



General Assembly

**Substitute Bill No. 5540**

February Session, 2008

\*        HB05540PH        030708        \*

**AN ACT CONCERNING CHARITABLE DENTAL CARE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsection (e) of section 20-123 of the general statutes is  
2       amended by adding subdivision (6) as follows (*Effective from passage*):

3       (NEW) (6) A dentist who holds a current license in good standing in  
4       another state or territory of the United States, but who is not licensed  
5       in this state, when such dentist is providing uncompensated dental  
6       care to medically underserved populations for a period of time that  
7       does not exceed fifteen days per year during the Mission of Mercy or  
8       other similarly sponsored charitable event, provided such dentist: (1)  
9       Maintains professional liability insurance or other indemnity against  
10       liability for professional malpractice in amounts equal to or greater  
11       than those required by section 20-126d of the 2008 supplement to the  
12       general statutes, (2) does not represent himself or herself to be a  
13       Connecticut licensed dentist, (3) only provides care and services as  
14       part of the Mission of Mercy or similarly sponsored charitable event,  
15       and (4) verifies to the entity sponsoring the charitable event that he or  
16       she holds the required license and maintains the required professional  
17       liability insurance. In accordance with section 20-112a, such dentist  
18       may delegate dental procedures to a dental assistant.

19       Sec. 2. Section 20-126*l* of the general statutes is repealed and the

20 following is substituted in lieu thereof (*Effective from passage*):

21 (a) As used in this section:

22 (1) "General supervision of a licensed dentist" means supervision  
23 that authorizes dental hygiene procedures to be performed with the  
24 knowledge of said licensed dentist, whether or not the dentist is on the  
25 premises when such procedures are being performed;

26 (2) "Public health facility" means an institution, as defined in section  
27 19a-490 of the 2008 supplement to the general statutes, a community  
28 health center, a group home, a school, a preschool operated by a local  
29 or regional board of education or a head start program; and

30 (3) The "practice of dental hygiene" means the performance of  
31 educational, preventive and therapeutic services including: Complete  
32 prophylaxis; the removal of calcerous deposits, accretions and stains  
33 from the supragingival and subgingival surfaces of the teeth by  
34 scaling, root planing and polishing; the application of pit and fissure  
35 sealants and topical solutions to exposed portions of the teeth; dental  
36 hygiene examinations and the charting of oral conditions; dental  
37 hygiene assessment, treatment planning and evaluation; the  
38 administration of local anesthesia in accordance with the provisions of  
39 subsection (d) of this section; and collaboration in the implementation  
40 of the oral health care regimen.

41 (b) [No] Except as provided in subsection (h) of this section, no  
42 person shall engage in the practice of dental hygiene unless such  
43 person (1) has a dental hygiene license issued by the Department of  
44 Public Health and (A) is practicing under the general supervision of a  
45 licensed dentist, or (B) has been practicing as a licensed dental  
46 hygienist for at least two years, is practicing in a public health facility  
47 and complies with the requirements of subsection (e) of this section, or  
48 (2) has a dental license.

49 (c) A dental hygienist licensed under sections 20-126h to 20-126w,  
50 inclusive, shall be known as a "dental hygienist" and no other person

51 shall assume such title or use the abbreviation "R.D.H." or any other  
52 words, letters or figures which indicate that the person using such  
53 words, letters or figures is a licensed dental hygienist. Any person who  
54 employs or permits any other person except a licensed dental hygienist  
55 to practice dental hygiene shall be subject to the penalties provided in  
56 section 20-126t.

57 (d) A licensed dental hygienist may administer local anesthesia,  
58 limited to infiltration and mandibular blocks, under the indirect  
59 supervision of a licensed dentist, provided the dental hygienist can  
60 demonstrate successful completion of a course of instruction  
61 containing basic and current concepts of local anesthesia and pain  
62 control in a program accredited by the Commission on Dental  
63 Accreditation, or its successor organization, that includes: (1) Twenty  
64 hours of didactic training, including, but not limited to, the psychology  
65 of pain management; a review of anatomy, physiology, pharmacology  
66 of anesthetic agents, emergency precautions and management, and  
67 client management; instruction on the safe and effective administration  
68 of anesthetic agents; and (2) eight hours of clinical training which  
69 includes the direct observation of the performance of procedures. For  
70 purposes of this subsection, "indirect supervision" means a licensed  
71 dentist authorizes and prescribes the use of local anesthesia for a  
72 patient and remains in the dental office or other location where the  
73 services are being performed by the dental hygienist.

74 (e) A licensed dental hygienist shall not perform the following  
75 dental services: (1) Diagnosis for dental procedures or dental  
76 treatment; (2) the cutting or removal of any hard or soft tissue or  
77 suturing; (3) the prescribing of drugs or medication which require the  
78 written or oral order of a licensed dentist or physician; (4) the  
79 administration of parenteral, inhalation or general anesthetic agents in  
80 connection with any dental operative procedure; (5) the taking of any  
81 impression of the teeth or jaws or the relationship of the teeth or jaws  
82 for the purpose of fabricating any appliance or prosthesis; (6) the  
83 placing, finishing and adjustment of temporary or final restorations,

84 capping materials and cement bases.

85 (f) Each dental hygienist practicing in a public health facility shall  
86 (1) refer for treatment any patient with needs outside the dental  
87 hygienist's scope of practice, and (2) coordinate such referral for  
88 treatment to dentists licensed pursuant to chapter 379.

89 (g) All licensed dental hygienists applying for license renewal shall  
90 be required to participate in continuing education programs. The  
91 commissioner shall adopt regulations in accordance with the  
92 provisions of chapter 54 to: (1) Define basic requirements for  
93 continuing education programs, (2) delineate qualifying programs, (3)  
94 establish a system of control and reporting, and (4) provide for waiver  
95 of the continuing education requirement by the commissioner for good  
96 cause.

97 (h) A dental hygienist who holds a current license in good standing  
98 in another state or territory of the United States, but who is not  
99 licensed in this state, may provide uncompensated dental care to  
100 medically underserved populations for a period of time that does not  
101 exceed fifteen days per year during the Mission of Mercy or other  
102 similarly sponsored charitable event, provided such dental hygienist  
103 (1) maintains professional liability insurance or other indemnity  
104 against liability for professional malpractice in amounts equal to or  
105 greater than those required by section 20-126x, (2) does not represent  
106 himself or herself to be a Connecticut licensed dental hygienist, (3)  
107 only provides care and services as part of the Mission of Mercy or  
108 similarly sponsored charitable event, (4) provides only the care and  
109 services authorized under chapter 379a while under the supervision of  
110 a Connecticut licensed dental hygienist, and (5) verifies to the entity  
111 sponsoring the charitable event that he or she holds the required  
112 license and maintains the required professional liability insurance.

113 Sec. 3. (*Effective from passage*) Not later than thirty days following the  
114 conclusion of the Mission of Mercy or any other similarly sponsored  
115 event that provides charitable dental care to residents of the state

116 during the 2008 calendar year, the entity sponsoring such event shall  
117 provide a written report to the joint standing committee of the General  
118 Assembly having cognizance of matters relating to public health that  
119 minimally includes: The number of persons served by such event; the  
120 number of dentists, dental assistants and dental hygienists that  
121 participated in such event; and any tracking or treatment follow-up  
122 measures established by the entity as relates to persons who received  
123 dental care during the event.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-123(e)
Sec. 2	<i>from passage</i>	20-126l
Sec. 3	<i>from passage</i>	New section

**PH**            *Joint Favorable Subst.*