House Bill 684
By: Representatives Martin of the 49th, Clark of the 98th, Brockway of the 102nd, Abrams of the 89th, and Hugley of the 136th

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"43-11-74.
(a) Dental hygienists shall perform their duties only under the direct supervision of a licensed dentist. No dental hygienist shall diagnose, prescribe, determine the initial dosage, or increase the initial dosage of nitrous oxide, practice dentistry, or do any kind of dental work other than to remove calcareous deposits, secretions, and stains from the surfaces of the teeth, to apply ordinary wash or washes of a soothing character, and to perform those acts, services, procedures, and practices which the board shall prescribe has determined are delegable as prescribed by rule or regulation. The board shall not delegate to dental hygienists the authority to administer local anesthesia, except that this restriction shall automatically expire July 1, 1992.
(b) After meeting such additional education and training requirements as the board may require by rule or regulation, a dental hygienist may perform such other acts, practices, services, or procedures under the direct supervision of a licensed dentist, which the board may prescribe by rule or regulation subject, however, to the limitations set forth in subsection (a) of this Code section.

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

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

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

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

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

SECTION 2.

This Act shall become effective on January 1, 2016.

SECTION 3.

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