



LAWS OF ALASKA

1978

Source

SCS CSHB 809

Chapter No.

59

AN ACT

Relating to the practice of dental hygiene.

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

* Section 1. AS 08.32.010 is amended to read:

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

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

Sec. 08.32.015. MALPRACTICE INSURANCE. If medical malpractice insurance for dental hygienists becomes unavailable on the voluntary market and the director of insurance finds, after public hearing, that the unavailability is impairing the delivery of dental hygiene services to the public, the director of insurance may require all persons licensed under this chapter to carry medical malpractice insurance and to purchase their insurance from the Medical Indemnity Corporation of Alaska established under AS 21.88. If a finding of unavailability of insurance on the voluntary market and impairment of services has been made under this section, purchase of medical malpractice insurance from the Medical Indemnity Corporation of Alaska is a condition of licensure under this chapter. The provisions of this section are satisfied if the licensee's employer maintains insurance for the licensee from the Medical Indemnity Corporation of Alaska.

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

(a) An applicant for examination shall be

- (1) of good moral character;
- (2) at least 18 years of age;
- (3) a graduate of an accredited high school;
- (4) a graduate of a dental hygiene school which requires at least a two-year course and is accredited by the Commission on Accreditation of Dental and Dental Auxiliary Education Programs of the American Dental Association; and
- (5) an examinee who has successfully completed the National Board of Dental Examiners' written theory examination or an equivalent written examination given by the board, thereby demonstrating satisfactory theoretical knowledge of dental and basic biomedical sciences.

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 AS 08.32.030 is repealed and re-enacted to read:

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

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

Sec. 08.32.040. APPLICATION AND FEE. An application for examination or licensing by credentials shall be accompanied by the applicant's certificate of graduation from an accredited dental hygiene school and a fee of \$25.

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

Sec. 08.32.060. FREQUENCY AND CONTENT OF EXAMINATION. The examination shall be held once each year at the same time as the examination of dentists. The examination shall cover subjects considered essential by the board for the practice of dental hygiene including a clinical examination on the removal of calcarious deposits, accretions, and stains from the exposed surfaces of the teeth beginning at the epithelial attachment by scaling and polishing techniques.

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

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

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

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

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

Sec. 08.32.110. SCOPE OF WORK 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 or prophylactic agents;

(3) apply pit and fissure sealants;

(4) perform root planing and periodontal soft tissue curettage; and

(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.

(b) The board shall specify by regulation those additional intra-oral functions which 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 promulgate regulations specifying the education requirements, evaluation procedures, 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 which require the professional competence and skill of a dentist.

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

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.

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

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. 12. AS 08.32.140 is amended to read:

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 issued under sec. 110(b) of this chapter, the direct or indirect supervision of a licensed dentist.

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

Sec. 08.32.190. DEFINITIONS. In this chapter

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

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

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

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

(5) "indirect supervision" means a licensed dentist is in the dental facility, authorizes the procedures, and remains in the dental facility while the procedures are being performed by the dental hygienist.

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

Sec. 08.32.¹⁸⁵200. APPLICATION OF ADMINISTRATIVE PROCEDURE ACT. The Administrative Procedure Act (AS 44.62) applies to any action taken by the board under this chapter.

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