

FIRST REGULAR SESSION

HOUSE BILL NO. 459

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ALLEN.

0243H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 332.011 and 332.311, RSMo, and to enact in lieu thereof two new sections relating to dental hygienists.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 332.011 and 332.311, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 332.011 and 332.311, to read as follows:

332.011. As used in this chapter, the following words and terms mean:

(1) "Accredited dental hygiene school", any program which teaches a course in dental hygiene which is accredited by the Commission on Dental Accreditation of the American Dental Association and which shall have a minimum of two academic years of curriculum provided in a college or institution of higher education;

(2) "Accredited dental school", any college, university, school, or other institution which teaches dentistry which has been certified by the American Dental Association;

(3) **"American Dental Hygienists' Association (ADHA) standards of clinical dental hygiene practice", standards by which a dental hygienist practices;**

(4) "Board", the Missouri dental board;

~~[(4)]~~ (5) "Certified dental assistant", a dental assistant who is currently certified by the Dental Assisting National Board, Inc.;

~~[(5)]~~ (6) "Dental assistant", an employee of a duly registered and currently licensed dentist in Missouri, other than either a dental hygienist or a certified dental assistant;

~~[(6)]~~ (7) "Expanded-functions dental assistant", any dental assistant who has passed a basic dental assisting skills mastery examination or a certified dental assistant, either of whom has successfully completed a board-approved expanded-functions course, passed a competency

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 examination, and has obtained a permit authorizing them to perform expanded-functions duties
19 from the Missouri dental board;

20 ~~[(7)]~~ **(8)** "Expanded-functions duties", reversible acts that would be considered the
21 practice of dentistry as defined in section 332.071 that the board specifies by rule may be
22 delegated to a dental assistant or dental hygienist who possesses an expanded-functions permit;
23 **and**

24 **(9) "Extended access", a written agreement that authorizes a dental hygienist who**
25 **is duly registered and currently licensed in Missouri to provide dental hygiene services**
26 **outlined in section 332.311 through a partnering arrangement with a dentist who is duly**
27 **registered and currently licensed in Missouri.**

332.311. 1. Except as provided in [subsection] **subsections 2 and 3** of this section, a
2 duly registered and currently licensed dental hygienist may only practice as a dental hygienist so
3 long as the dental hygienist is employed by a dentist who is duly registered and currently licensed
4 in Missouri, or as an employee of such other person or entity approved by the board in
5 accordance with rules promulgated by the board. In accordance with this chapter and the rules
6 promulgated by the board pursuant thereto, a dental hygienist shall only practice under the
7 supervision of a dentist who is duly registered and currently licensed in Missouri, except as
8 provided in [subsection] **subsections 2 and 3** of this section.

9 2. A duly registered and currently licensed dental hygienist who has been in practice at
10 least three years and who is practicing in a public health setting may provide fluoride treatments,
11 teeth cleaning and sealants, if appropriate, to children who are eligible for medical assistance,
12 pursuant to chapter 208, without the supervision of a dentist. Medicaid shall reimburse any
13 eligible provider who provides fluoride treatments, teeth cleaning, and sealants to eligible
14 children. Those public health settings in which a dental hygienist may practice without the
15 supervision of a dentist shall be established jointly by the department of health and senior
16 services and by the Missouri dental board by rule.

17 **3. A duly registered and currently licensed dental hygienist in Missouri may work**
18 **in an extended access agreement with a dentist who is duly registered and currently**
19 **licensed in Missouri.**

20 **(1) The extended access agreement will outline the protocols for practice,**
21 **description of services allowed, populations to be served, the responsibilities of the**
22 **partnering dentist and the hygienist concerning consultation, record maintenance,**
23 **emergency management plan, and referral procedures.**

24 **(2) To work under an extended access agreement, the dental hygienist shall:**

25 **(a) Have practiced at least two thousand hours within the previous five years;**

26 **(b) Obtain a permit for extended access from the Missouri dental board with the**
27 **name or names of the partnering dentist or dentists;**

28 **(c) Perform a dental hygiene focused assessment at each visit utilizing the ADHA**
29 **standards of clinical dental hygiene practice as the standard of care;**

30 **(d) Make an annual referral to a dentist for the determination of additional dental**
31 **treatment;**

32 **(e) Be covered by professional liability insurance; and**

33 **(f) Notify the Missouri dental board of any changes in extended access partners.**

34 **(3) Clinical services allowed include scaling and polishing, dental sealants, fluoride**
35 **treatments, periodontal root planing, debridement, curettage, radiographs, nonsurgical**
36 **periodontal procedures, all services delegable to a dental assistant except for the expanded**
37 **functions that require a permit, and other procedures set by and in accordance with rules**
38 **and regulations promulgated by the board based on the extended access agreement.**

39 **(4) All populations outlined in the extended access agreement may receive dental**
40 **hygiene services within or outside the usual location of the partnering dentist.**

41 **(5) No dentist shall partner with more than three dental hygienists utilizing**
42 **extended access.**

43 **(6) No dental hygienist shall partner with more than three dentists utilizing**
44 **extended access.**

45 **(7) The dental hygienist may be assisted by a dental assistant in the performance of**
46 **the dental hygienist's extended access services.**

47 **(8) The dental hygienist is required to take an additional six hours of continuing**
48 **education per licensure renewal period on a topic or topics related to the area of the**
49 **extended access agreement.**

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