

SB

239

ALASKA STATE LEGISLATURE



SENATOR JOE THOMAS

February 6, 2008

Dear Chairwoman Davis,

I respectfully request that SB 239, an Act related to the practice of dentistry and to dental assistants, be scheduled for a hearing in the Senate Health, Education and Social Services Committee.

The goal of this legislation is to improve access to dental care and reduce treatment costs, by expanding the functions dental assistants are permitted to perform.

Thank you for your consideration of this request,

A handwritten signature in black ink, appearing to read "Joe Thomas".

Senator Joe Thomas

ALASKA STATE LEGISLATURE



SENATOR JOE THOMAS

Sponsor Statement

The goal of Senate Bill 239 is to improve access to dental care and reduce treatment costs, by expanding the functions dental assistants are permitted to perform.

Oral health plays a key role in overall health. Untreated dental problems can cause pain, affect nutrition and lower the quality of life. Unfortunately, not all Alaskans enjoy good dental health because of limited access to care, a shortage of dental professionals, geographical barriers, and the cost of dental care.

SB 239 does the following:

1. Allows a certified dental assistant to place "fillings" into a cavity prepared by a licensed dentist.
2. Allows a certified dental assistant to polish teeth that are already clean of tartar.

Allowing assistants to deliver these limited services, which currently must be performed by dentists and hygienists, will lower costs. It is my hope that it will encourage dental offices to see children and other patients under Medicaid and Denali Kid Care.

Dental Assistants are employed by dentists to assist with dental treatment. They are generally in the same room with the dentist, where they can observe the dentist's procedures and have their work closely monitored. Dental assistants are not currently regulated by the state. Instead, the dentist under whom they work is responsible for ensuring the quality of their work.

However, SB 239 requires dental assistants who perform the expanded duties of packing cavities or polishing teeth, to pass a training program and an exam, and be certified by Alaska's Dental Board. Furthermore, the supervising dentist must personally authorize the procedure and examine the patient afterwards.

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

Don Burrell

From: Catherine Reardon
Sent: Friday, February 15, 2008 11:48 AM
To: Don Burrell
Subject: FW: Dentists Testimony SB-239

Dear Don,

The first three dentists on this list are the most knowledgeable and involved in the dental assistant bill. It will be helpful if they testify first. Will Senator Davis be willing to ask them first?

After the first three, they have been asked to quickly state that they support the bill.

--Catherine

From: Jim Towle [mailto:JTowle@akdental.org]
Sent: Friday, February 15, 2008 10:57 AM
To: Catherine Reardon
Cc: drdave@acsalaska.net
Subject: FW: Dentists Testimony SB-239

Catherine:

Here is the "batting order" of dentists for SB-239:

- 1 - Dr. Dave Logan (Juneau)
- 2 - Dr. Pete Higgins (Fairbanks)
- 3 - Dr. Phyllis Pendergrast (Fairbanks)
- 4 - Dr. Dan Pitts (Soldotna)
- 5 - Dr. Tom Jacobson (Sitka)
- 6 - Dr. Mark Prator (Wasilla)
- 7 - Dr. Mike Boothe (Anchorage)
- 8 - Dr. Dave Eichler (North Pole)

The will be advised to call in at 2:15 p.m. and to be prepared to "sit in silence" and be assured that the committee will come on, "HOPEFULLY no later than 2:35.

Thanks for your help.

Jim Towle

Executive Director

Alaska Dental Society -- Pursuing Policies that enhance the dental profession and the well-being of Alaskans

**ARTICLE 2.
REGULATION OF DENTAL HYGIENISTS.**

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Section

- 100. Employment of dental hygienists
- 110. Scope of practice of dental hygienists
- 120. Place of employment
- 130. Information required
- 140. Supervision required
- 160. Grounds for discipline, suspension or revocation of license
- 165. Limits or conditions on license; discipline
- 171. Disciplinary sanctions
- 180. Penalty for violations

Sec. 08.32.100. Employment of dental hygienists. A licensed dentist, incorporated eleemosynary dental dispensary or infirmary, private school or welfare center, the United States of America or the state may employ a licensed dental hygienist.

Sec. 08.32.110. Scope of practice of dental hygienists. (a) The role of the dental hygienist is to assist members of the dental profession in providing oral health care to the public. A person licensed to practice the profession of dental hygiene in the state may

- (1) remove calcareous deposits, accretions, and stains from the exposed surfaces of the teeth beginning at the epithelial attachment by scaling and polishing techniques;
- (2) apply topical preventive agents;
- (3) apply pit and fissure sealants;
- (4) perform root planing and periodontal soft tissue curettage;
- (5) perform other dental operations and services delegated by a licensed dentist if the dental operations and services are not prohibited by (c) of this section; and
- (6) if certified by the board and under the direct or indirect supervision of a licensed dentist, administer local anesthetic agents.

(b) The board shall specify by regulation those additional functions that may be performed by a licensed dental hygienist only upon successful completion of a formal course of instruction approved by the board. The board shall adopt regulations specifying the education requirements, evaluation procedure, and degree of supervision required for each function.

(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.

(d) This section does not prohibit a dental assistant from applying topical preventive agents or pit and fissure sealants when those duties have been delegated to the assistant by a dentist licensed under AS 08.36 or by a dentist exempt from licensure under AS 08.36.350(a)(2).

Sec. 08.32.120. Place of employment. A dental hygienist may practice in the office of a licensed dentist, or legally incorporated eleemosynary dental dispensary or infirmary, private school, welfare center, state or federal institution, village health facility, or in another place designated by the board.

Sec. 08.32.130. Information required. Every dental hygienist practicing dental hygiene in the state shall furnish the board with the name and address of the dentist under whose supervision the dental hygienist is practicing.

Sec. 08.32.140. Supervision required. A dental hygienist may not practice except under the general supervision of a licensed dentist or, if required by regulations adopted under AS 08.32.110(b), the direct or indirect supervision of a licensed dentist.

Sec. 08.32.160. Grounds for discipline, suspension or revocation of license. The board may revoke or suspend the license of a dental hygienist, or may reprimand, censure, or discipline a licensee, if, after a hearing, the board finds that the licensee

- (1) used or knowingly cooperated in deceit, fraud, or intentional misrepresentation to obtain a license or registration;
- (2) engaged in deceit, fraud, or intentional misrepresentation in the course of providing or billing for professional services or engaging in professional activities;
- (3) advertised professional services in a false or misleading manner;
- (4) has been convicted of a felony or other crime that affects the licensee's ability to continue to practice competently and safely;

February 15, 2008

Senator Bettye Davis, Chair
Senate HESS Committee
State Capitol
Juneau, Alaska 99801

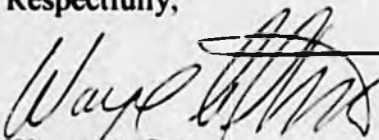
Senator Davis & members of the Senate HESS Committee

SB117, "An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain occupations," will likely have severe impacts upon the worker's compensation system. Local government already strapped for cash, will be forced to bear large financial burdens associated with presumptive coverage. Without revenue sharing, local taxes will increase with businesses providing the lion's share.

Alaska's Worker's compensation insurance and coverage system, remains on top within the nation for being the most costly. Adding presumptive coverage for different classes of municipal employees will likely drive the costs associated with worker's compensation insurance even higher. Alaska's businesses cannot afford additional costs associated with insurance couple with increase property taxes associate with presumptive coverage.

The State Chamber of Commerce does not support SB 117. We believe SB 117 will ultimately be an unfunded mandate forces upon local businesses through property taxes.

Respectfully,



Wayne A. Stevens
President/CEO