TO: MEMBERS OF THE PUBLIC HEALTH COMMITTEE

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PLEASE SUPPORT HOUSE BILL 5133 – EXPANDED FUNCTIONS -- AND PLEASE SUPPORT OUR PROPOSED JFS LANGUAGE WHICH IS INCLUDED AT THE END THIS WRITTEN TESTIMONY. THANK YOU.

The CT Dental Assistants Association (CTDAA) strongly supports the passage of JFS Language for House Bill 5133.

We apologize to your committee for the confusion caused at the beginning of this session by the use of the term “Auxiliary” in our proposal. However, please understand that we use the term auxiliary because both a Credentialed Dental Assistant and a Dental Hygienist can both obtain the education and training to be deemed an Expanded Function Dental Auxiliary.

Accordingly, we respectfully contend that it still makes sense for us to use the term Expanded Function Dental Auxiliary, as we do in subdivision (a)(6) of our JFS:

(6) "Expanded function dental auxiliary" means a **credentialed dental assistant, dental hygienist** licensed under chapter 379a, a person who has served as an expanded function dental auxiliary for a period of not less than three years in the United States armed forces or the United States Department of Health and Human Services' United States Public Health Service Commissioned Corps or Indian Health Service, or a person holding a diploma from a foreign dental school, any of whom must have successfully completed (A) an expanded function dental auxiliary program at an institution of higher education that is accredited by the Commission on Dental Accreditation of the American Dental Association and that includes: (i) A curriculum with courses relating to didactic and laboratory preclinical objectives for skills used by an expanded function dental auxiliary and that requires demonstration of such skills prior to advancing to clinical practice; (ii) not less than four hours of education in the areas of law and ethics applicable to the dental profession; and (iii) a comprehensive clinical examination, and (B) a comprehensive written examination in expanded functions administered by the Dental Assisting National Board.
Current laws in more than 40 states include provisions that permit the training and development of expanded functions auxiliaries at a high performance level. This is a tried, tested and successful concept.

This education would only take place in schools accredited by the American Dental Association’s Commission of Dental Accreditation (CODA), thus assuring high curriculum standards. It’s our understanding that several qualified Connecticut institutions will be interested in offering the Expanded Function curriculum, including the schools currently offering dental assisting courses, and schools such as Manchester Community College, Lincoln College of New England, Windham Tech, etc.

The Connecticut DPH would not need to design or administer any of these exams. Nationally recognized and accepted written examinations would be available to evaluate this knowledge, so there is no cost to local governments or to the state of Connecticut.

Only dental assistants certified by the Dental Assisting National Board would be eligible for expanded functions programs in Connecticut. This is because the Dental Assisting National Board will only consider an assistant to sit for the certified dental assistant exam if they meet education and experience requirements. The Dental Assisting National Board currently requires certified dental assistants to take 12 hours of approved continuing education and be current in CPR every year. The public in Connecticut would be pleased to know that education and training to perform certain expanded function procedures would be a requirement for EFDAs.

EFDAs added to Connecticut’s scope of practice for Dental Assistants will be a wonderful opportunity for motivated, career-minded nationally certified dental assistants who desire to expand their skills (they are already certified in infection control and radiation health and safety). It has been proven that dental assistants who invest in their career stay in the field longer, and are less likely to change their employer. Workforce retention is critical to the viability of Connecticut’s dental delivery system.

Allowing educated and trained dental assistants to perform certain safe procedures does not require licensing of the dental assistant in this situation, as these skills are completely reversible, and the dental assistant is working under the licensed dentist at all times. No licensing means that there is no cost to local governments or the state of Connecticut.

The dentist has always been and will continue to remain in charge of the dental assistant. The dental assistant would only perform certain expanded functions under the supervision of the licensed dentist. A dentist would only allow a dental assistant to perform expanded skills that he or she approves of. That means that the dentist is in the office at the time the procedure has been performed, that the dentist has examined the patient, and said, “Yes, you may go ahead with the procedure”. And once the procedure is completed the dentist will also be there to evaluate how well that procedure was carried out. This provides not only assurance of overall quality of care but also protection of public health and safety.

Our legislative proposal is presented as a proposed solution to our community’s desire to improve delivery of oral healthcare to the citizens of Connecticut, a solution that will maximize
all of the dental team members’ productivity and allow for more of our citizens to receive quality dental care and at the same time provide safeguards to patients while providing that optimal level of dental care.

Our proposed JFS language would replace the current 2016 Raised bill 5133 with the language that was approved 24-1 by the Public Health Committee in 2015 Raised Bill 6814 (with one change noted in bold/italicized text in subdivision (a)(6), below). Thank you.

PROPOSED JFS LANGUAGE FOR HB 5133 (including a new Title)

AN ACT CREATING AN EXPANDED FUNCTION DENTAL AUXILIARY DESIGNATION WHICH CAN BE PURSUED BY DENTAL ASSISTANTS AND BY DENTAL HYGIENISTS

Section 1. Section 20-112a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2016):

(a) As used in this section:

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

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

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

(4) "Noncredentialed dental assistant" means a person who (A) has completed on-the-job training in dental assisting under the direct supervision, control and responsibility of an employing, licensed dentist, or (B) has successfully completed a dental assistant education program accredited by the American Dental Association's Commission on Dental Accreditation, or (C) has successfully completed a dental assistant program that is accredited or recognized by the New England Association of Schools and Colleges, and (D) has met any requirements established by the Commissioner of Public Health;
(5) "Credentialed dental assistant" means a person who has successfully completed the Dental Assisting National Board's certified dental assistant or certified orthodontic assistant examination and maintains current certification by the Dental Assisting National Board; and

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

(b) A licensed dentist may delegate to dental assistants such dental procedures as the dentist may deem advisable, including the taking of dental x-rays if the dental assistant can demonstrate successful completion of the dental [radiography portion of an examination prescribed] radiation health and safety examination administered by the Dental Assisting National Board and the taking of impressions of the teeth for study models and fabrication of orthodontic appliances, but such procedures shall be performed under the dentist's supervision and control and the dentist shall assume responsibility for such procedures; provided such assistants may not engage in: (1) Diagnosis for dental procedures or dental treatment; (2) the cutting or removal of any hard or soft tissue or suturing; (3) the prescribing of drugs or medications that require the written or oral order of a licensed dentist or physician; (4) the administration of local, parenteral, inhalation or general anesthetic agents in connection with any dental operative procedure; (5) the taking of any final impression of the teeth or jaws or the relationship of the teeth or jaws for the purpose of fabricating any appliance or prosthesis; (6) the placing, finishing and adjustment of [temporary or final restorations] temporary restorations and long-term individual fillings, capping materials and cement bases unless the dental assistant is an expanded function dental auxiliary; [or] (7) the practice of dental hygiene as defined in section 20-126l; or (8) coronal polishing, unless such dental assistant is an expanded function dental auxiliary and the procedure is not represented or billed as prophylaxis.
(c) An expanded function dental auxiliary shall: (1) Maintain dental assistant or orthodontic assistant certification by the Dental Assisting National Board or dental hygiene licensure in accordance with chapter 379a; (2) conspicuously display such certificate or license in the place of employment where such expanded function dental auxiliary services are performed; (3) maintain professional liability insurance or other indemnity against liability for professional malpractice while employed in such capacity in an amount that is not less than five hundred thousand dollars for one person, per occurrence, with an aggregate liability of not less than one million five hundred thousand dollars; and (4) limit his or her practice to providing services under the indirect supervision or direct supervision of a licensed dentist.

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

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

(f) The Commissioner of Public Health, in consultation with the State Dental Commission, established under section 20-103a, may adopt regulations, in accordance with chapter 54, to implement the provisions of this section. Such regulations, if adopted, shall include, but need not be limited to: (1) Identification of the types of procedures that may be performed by a noncredentialed dental assistant, credentialed dental assistant and an expanded function dental auxiliary; (2) identification of the appropriate number of didactic, preclinical and clinical hours or number of procedures to be evaluated for clinical competency for each skill employed by an expanded function dental auxiliary; and (3) identification of the level of supervision, including direct supervision, indirect supervision or a description of another level of supervision that is required for each procedure to be performed by an expanded function dental auxiliary.
(g) The State Dental Commission shall publish on its Internet web site a list of the types of procedures that may be performed by a noncredentialed dental assistant, credentialed dental assistant or expanded function dental auxiliary. Said commission shall update the list not less than once every three years.