

House Bill 2426

Sponsored by Representatives DALTO, GREENLICK; Senators KRUSE, MONNES ANDERSON (at the request of Oregon Dental Hygienists' Association, Willamette Dental Group, Oregon Rural Health Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes limited access permit dental hygienists to provide authorized dental hygiene services at any location.

A BILL FOR AN ACT

1
2 Relating to dental hygiene; amending ORS 679.010 and 680.205.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 680.205 is amended to read:

5 680.205. (1) A dental hygienist issued a permit to act as a limited access permit dental hygienist
6 under ORS 680.200 shall be authorized to render all services within the scope of practice of dental
7 hygiene as defined in ORS 679.010 [*and as authorized by the limited access permit to:*]

8 [*(a) Patients or residents of the following facilities or programs who, due to age, infirmity or dis-*
9 *ability, are unable to receive regular dental hygiene treatment:*]

10 [*(A) Nursing homes as defined in ORS 678.710;*]

11 [*(B) Adult foster homes as defined in ORS 443.705;*]

12 [*(C) Residential care facilities as defined in ORS 443.400;*]

13 [*(D) Adult congregate living facilities as defined in ORS 441.525;*]

14 [*(E) Mental health residential programs administered by the Department of Human Services;*]

15 [*(F) Facilities for mentally ill persons, as defined in ORS 426.005;*]

16 [*(G) Facilities for persons with mental retardation, as defined in ORS 427.005; or*]

17 [*(H) Local correctional facilities and juvenile detention facilities as those terms are defined in ORS*
18 *169.005, regional correctional facilities as defined in ORS 169.620, youth correction facilities as defined*
19 *in ORS 420.005, youth care centers as defined in ORS 420.855, and Department of Corrections insti-*
20 *tutions as defined in ORS 421.005.]*

21 [*(b) Students or enrollees of nursery schools and day care programs, Job Corps and other similar*
22 *employment training facilities and primary and secondary schools, including private schools and public*
23 *charter schools.] **without the supervision of a dentist.***

24 (2) At least once each calendar year, a dental hygienist issued a permit to act as a limited ac-
25 cess permit dental hygienist shall refer each patient or resident to a dentist who is available to treat
26 the patient or resident.

27 [*(3) Nothing in this section shall be construed to authorize a limited access permit dental hygienist*
28 *to administer local anesthesia, to provide sealants, denture soft lines, temporary restorations and*
29 *radiographs except under the general supervision of a dentist licensed under ORS chapter 679, or to*
30 *administer nitrous oxide except under the indirect supervision of a dentist licensed under ORS chapter*
31 *679.]*

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *[(4) The Oregon Board of Dentistry may not expand the scope of unsupervised practice of a limited*
 2 *access dental hygienist by rule.]*

3 [(5)] (3) A person granted a limited access permit under ORS 680.200 shall also procure all other
 4 permits or certificates required by the board under ORS 679.250.

5 **SECTION 2.** ORS 679.010 is amended to read:

6 679.010. As used in this chapter and ORS 680.010 to 680.205, unless the context requires other-
 7 wise:

8 (1) “Board” means the Oregon Board of Dentistry.

9 (2) “Dental assistant” means a person who, under the supervision of a dentist, renders assistance
 10 to a dentist, dental hygienist, dental technician or another dental assistant or **who, under the**
 11 **supervision of a dental hygienist**, renders assistance [*under the supervision of*] **to** a dental
 12 hygienist providing dental hygiene.

13 (3) “Dental hygiene” means that portion of dentistry that includes the rendering of educational,
 14 preventive and therapeutic dental services in general, but specifically, scaling, root planing,
 15 curettage and any related intraoral or extraoral procedure required in the performance of such
 16 services.

17 (4) “Dental hygienist” means a person who, under the supervision of a dentist, practices dental
 18 hygiene.

19 (5) “Dental technician” means that person who, at the authorization of a dentist, makes, pro-
 20 vides, repairs or alters oral prosthetic appliances and other artificial materials and devices which
 21 are returned to a dentist and inserted into the human oral cavity or which come in contact with its
 22 adjacent structures and tissues.

23 (6) “Dentist” means a person who may perform any intraoral or extraoral procedure required
 24 in the practice of dentistry.

25 (7) “Dentistry” means the healing art which is concerned with the examination, diagnosis,
 26 treatment planning, treatment, care and prevention of conditions within the human oral cavity and
 27 maxillofacial region and conditions of adjacent or related tissues and structures. The practice of
 28 dentistry includes but is not limited to the cutting, altering, repairing, removing, replacing or repo-
 29 sitioning of hard or soft tissues and other acts or procedures as determined by the board and in-
 30 cluded in the curricula of dental schools accredited by the Commission on Dental Accreditation of
 31 the American Dental Association, post-graduate training programs or continuing education courses.

32 (8) “Direct supervision” means supervision requiring that a dentist diagnose the condition to be
 33 treated, that a dentist authorize the procedure to be performed, and that a dentist remain in the
 34 dental treatment room while the procedures are performed.

35 (9) “General supervision” means supervision requiring that a dentist authorize the procedures,
 36 but not requiring that a dentist be present when the authorized procedures are performed. The
 37 authorized procedures may also be performed at a place other than the usual place of practice of
 38 the dentist.

39 (10) “Indirect supervision” means supervision requiring that a dentist authorize the procedures
 40 and that a dentist be on the premises while the procedures are performed.

41 (11) “Limited access permit dental hygienist” means a dental hygienist who renders dental hy-
 42 giene services [*without the supervision of a dentist*] in accordance with ORS 680.205 as authorized
 43 by a limited access permit issued by the board pursuant to ORS 680.200.

44 (12) “State” means any state or territory of the United States and the District of Columbia.
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