



General Assembly

**Substitute Bill No. 6814**

January Session, 2015



**AN ACT CONCERNING DENTAL ASSISTANTS AND EXPANDED  
FUNCTION DENTAL AUXILIARY.**

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

1 Section 1. Section 20-112a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 (a) As used in this section:

4 (1) "Direct supervision" means a licensed dentist has authorized  
5 certain procedures to be performed on a patient by a dental assistant  
6 with such dentist remaining on-site in the dental office or treatment  
7 facility while such procedures are performed and that, prior to the  
8 patient's departure from the dental office, such dentist reviews and  
9 approves the treatment performed by the dental assistant;

10 (2) "Indirect supervision" means a licensed dentist is in the dental  
11 office or treatment facility, has personally diagnosed the condition,  
12 planned the treatment, authorized the procedures to be performed and  
13 remains in the dental office or treatment facility while the procedures  
14 are being performed by the dental assistant and evaluates the  
15 performance of the dental assistant;

16 (3) "Dental assistant" means a noncredentialed dental assistant, a  
17 credentialed dental assistant or an expanded function dental auxiliary;

18       (4) "Noncredentialed dental assistant" means a person who (A) has  
19 completed on-the-job training in dental assisting under the direct  
20 supervision, control and responsibility of an employing, licensed  
21 dentist, or (B) has successfully completed a dental assistant education  
22 program accredited by the American Dental Association's Commission  
23 on Dental Accreditation, or (C) has successfully completed a dental  
24 assistant program that is accredited or recognized by the New England  
25 Association of Schools and Colleges, and (D) has met any requirements  
26 established by the Commissioner of Public Health;

27       (5) "Credentialed dental assistant" means a person who has  
28 successfully completed the Dental Assisting National Board's certified  
29 dental assistant or certified orthodontic assistant examination and  
30 maintains current certification by the Dental Assisting National Board;  
31 and

32       (6) "Expanded function dental auxiliary" means a credentialed  
33 dental assistant, dental hygienist licensed under chapter 379a, a person  
34 who has served as an expanded function dental auxiliary for a period  
35 of not less than three years in the United States armed forces or the  
36 United States Department of Health and Human Services' United  
37 States Public Health Service Commissioned Corps or Indian Health  
38 Service, or a person holding a diploma from a foreign dental school  
39 who has successfully completed (A) an expanded function dental  
40 auxiliary program at an institution of higher education that is  
41 accredited by the Commission on Dental Accreditation of the  
42 American Dental Association and that includes: (i) A curriculum with  
43 courses relating to didactic and laboratory preclinical objectives for  
44 skills used by an expanded function dental auxiliary and that requires  
45 demonstration of such skills prior to advancing to clinical practice; (ii)  
46 not less than four hours of education in the areas of law and ethics  
47 applicable to the dental profession; and (iii) a comprehensive clinical  
48 examination, and (B) a comprehensive written examination in  
49 expanded functions administered by the Dental Assisting National  
50 Board.

51       **(b)** A licensed dentist may delegate to dental assistants such dental  
52 procedures as the dentist may deem advisable, including the taking of  
53 dental x-rays if the dental assistant can demonstrate successful  
54 completion of the dental [radiography portion of an examination  
55 prescribed] radiation health and safety examination administered by  
56 the Dental Assisting National Board and the taking of impressions of  
57 the teeth for study models and fabrication of orthodontic appliances,  
58 but such procedures shall be performed under the dentist's  
59 supervision and control and the dentist shall assume responsibility for  
60 such procedures; provided such assistants may not engage in: (1)  
61 Diagnosis for dental procedures or dental treatment; (2) the cutting or  
62 removal of any hard or soft tissue or suturing; (3) the prescribing of  
63 drugs or medications that require the written or oral order of a  
64 licensed dentist or physician; (4) the administration of local, parenteral,  
65 inhalation or general anesthetic agents in connection with any dental  
66 operative procedure; (5) the taking of any final impression of the teeth  
67 or jaws or the relationship of the teeth or jaws for the purpose of  
68 fabricating any appliance or prosthesis; (6) the placing, finishing and  
69 adjustment of [temporary or final restorations] temporary restorations  
70 and long-term individual fillings, capping materials and cement bases  
71 unless the dental assistant is an expanded function dental auxiliary;  
72 [or] (7) the practice of dental hygiene as defined in section 20-126l; or  
73 (8) coronal polishing, unless such dental assistant is an expanded  
74 function dental auxiliary and the procedure is not represented or billed  
75 as prophylaxis.

76       **(c)** An expanded function dental auxiliary shall: (1) Maintain dental  
77 assistant or orthodontic assistant certification by the Dental Assisting  
78 National Board or dental hygiene licensure in accordance with chapter  
79 379a; (2) conspicuously display such certificate or license in the place  
80 of employment where such expanded function dental auxiliary  
81 services are performed; (3) maintain professional liability insurance or  
82 other indemnity against liability for professional malpractice while  
83 employed in such capacity in an amount that is not less than five  
84 hundred thousand dollars for one person, per occurrence, with an

85 aggregate liability of not less than one million five hundred thousand  
86 dollars; and (4) limit his or her practice to providing services under the  
87 indirect supervision or direct supervision of a licensed dentist.

88 (d) Each dentist employing or engaging the services of an expanded  
89 function dental auxiliary shall: (1) Before hiring or otherwise engaging  
90 the services of an expanded function dental auxiliary, verify that the  
91 expanded function dental auxiliary has successfully completed the  
92 requirements for an expanded function dental auxiliary, as described  
93 in this section; (2) maintain documentation of the expanded function  
94 dental auxiliary's completion of such requirements on the premises  
95 where the expanded function dental auxiliary provides services; (3)  
96 make such documentation available to the Department of Public  
97 Health upon request; and (4) provide indirect supervision or direct  
98 supervision to not more than two expanded function dental auxiliaries  
99 who are providing services at one time or, if the dentist's practice is  
100 limited to orthodontics, provide indirect supervision or direct  
101 supervision to not more than four expanded function dental auxiliaries  
102 who are providing services at one time.

103 (e) An expanded function dental auxiliary shall be permitted to  
104 practice in settings that include, but are not limited to, (1) a public  
105 health facility, as defined in section 20-126l; and (2) a dental health  
106 professional shortage area as designated by the federal Health  
107 Resources and Services Administration.

108 (f) The Commissioner of Public Health, in consultation with the  
109 State Dental Commission, established under section 20-103a, may  
110 adopt regulations, in accordance with chapter 54, to implement the  
111 provisions of this section. Such regulations, if adopted, shall include,  
112 but need not be limited to: (1) Identification of the types of procedures  
113 that may be performed by a noncredentialed dental assistant,  
114 credentialed dental assistant and an expanded function dental  
115 auxiliary; (2) identification of the appropriate number of didactic,  
116 preclinical and clinical hours or number of procedures to be evaluated  
117 for clinical competency for each skill employed by an expanded

118 function dental auxiliary; and (3) identification of the level of  
119 supervision, including direct supervision, indirect supervision or a  
120 description of another level of supervision that is required for each  
121 procedure to be performed by an expanded function dental auxiliary.

122 (g) The State Dental Commission shall publish on its Internet web  
123 site a list of the types of procedures that may be performed by a  
124 noncredentialed dental assistant, credentialed dental assistant or  
125 expanded function dental auxiliary. Said commission shall update the  
126 list not less than once every three years.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	20-112a

**Statement of Legislative Commissioners:**

In Section 1(f) "regulations shall include, but shall not be limited to" was changed to "regulations, if adopted, shall include, but need not be limited to" for internal consistency.

**PH**      *Joint Favorable Subst.*