

House Bill 684

By: Representatives Martin of the 49<sup>th</sup>, Clark of the 98<sup>th</sup>, Brockway of the 102<sup>nd</sup>, Abrams of the 89<sup>th</sup>, and Hugley of the 136<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 11 of Title 43 of the Official Code of Georgia Annotated,  
2 relating to dental hygienists, so as to provide for delegable services and procedures that may  
3 be performed by dental hygienists; to revise provisions regarding direct supervision of dental  
4 hygienists by dentists in certain settings; to provide for related matters; to repeal conflicting  
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 11 of Title 43 of the Official Code of Georgia Annotated, relating to  
9 dental hygienists, is amended by revising Code Section 43-11-74, relating to direct  
10 supervision requirements, scope of duties, and exceptions to required supervision for dental  
11 screenings, as follows:

12 "43-11-74.

13 (a) Dental hygienists shall perform their duties only under the direct supervision of a  
14 licensed dentist. No dental hygienist shall diagnose, prescribe, determine the initial dosage,  
15 or increase the initial dosage of nitrous oxide, practice dentistry, or do any kind of dental  
16 work other than to remove calcareous deposits, secretions, and stains from the surfaces of  
17 the teeth, to apply ordinary wash or washes of a soothing character, and to perform those  
18 acts, services, procedures, and practices which the board ~~shall prescribe~~ has determined are  
19 delegable as prescribed by rule or regulation. ~~The board shall not delegate to dental~~  
20 ~~hygienists the authority to administer local anesthesia, except that this restriction shall~~  
21 ~~automatically expire July 1, 1992.~~

22 (b) After meeting such additional education and training requirements as the board may  
23 require by rule or regulation, a dental hygienist may perform such other acts, practices,  
24 services, or procedures under the direct supervision of a licensed dentist, which the board  
25 may prescribe by rule or regulation subject, however, to the limitations set forth in  
26 subsection (a) of this Code section.

27 (c) The requirement of direct supervision shall not apply to the educational training of  
 28 dental hygiene students at an institution approved by the board and the Commission on  
 29 Dental Accreditation of the American Dental Association, or its successor agency, when  
 30 such instruction is carried out under such degree of supervision by a licensed dentist as the  
 31 board may prescribe by rule or regulation.

32 (d) The requirement of direct supervision shall not apply to the performance of dental  
 33 hygiene duties at approved dental facilities of the Department of Public Health, county  
 34 boards of health, or the Department of Corrections; at approved safety net settings,  
 35 including nonprofit clinics, health care facilities, long-term care facilities, and school based  
 36 programs; or at other facilities or settings approved by the board. ~~The board shall provide~~  
 37 ~~by rule or regulation for criteria for approval of such facilities and for the appropriate~~  
 38 ~~degree of supervision by a licensed dentist over dental hygienists performing duties in such~~  
 39 ~~facilities.~~ A dental hygienist performing dental hygiene duties in a public health or safety  
 40 net setting shall be deemed practicing as a registered dental hygienist licensed in this state.  
 41 A registered dental hygienist performing dental hygiene duties in a public health or safety  
 42 net setting may perform in such setting without the direct supervision of a dentist any  
 43 procedure or service that is within the scope of practice of the dentist and that has been  
 44 authorized and adopted by the board as a delegable procedure pursuant to subsection (a)  
 45 of this Code section. A patient who receives dental hygiene services in a public health or  
 46 safety net setting shall be encouraged to obtain a dental examination by a licensed dentist  
 47 within 90 days of receiving such dental hygiene services.

48 (e)(1) As used in this subsection, the term 'dental screening' means a visual assessment  
 49 of the oral cavity without the use of X-rays, laboratory tests, or diagnostic models to  
 50 determine if it appears that a more thorough examination and diagnosis should be  
 51 conducted by a dentist.

52 (2) The requirement of direct supervision shall not apply to the performance of dental  
 53 hygienists providing dental screenings ~~in settings which include schools, hospitals, and~~  
 54 ~~clinics and state, county, local, and federal public health programs.~~ ~~Other health fair~~  
 55 ~~settings must be preapproved by the board.~~

56 (3) Each person who receives a dental screening pursuant to this subsection, or the parent  
 57 or legal guardian if the person is a minor, must be informed in writing of the purpose and  
 58 limitations of a dental screening and advised to seek a more thorough examination by a  
 59 dentist to determine whether or not problems exist that might not be discovered in a  
 60 screening. There shall be no fees charged for providing a dental screening pursuant to  
 61 this subsection except for dental screenings provided by employees of the Department of  
 62 Public Health or county boards of health. These fees must be paid directly to that

63 department or county board of health and not to the individual who performs the dental  
64 screening."

65 **SECTION 2.**

66 This Act shall become effective on January 1, 2016.

67 **SECTION 3.**

68 All laws and parts of laws in conflict with this Act are repealed.