegated duties to a dental assistant.

Sec. 08.36.349 Defines "direct" and "indirect" supervision.

* **Section 7.** AS 08.36.370 Adds the definitions "calculus", "coronal polishing", and "dental assistant".

* **Section 8.** Repeals AS 08.32.110(d).

DISTRICT 16

BIRCHWOOD • BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP
KNIK RIVER ROAD • LAZY MOUNTAIN • PALMER • PETERS CREEK

Representative Jay Ramras
Chair, House Judiciary
House Labor & Commerce
House Oil & Gas
House Military & Veteran
Affairs

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Alaska State Legislature



While in Session
State Capitol, Room 118
Juneau, Alaska 99801-1182
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House District 10

House of Representatives

Memo

To: Senator Bettye Davis
Chair Senate Health, Education and Social Services Committee

From: Representative Jay Ramras

Date: March 25, 2008

Subject: HB 319 AN ACT RELATING TO THE PRACTICE OF DENTISTRY AND TO DENTAL ASSISTANTS

Please consider this memorandum as a request for the Senate Health, Education and Social Services Committee to hear HB 319. Accompanying this memo are the following documents:

- Sponsor Statement
- Committee Substitute HB 319(L&C) 25-LS1281\N
- Sectional Analysis HB 319(L&C) 25-LS1281\N
- Memo regarding changes to HB 319 25-LS1281\E to 25-LS1281\N
- HB 319(HES) 25-LS1281\L with Legal Memo
- HB 319 25-LS1281\E
- Fiscal Note
- Support
- Bill History

**Chair, House Judiciary
Labor & Commerce
Oil & Gas
Military & Veteran Affairs**

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Alaska State Legislature House of Representatives



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**Representative Jay Ramras
District 10**

Sponsor Statement for HB 319

"An Act relating to the supervision and duties of dental assistants by dentists, establishing a restorative function certificate and a coronal polishing certificate."

The objective of House Bill 319 is to improve access to dental care and reduce treatment costs, by expanding the functions dental assistants are permitted to perform.

HB 319 does the following:

- Allows a **certified** dental assistant, under a dentist's direct supervision, to place "fillings" into a cavity prepared by a licensed dentist.
- Allows a **certified** dental assistant, under a dentist's direct supervision, to polish teeth that are already clean of tarter.

Oral health plays a key role in overall health. Untreated dental problems can cause pain, effect nutrition, and influence quality of life. Good dental health contributes to a healthy lifestyle and promotes good self esteem. Unfortunately, not all Alaskan's enjoy good dental health due to limitations on dental personnel, geographical barriers, fear of dental treatment, and cost of dental care.

Dental Assistants are not currently regulated by the state. HB319 will require dental assistants who perform the expanded duties of packing cavities or polishing teeth to pass a training program and exam to become certified by the Alaska Dental Board. The supervising dentist must personally authorize the procedure, examine the patient afterwards, and ensure the quality of work performed by the dental assistant.

I believe this bill will increase the efficiency of delivering dental care, while upholding the quality of that care.

Representative_Jay_Ramras@legis.state.ak.us

Alaska State Legislature

Session:

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Juneau, Alaska 99801-1182
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Representative Jay Ramras House District 10

Chair, House Judiciary Committee • Member, House Labor & Commerce Committee • Member, House Oil & Gas Committee • Member, House Military & Veteran Affairs Committee

Sectional HB 319- An Act relating to the practice of dentistry and to dental assistants

(Version 25-LS1281N)

* **Section 1.** Adds a new section to AS 08.36 defining dental assistants.

Sec. 08.36.342 Describes the coronal polishing certificate.

Sec. 08.36.344 Describes the restorative function certificate.

Sec. 08.36.346 Describes delegated duties to a dental assistant.

Sec. 08.36.349 Defines "direct" and "indirect" supervision.

* **Section 2.** AS 08.36.370 Adds the definitions "calculus", "coronal polishing", and "dental assistant".

* **Section 3.** Repeals AS 08.32.110(d).

Representative Jay Ramras
Chair, House Judiciary
House Labor & Commerce
House Oil & Gas
House Military & Veteran
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House District 10

House of Representatives

Memo

To: Representative John Coghill
Chairman House Rules Committee

From: Representative Jay Ramras,

Date: March 4, 2008

Subject: Changes to HB 319 25-LS1281\E to CSHB 319(L&C) 25-LS1281\N

Changes to CSHB 319(HES) 25-1281\L to CSHB 319(L&C) 25-LS1281\N:

Page 3, Rows 4-6 Contained wording problems per Legal Memorandum dated February 13, 2008. Recommendations made by Legislative Legal were adopted. Restrictions on duties which may be delegated to a dental assistant by a dentist are more clearly defined by this change.

Page 3, Line 13 Deleted "facility" and inserted "office" for consistency.

Changes to HB 319 25-LS1281\E to CSHB 319(HES) 25-LS1281\L:

Deleted sections 1, 2, and 3. By defining "direct" and "indirect" supervision in this section it excluded general supervision under which dental hygienists work.

Page 3, Line 30 deleted "subgingival". Corrected a drafting error.

The language in Section AS 08.36.346 Delegation to dental assistants. More narrowly defined what duties can be delegated to dental assistants due to concerns brought forth by the Health, Education and Social Services Committee.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm 329

MEMORANDUM

February 13, 2008

SUBJECT: CSHB 319(HES) Wording Problem (Work Order No. 25-LS1281(L))

TO: Representative Peggy Wilson
Chair of House Health, Education, and Social Services Committee
Attn: Becky Rooney

FROM: Kathryn L. Kurtz *tk*
Assistant Revisor

Enclosed is the committee substitute you requested.

The language the committee inserted at page 3, lines 4 - 6 is internally inconsistent. With the change, the section provides:

(b) A dentist licensed in this state may delegate to a dental assistant under direct supervision

...

(3) other dental operations and services as defined and regulated by the board that do not require the professional skill of a licensed dentist or licensed dental hygienist, *including those dental operations and services provided in AS 08.32.110(c) and this chapter.*

(Emphasis added). AS 08.32.110 addresses the scope of practice of dental hygienists, and subsection (c) limits the tasks which may be delegated by a dentist:

(c) This section does not authorize delegation of

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

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

(3) *other procedures that require the professional competence and skill of a dentist*

(Emphasis added). Obviously, this is not a list of tasks that do not require the professional skill of a licensed dentist or licensed dental hygienist, as the lead-in language

Representative Peggy Wilson
February 13, 2008
Page 2

The simplest solution to this drafting problem would be to remove the phrase "*including those dental operations and services provided in AS 08.32.110(c) and this chapter*" on page 3, l. 5 - 6. Another approach would be to clarify the language to match what the committee presumably intended, perhaps along these lines:

(b) A dentist licensed in this state may delegate to a dental assistant under direct supervision

(3) other dental operations and services as defined and regulated by the board; however, a dentist may not delegate to a dental assistant a dental operation or service that requires the professional skill of a licensed dentist or licensed dental hygienist, including those dental operations and services specified in AS 08.32.110(c).

Please alert the next committee of referral to this issue, and please call if you have questions or would like us to draft an amendment.

KLK:med
08-096.med

Enclosure

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 319
 () Publish Date: _____

Identifier (file name): HB319-OL-02-06-07 Dept. Affected: Commerce
 Title: Dentists & Dental Assistants RDU: Corp. Bus & Prof Licensing (117)
 Sponsor: Ramras, Thomas, Salmon Component: Corp. Bus & Prof Licensing
 Requester: House HES Component Number: 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

This legislation amends AS 08.36 Dentistry to revise the grounds for discipline, suspension or revocation of licenses; and requires the board to issue certain certificates to dental assistants. This legislation is not expected to increase the board's operating expenses.

Occupational licensing programs are required to cover operating costs with licensing fees under AS 08.01.065; revenue generated by fees covers the full operating costs.

Prepared by: Chris Wyatt, Administrative Officer Phone: (907) 465-2572
 Division: Corporations, Business, and Professional Licensing Date/Time: 2/6/08 5:46 PM
 Approved by: Emil R. Notti, Commissioner Date: 2/6/2008
Commerce, Community, and Economic Development

EXPANDED FUNCTIONS FOR DENTAL ASSISTANTS

STATE	RESTORATIVE FUNCTION	CORONAL POLISHING
ARIZONA		COURSE AND EXAM
ARKANSAS		COURSE AND EXAM
CALIFORNIA	COURSE AND EXAM	COURSE AND EXAM, OR MAY BE TRAINED BY DENTIST
COLORADO		NO EXAM REQUIRED
FLORIDA		COURSE AND EXAM
GEORGIA		NO EXAM REQUIRED
IDAHO		BOARD CERTIFICATION
ILLINOIS		COURSE AND EXAM
KANSAS		NO EXAM REQUIRED
MAINE	BOARD CERTIFICATION	NO EXAM REQUIRED
MASSACHUSETTS		COURSE AND EXAM
MICHIGAN		COURSE AND EXAM
MINNESOTA		COURSE AND EXAM
MISSOURI	COURSE AND EXAM	COURSE AND EXAM
MONTANA	COURSE AND EXAM	COURSE AND EXAM
NEBRASKA		COURSE AND EXAM
NEVADA		NO EXAM REQUIRED
NEW JERSEY		COURSE AND EXAM
NEW MEXICO		COURSE AND EXAM
NEW YORK	COURSE AND EXAM	COURSE AND EXAM
NORTH CAROLINA		COURSE AND EXAM
NORTH DAKOTA		COURSE AND EXAM
OHIO	BOARD CERTIFICATION	BOARD CERTIFICATION
OKLAHOMA		COURSE AND EXAM
OREGON		COURSE AND EXAM
PENNSYLVANIA	COURSE AND EXAM	COURSE AND EXAM
RHODE ISLAND		COURSE AND EXAM
SOUTH CAROLINA		COURSE AND EXAM
SOUTH DAKOTA		COURSE AND EXAM
TENNESSEE	BOARD CERTIFICATION	COURSE AND EXAM
UTAH		NO EXAM REQUIRED
VERMONT	BOARD CERTIFICATION	BOARD CERTIFICATION
WASHINGTON	BOARD CERTIFICATION (2008)	NO EXAM REQUIRED
WEST VIRGINIA		COURSE AND EXAM
WISCONSIN		NO EXAM REQUIRED
WYOMING		NO EXAM REQUIRED



DAVID L. EICHLER, D.M.D.

3375 Badger Road, Suite 1
North Pole, AK 99705
Telephone: (907) 488-0978

January 16, 2008

To whom it may concern:

At the December 7, 2007 meeting of the Alaska Board of Dental Examiners, we considered the proposed change to the Dental Practice Act enabling a broader scope of practice for dental assistants as presented by the Alaska Dental Society, introduced as HB 319. After discussion by the Board we voted unanimously to support the proposal as beneficial to the citizens of the State by improving access to care while still maintaining the oversight to ensure safety and quality of care. We look forward to providing for these proposed changes and introducing this innovative way to help our profession deliver care to all Alaskans.

Sincerely

David L. Eichler DMD
President, Alaska Board of Dental Examiners



**Alaska Native
Tribal Health Consortium**

Administration 4600 Ambassador Drive Anchorage, Alaska 99508 Phone (907) 729-1900 Fax (907) 729-1301 www.anthc.org

February 5, 2008

**Representative Jay Ramras
Alaska State House
Juneau, AK 99801**

Dear Representative Ramrus:

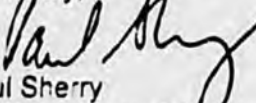
According to the U.S. Surgeon General, periodontal disease in American Indian and Alaska Native adults is 2.5 times greater than in the general U.S. population. Data from Alaska shows that 92 percent of Alaska Native adolescents have signs of early periodontal disease. In the last decade, research has demonstrated the association of periodontal disease in pregnant women with premature birth and studies are underway now to test interventions. Infant mortality is a problem in Alaska and oral health problems can only contribute to this unnecessary loss.

Virtually without exception, the studies of dental therapists in other countries and even expanded duty personnel in the U.S. show that these highly competent technicians perform fillings at the same level as their dentist supervisors. A study in Michigan showed that expanded duty personnel had one-third as many failures of dental sealants over 10 years as dentists with an overall retention rate similar to published studies. A study in Canada showed that 79 percent of pit and fissure sealants applied by dental therapists were retained for at least three years and 46 percent less caries in these teeth. Similarly studies in the U.S. showed good agreement between trained dental extenders and dentists in dental caries screening.

In the United States, dentistry is an aging profession. Of the nation's roughly 162,000 practicing dentists, 22.5 percent were ages 55-64, and 10 percent were age 65 and older in 2005. A large portion of this group is expected to retire over the next five to ten years, leaving an even greater need for other dental disciplines to be fully trained and ready to move into the workforce. The national shortage of dentists means even greater hardships for the Alaska Native people living in rural Alaska.

Given the high number of oral health disparities faced by our people, the Alaska Native Tribal Health Consortium supports the expanded function practices of Dental Hygienists and Dental Health Aide Therapists across Alaska and the United States.

Sincerely,


Paul Sherry
Chief Executive Officer

Alaska Dental Outreach Consortium

Dentists reaching out to those in need

Dr. Michale Boothe
Chugiak
President

Dr. Pete Higgins
Fairbanks
Vice President

James R. Towle
Anchorage
Secretary

Dr. Dave Eichler
North Pole
Treasurer

Dr. Dave Logan
Juneau
Director

The Honorable Peggy Wilson, Chair, &
Honorable Members
House Committee for Health Education & Social Services
State Capitol Building
Juneau, AK 99901

1 February 2008

Chairman Wilson & Honorable Members:

On behalf of the Board of Directors of the Alaska Dental Outreach Corporation (ADOC), I urge you to support the passage of House Bill 319 & Senate Bill -239 concerning the expansion of duties for certified dental assistants.

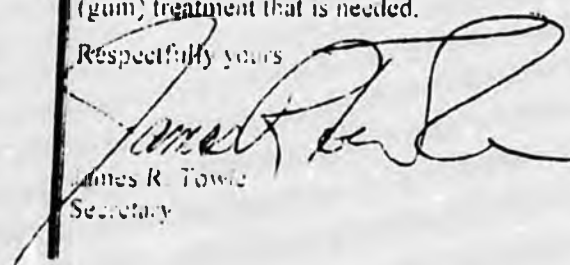
These bills would allow greater access to care in rural areas and increase the ability of dentists to deliver care under the Medicaid and Denali Kid Care system.

ADOC is a non-profit organization started by the Alaska Dental Society in 2007. It has requested IRS designation as a tax-exempt entity, and is currently awaiting a ruling prior to commencing operations. ADOC has been established to provide care in underserved rural areas of Alaska using volunteer dentists.

The adoption of HB-319/SB-239 will ensure that ADOC's volunteer dentists are able to use the expanded duty for dental assistants to significantly increase the amount of care they are able to provide compared to than would be possible under the exist statutes. Certified dental assistants placing fillings after the dentists have prepared teeth will allow our dental teams to work efficiently. One dentist working in concert with several assistants will be able to provide care to 50-75% more patients than a dentist who is not allowed to delegate the "restorative services" authorized by these bills.

Allowing certified dental assistants to perform coronal polishing is also crucial to the efficient delivery of care. Unless ADOC is able to recruit hygienists willing to accompany our volunteer dentists and provide their services without compensation or remuneration, it will be cost prohibitive for ADOC to provide basic dental hygiene services. This will severely hinder ADOC's ability to provide this most basic of preventive services. Our dentists, due to the more pressing need to restore decayed teeth, will be unable to provide little more than a minimal number of the cleanings needed in the communities we will serve. However, with the adoption of these bills, dental assistants can provide coronal polishing, under the supervision of a dentist, who after removing any calculus (tarter) and treating any sub-gingival (below the gum line) treatment deemed appropriate, can focus on providing restorative and periodontal (gum) treatment that is needed.

Respectfully yours



James R. Towle
Secretary



Alaska Dental Society, Inc.

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Anchorage, Alaska 99502-5390
(907) 563-3003 • FAX: 563-3009
akdental@alaska.net

The Honorable Jay Ramras
Alaska House of Representatives
State Capitol Bldg. Rm 118
Juneau, AK 99801

Dear Representative Ramras,

The Alaska Dental Society welcomes you back, for what we hope will be a productive and rewarding 2008 session of the Alaska Legislature.

This session the Alaska Dental Society (ADS) is backing legislation sponsored by Sen. Joe Thomas and Rep. Jay Ramras. These bills are one of several steps the is undertaking to increase access to dental care to rural and other Alaskans in need. A packet enclosed provides information on the Expanded Duty for Dental Assistants Bills, HB-319 and SB-239, as well as other components of a strategic plan for dealing with the shortage of dental care in Alaska.

Given the short 90 day session in 2008 we hope you will give HB-319 and SB-239 your support and urge you fellow lawmakers to take prompt attention before preparation of the FY2009 budget takes center stage.

Enclosed are complementary toothbrushes, floss for you and your staff.

Respectfully yours,

David Logan, DDS, Chairman
Legislative Committee



Alaska Dental Society, Inc.

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akdental@alaska.net

Long Term Strategic Plan for Providing Care for the Underserved in Alaska

The majority of Alaskans enjoy access to excellent and affordable dental care – some of the best in the world. A segment of the Alaska's population does not have ready access to basic dental care and struggles to pay for the treatment they need; particularly if they have delayed seeking care and their condition has gotten worse and more difficult and costly to treat.

The Alaska Dental Society has developed a long term strategic plan which will increase access to care for those Alaskans most in need and with the greatest challenges to getting regular care and treatment. It will require cooperation between the Alaska Dental and the Alaska Dental Board, the Legislature, as well as the other state and federal agencies responsible for dental and health care.

The Alaska Dental Society recommends the following steps to increase access to dental care:

1. Legislation to expand the duties that can be assigned to auxiliary dental personnel. Increasing the tasks performed by hygienists and assistants will increase efficiency while lowering costs.
2. Implement a 10% tax at the wholesale level on soda pop, soft drinks that contain significant percentages of sugar and candy products. Proceeds of the tax would be directed to the general fund and used to offset key programs to improve and increase access to dental care.
3. Implementation of a state grant program for delivery of preventive care in underserved areas.
4. Institute a loan program to encourage health care providers to deliver care in underserved areas.
5. Modifications to the Medicaid system by the Department of Health and Social Services that will encourage rather than discourage dentists to participate.
6. Incentives from the state to encourage communities to fluoridate community water systems and development of a state program to provide fluoride supplementation in communities without fluoridated water.

More detailed information on the above listed programs can be found in the accompanying material

From: housemajority_email@housemajority.org
Sent: Thursday, February 07, 2008 6:09 PM
To: Rep. Jay Ramras
Subject: HB 319

From: swighs@yahoo.com

Dear Representative Ramras,

I am writing to you as a dental hygienist who loves her job and loves her patients. I worked hard for my degree and am proud of the level of training I received. I am very concerned about HB 319.

Dental Hygienists are highly trained and highly educated professionals. You Bill states that only tarter free children would be polished by assistants, why would you want someone with less hands on training and less education working on our most precious resource? We should expect the same high level care for children that we do for adults and that is with a hygienist.

Recently Dental Health Aides were allowed to practice in our rural areas and a new Dental Hygiene program was opened in Fairbanks. As more students graduate more professionals will be available to treat the needs of Rural Alaska. They will be professionals with at least 2 years of intense clinical training, which is what our states deserves.

Thank you,
Sarah Sullivan

- Sarah Sullivan
Zip Code: 99709

-----+
DO NOT REPLY TO THIS EMAIL if you want to correspond with this author.
If suspected Spam please forward to: support@housemajority.org
-----+

Support HB319

From: Rep. Jay Ramras
Sent: Saturday, February 23, 2008 5:03 PM
To: Patty Krueger
Subject: FW: Allied Health Funding for UAF

-----Original Message-----

From: Phyllis Pendergrast [mailto:soviev@yahoo.com]
Sent: Friday, February 22, 2008 11:19 PM
To: Rep. Jay Ramras
Subject: Allied Health Funding for UAF

Dear Jay,

Thank you for your good work and fine effort. Your support of the HB319 is appreciated.

My wife and I heard of the budget cut for the Allied Health program at UAF and wanted to give you our opinion on this action.

The new Dental Hygiene program is one that can help satisfy the demand of access to care. We need more trained professionals to meet the demands of our communities. In addition to being a sound idea for the care recipients it provides an opportunity for individuals in the small towns and villages to receive a degree and provide much needed care to their people.

The time to meet these demands is now. Any delays will only set back the already needed care.

Any help you can give would be greatly appreciated and valued.

Respectfully,

Phyllis Pendergrast DMD
Charles W. Lemke

Be a better friend, newshound, and
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http://mobile.yahoo.com/;_ylt=Ahu06i62sR8HdtDypao8wcj9tAcJ

February 25, 2008

Senate Finance Committee
Labor and Commerce Committee

Representative Jay Ramras
State Capitol Rm 118
Juneau, AK 99801-1182
Phone: 465-3004
Fax: 465-2070

Re: HOUSE BILL NO. 319

Dear Jay Ramras:

My name is Mayquella Buckley, I have been a dental assistant for 11 years, a Certified Dental Assistant through DANB for 5 years and I am certified in dental radiology through the Indian Health Services.


DANB, the Dental Assisting National Board, Inc. is the national certification and credentialing agency for dental assistants and is recognized by the American Dental Association. To meet testing criteria you need to graduate from an accredited dental assistant program at a university or have 2 years of minimum work experience in the dental field. To provide quality dental care in more advanced procedures a dental assistant needs to have a strong foundation of dental knowledge in infection control, radiology and general chair side skills. They also need to have clinical experience to allow time to grow their skills.

House Bill 319 gives dental assistants and our patient population we provide dental care to great opportunities. However, regulating advance procedures like restorative functions and coronal polishing will require more than completing a program of instruction approved by the board. Formal training and at least 2 years of general clinical experience is needed to acquire the basic skill set in order to provide quality dental care. With that knowledge then one may be ready to expand their skills, knowledge and abilities to more advance dental procedures. Providing safe and quality dental care is a priority and can be achieved through training and experience.

I have been the clinical manager/supervisor for ANMC dental services for 5 years and supervise 30 + dental assistant at any one time. I also oversee the dental assistant training program for which most of our dental assistants are hired from. We have set up our own job progressions to meet the clinical education and work experience listed above. This process has lead to improved dental services being provided and removes those individuals who may not be as serious in providing quality dental care.

Thank you for taking the time to review this letter and I hope that you will consider my recommendations in your decisions.

Sincerely,


Mayquella Buckley, CDA

SCF Dental
Clinical Operations Manager
907-729-8800
mbuckley@scf.ak



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Anchorage, Alaska 99502-5390
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akdental@alaska.net

April 2, 2008

Members of the Senate HESS committee:

The Alaska Dental Society supports the changes made to HB319 as presented in work draft 25-LS1281/T, which combines HB319 and HB136. We urge the committee to pass HB319 out of committee.

Sincerely,

David Logan, DDS
Legislative Chair, Alaska Dental Society