



General Assembly

**Amendment**

January Session, 2019

LCO No. 7997



Offered by:

SEN. DAUGHERTY ABRAMS, 13<sup>th</sup> Dist.

REP. STEINBERG, 136<sup>th</sup> Dist.

SEN. SOMERS, 18<sup>th</sup> Dist.

REP. PETIT, 22<sup>nd</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

To: Subst. Senate Bill No. 807

File No. 57

Cal. No. 52

**"AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR REVISIONS TO THE PUBLIC HEALTH STATUTES."**

1 Strike section 13 in its entirety and insert the following in lieu  
2 thereof:

3 "Sec. 13. Subsections (c) and (d) of section 20-112a of the general  
4 statutes are repealed and the following is substituted in lieu thereof  
5 (*Effective July 1, 2019*):

6 (c) (1) A licensed dentist may delegate to dental assistants such  
7 dental procedures as the dentist may deem advisable, including: (A)  
8 The taking of dental x-rays if the dental assistant can demonstrate  
9 successful completion of the dental radiation health and safety  
10 examination administered by the Dental Assisting National Board; (B)  
11 the taking of impressions of teeth for study models; and (C) the

12 provision of fluoride varnish treatments. Such procedures shall be  
13 performed under the direct supervision of a licensed dentist and the  
14 dentist providing direct supervision shall assume responsibility for  
15 such procedures.

16 (2) A licensed dentist may delegate to an expanded function dental  
17 assistant such dental procedures as the dentist may deem advisable,  
18 including: (A) The placing, finishing and adjustment of temporary  
19 restorations and long-term individual fillings, capping materials and  
20 cement bases; (B) oral health education for patients; (C) dental sealants;  
21 [and] (D) coronal polishing, provided the procedure is not represented  
22 or billed as prophylaxis; (E) administration of topical anesthetic under  
23 the direct supervision of the dentist prior to the administration of local  
24 anesthetic by a dentist or dental hygienist; and (F) taking alginate  
25 impressions of teeth, under the direct supervision of the dentist, for  
26 use in study models, orthodontic appliances, whitening trays, mouth  
27 guards or fabrication of temporary crowns. Such procedures shall be  
28 performed under [the] either direct or indirect supervision, except as  
29 specifically provided in this subdivision, and the dentist providing  
30 such supervision shall assume responsibility for such procedures.

31 (3) [On or after July 1, 2018, (A) no] (A) No licensed dentist may  
32 delegate dental procedures to a dental assistant or expanded function  
33 dental assistant unless the dental assistant or expanded function dental  
34 assistant provides records demonstrating successful completion of the  
35 Dental Assisting National Board's infection control examination or an  
36 infection control competency assessment administered by a dental  
37 education program in the state that is accredited by the American  
38 Dental Association's Commission on Dental Accreditation, except as  
39 provided in subdivision (2) of this subsection, (B) a dental assistant  
40 may receive not more than [nine] fifteen months of on-the-job training  
41 by a licensed dentist for purposes of preparing the dental assistant for  
42 the [Dental Assisting National Board's] infection control examination  
43 or infection control competency assessment, and (C) any licensed  
44 dentist who delegates dental procedures to a dental assistant shall  
45 retain and make such records available for inspection upon request of

46 the Department of Public Health.

47 (4) On and after January 1, 2018, upon successful completion of the  
48 Dental Assisting National Board's infection control examination or an  
49 infection control competency assessment administered by a dental  
50 education program in the state that is accredited by the American  
51 Dental Association's Commission on Dental Accreditation, each dental  
52 assistant or expanded function dental assistant shall complete not less  
53 than one hour of training or education in infection control in a dental  
54 setting every two years, including, but not limited to, courses,  
55 including online courses, offered or approved by a dental school or  
56 another institution of higher education that is accredited or recognized  
57 by the Commission on Dental Accreditation, a regional accrediting  
58 organization, the American Dental Association or a state, district or  
59 local dental association or society affiliated with the American Dental  
60 Association or the American Dental Assistants Association.

61 (d) [Under] Except as provided in subsection (c) of this section,  
62 under no circumstances may a dental assistant or expanded function  
63 dental assistant engage in: (1) Diagnosis for dental procedures or  
64 dental treatment; (2) the cutting or removal of any hard or soft tissue  
65 or suturing; (3) the prescribing of drugs or medications that require the  
66 written or oral order of a licensed dentist or physician; (4) the  
67 administration of local, parenteral, inhalation or general anesthetic  
68 agents in connection with any dental operative procedure; (5) the  
69 taking of any final impression of the teeth or jaws or the relationship of  
70 the teeth or jaws for the purpose of fabricating any appliance or  
71 prosthesis; or (6) the practice of dental hygiene as defined in section  
72 20-126l."

73 After the last section, add the following and renumber sections and  
74 internal references accordingly:

75 "Sec. 501. (NEW) (*Effective January 1, 2020*) (a) As used in this  
76 section:

77 (1) "Practice of dental therapy" means the performance of

78 educational, preventive and therapeutic services through any one or  
79 more of the following practices and procedures: (A) Identification of  
80 oral and systemic conditions requiring evaluation or treatment by  
81 dentists, physicians or other health care providers, and management of  
82 referrals to dentists, physicians and other health care providers; (B)  
83 diagnosis and treatment of oral diseases and conditions that are within  
84 the dental therapist scope of practice; (C) comprehensive charting of  
85 the oral cavity; (D) oral health instruction and disease prevention  
86 education, including nutritional counseling and dietary analysis; (E)  
87 dispensing and administering of nonnarcotic analgesics and anti-  
88 inflammatory and antibiotic medications as prescribed by a licensed  
89 health care provider, except schedule II, III or IV controlled substances;  
90 (F) applying topical preventive or prophylactic agents, including  
91 fluoride varnish, antimicrobial agents and pit and fissure sealants; (G)  
92 pulp vitality testing; (H) applying desensitizing medication or resin in  
93 the oral cavity; (I) interim therapeutic restorations; (J) fabricating  
94 athletic mouth guards; (K) changing periodontal dressings; (L)  
95 administering local anesthetics in the oral cavity under the general  
96 supervision of a dentist; (M) simple extraction of erupted primary  
97 teeth; (N) nonsurgical extraction of periodontally diseased permanent  
98 teeth with tooth mobility of three or greater, except a tooth that is  
99 unerupted, impacted, fractured or needs to be sectioned for removal;  
100 (O) emergency palliative treatment of dental pain; (P) preparation and  
101 placement of direct restoration in primary and permanent teeth that  
102 does not require the fabrication of crowns, bridges, veneers or  
103 dentures; (Q) fabrication and placement of single-tooth temporary  
104 crowns; (R) preparation and placement of preformed crowns on  
105 primary teeth; (S) indirect and direct pulp capping on permanent teeth;  
106 (T) indirect pulp capping on primary teeth; (U) dental suture removal;  
107 (V) minor adjustments and repairs on removable prostheses; (W)  
108 placement and removal of space maintainers; and (X) recementing  
109 permanent crowns;

110 (2) "Collaborative agreement" means a written agreement between a  
111 dental therapist and a dentist licensed pursuant to chapter 379 of the

112 general statutes, that defines the working relationship between the  
113 dental therapist and the dentist and the parameters of the practice of  
114 dental therapy;

115 (3) "Dental therapist" means a licensed dental hygienist authorized  
116 to engage in the practice of dental therapy under a collaborative  
117 agreement; and

118 (4) "Public health facility" has the same meaning as provided in  
119 section 20-126l of the general statutes, as amended by this act.

120 (b) No person shall engage in the practice of dental therapy unless  
121 such person (1) is a dental hygienist licensed pursuant to chapter 379a  
122 of the general statutes; (2) has obtained a dental therapist certification  
123 that is (A) in writing, on a form issued by an institution of higher  
124 education accredited by the Commission on Dental Accreditation after  
125 successful completion of a dental therapy program that includes, in  
126 accordance with the Commission on Dental Accreditation's standards  
127 for dental therapy education programs, full-time instruction or its  
128 equivalent at the postsecondary college level and incorporates all  
129 dental therapy practice competencies, (B) signed by the dental  
130 therapist and the director of the dental therapy education program,  
131 and (C) made available to the Department of Public Health upon  
132 request; (3) has successfully completed a comprehensive examination  
133 prescribed by the Commission on Dental Competency Assessments, or  
134 its equivalent, and administered independently of any institution of  
135 higher education that offers a program in dental therapy; (4) prior to  
136 entering the first collaborative agreement, (A) has received a certificate  
137 of completion, signed by a dentist licensed pursuant to chapter 379 of  
138 the general statutes, that verifies completion of one thousand hours of  
139 clinical training under the direct supervision of such dentist, and (B)  
140 has successfully completed six hours of continuing education related  
141 to dental therapy; and (5) has entered into a collaborative agreement  
142 with a dentist.

143 (c) A dental therapist shall practice in a public health facility under

144 the general supervision of a dentist licensed pursuant to chapter 379 of  
145 the general statutes in accordance with a collaborative agreement.

146 (d) No provision of this section shall be construed to prohibit a  
147 dental hygienist enrolled in a dental therapy program, as described in  
148 subdivision (2) of subsection (b) of this section, from performing dental  
149 therapy work as a required component of his or her course of study in  
150 such program, provided such dental hygienist (1) performs such work  
151 under the direct supervision of a dentist licensed pursuant to chapter  
152 379 of the general statutes, (2) shall not hold himself or herself out as a  
153 certified dental therapist, and (3) shall not receive compensation for  
154 such work.

155 (e) (1) A collaborative agreement entered into pursuant to  
156 subsection (b) of this section shall include: (A) Identification of public  
157 health facilities where services may be provided and the populations  
158 to be served; (B) any limitations on the services that may be provided  
159 by the dental therapist; (C) age and procedure-specific practice  
160 protocols, including case selection criteria, assessment guidelines and  
161 imaging frequency; (D) a procedure for creating and maintaining  
162 dental records for the patients that are treated by the dental therapist;  
163 (E) a plan to manage medical emergencies in each public health facility  
164 where the dental therapist provides care; (F) a quality assurance plan  
165 for monitoring care provided by the dental therapist, including patient  
166 care review, referral follow-up and a quality assurance chart review;  
167 (G) protocols for dispensing and administering medications, including  
168 the specific conditions and circumstances under which these  
169 medications may be dispensed and administered; (H) criteria relating  
170 to the provision of care to patients with specific medical conditions or  
171 complex medication histories, including requirements for consultation  
172 prior to the initiation of care; (I) criteria for the supervision of dental  
173 assistants, expanded function dental assistants, as defined in section  
174 20-112a of the general statutes, as amended by this act, and dental  
175 hygienists in accordance with subsection (g) of this section; and (J) a  
176 plan for the provision of referrals in situations that are beyond the  
177 capabilities or the scope of practice of the dental therapist.

178 (2) A collaborative agreement shall be (A) signed and maintained by  
179 the supervising dentist and the dental therapist and kept on file at the  
180 locations where such dental therapist is employed; (B) reviewed by the  
181 dentist and dental therapist on an annual basis and revised as needed;  
182 and (C) available for inspection upon the request of the Department of  
183 Public Health.

184 (f) A dentist who enters into a collaborative agreement with a dental  
185 therapist (1) shall be professionally responsible and legally liable for all  
186 services authorized and performed by the dental therapist pursuant to  
187 a collaborative agreement, and (2) may not enter into a collaborative  
188 agreement with more than two dental therapists at any one time.  
189 Nothing in this section shall be construed to require a dentist to enter  
190 into a collaborative agreement with a dental therapist.

191 (g) A dental therapist may directly supervise not more than two  
192 dental assistants or expanded function dental assistants, as defined in  
193 section 20-112a of the general statutes, as amended by this act, or  
194 dental hygienists licensed pursuant to chapter 379a of the general  
195 statutes to the extent permitted in the collaborative agreement.

196 (h) (1) Each dental therapist shall complete, in addition to the  
197 continuing education requirements of subsection (g) of section 20-126/  
198 of the general statutes, as amended by this act, six hours of continuing  
199 education in dental therapy within the twelve-month period after such  
200 dental therapist enters into a collaborative agreement with a dentist  
201 and within each subsequent twenty-four-month period thereafter.

202 (2) Each dental therapist applying for a renewal of a dental hygiene  
203 license pursuant to chapter 379a of the general statutes and in  
204 accordance with section 19a-88 of the general statutes shall sign a  
205 statement attesting that he or she has satisfied the continuing  
206 education requirements described in subdivision (1) of this subsection  
207 on a form prescribed by the Department of Public Health. Each dental  
208 therapist shall retain records of attendance or certificates of completion  
209 that demonstrate compliance with the continuing education

210 requirements described in subdivision (1) of this subsection for not less  
211 than three years following the date on which the continuing education  
212 was completed or the license was renewed. Each dental therapist shall  
213 submit such records to the department for inspection not later than  
214 forty-five days after a request by the department for such records. A  
215 dental therapist who fails to comply with the provisions of this section  
216 may be subject to disciplinary action pursuant to section 20-126o of the  
217 general statutes, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 13	<i>July 1, 2019</i>	20-112a(c) and (d)
Sec. 501	<i>January 1, 2020</i>	New section