

CHAPTER 183
SB 284 – FINAL VERSION

03/21/12 1269s
05/23/12 2350EBA

2012 SESSION

12-2829
06/10

SENATE BILL **284**

AN ACT establishing a certified public health dental hygienist in New Hampshire.

SPONSORS: Sen. Lambert, Dist 13; Sen. Gallus, Dist 1; Sen. Barnes, Jr., Dist 17; Sen. Carson, Dist 14; Sen. D'Allesandro, Dist 20; Sen. Groen, Dist 6; Sen. Larsen, Dist 15; Sen. Luther, Dist 12; Sen. Merrill, Dist 21; Rep. Gorman, Hills 23; Rep. Pilliod, Belk 5

COMMITTEE: Health and Human Services

AMENDED ANALYSIS

This bill provides for a certified public health dental hygienist in New Hampshire.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT establishing a certified public health dental hygienist in New Hampshire.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 183:1 New Section; Certified Public Health Dental Hygienist. Amend RSA 317-A by inserting
2 after section 21-d the following new section:

3 317-A:21-e Certified Public Health Dental Hygienist.

4 I. A dental hygienist licensed under this chapter may obtain a certification to practice as a
5 certified public health dental hygienist by submitting an application to the board in writing and
6 completing additional educational and training requirements as required by the board. A certified
7 public health dental hygienist practicing under this section may:

8 (a) Collect and assess medical and dental histories, including preliminary inspection of
9 the oral cavity and surrounding structures, and periodontal probing and charting.

10 (b) Instruct in oral hygiene techniques.

11 (c) Prepare a treatment plan within the public health dental hygienist scope of practice.

12 (d) Perform complete oral prophylaxis as appropriate, including the removal of
13 calciferous deposits and the removal of subgingival accretions and stains by scaling and root planing.

14 (e) Perform professional application of topical fluoride, including fluoride varnish.

15 (f) Place sealants, if qualified and when authorized by a dentist with an active license,
16 provided that:

17 (1) Written informed consent shall be obtained from the patient's legal guardian; and

18 (2) The supervising dentist and the public health dental hygienist shall be
19 responsible for the sealants being indicated and correctly placed.

20 (g) Place temporary restorations without excavation.

21 (h) Perform radiographic imaging limited to bite wings, and occlusal and periapical
22 radiography, as needed.

23 (i) Provide nutritional counseling for the control of dental disease.

24 (j) Provide referrals.

25 (k) Perform any procedure that is within the scope of practice that has been authorized
26 under public health supervision.

27 II. A certified public health dental hygienist, acting under the public health supervision of
28 an actively licensed dentist, may practice in a school, hospital, or other institution, or for a

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1 homebound person without the dentist having to be present, provided the dentist has reviewed the
2 records once in a 12-month period.

3 III. The dental hygienists committee established under RSA 317-A:2-a shall develop and
4 propose to the board for its review and approval all application and certification requirements,
5 education programs, and other regulations and requirements relating to certified public health
6 dental hygienists.

7 IV. Public health dental hygienist certification under this section shall not preclude non-
8 certified dental hygienists from practicing under public health supervision as allowed under the
9 rules of the board of dental examiners.

10 183:2 Board of Dental Examiners; Rulemaking Authority. Amend RSA 317-A:12, I to read as
11 follows:

12 I. The application procedure for a dental or dental hygiene license ***and for public health***
13 ***dental hygienist certification***;

14 183:3 Board of Dental Examiners; Rulemaking Authority. Amend RSA 317-A:12, V to read as
15 follows:

16 V. How a license ***or certification*** issued under this chapter shall be renewed;

17 183:4 Board of Dental Examiners; Rulemaking Authority. Amend RSA 317-A:12, XI to read as
18 follows:

19 XI. Continuing education requirements for licensees ***and holders of certificates***;

20 183:5 Board of Dental Examiners; Rulemaking Authority. Amend RSA 317-A:12, XII-b to read
21 as follows:

22 XII-b. Procedures which may be assigned by a licensed dentist to dental hygienists, ***public***
23 ***health dental hygienists***, dental assistants, and to persons not licensed to practice dentistry;

24 183:6 Non-Practice. Amend RSA 317-A:23 to read as follows:

25 317-A:23 Non-Practice.

26 I. None of the following procedures may be assigned to a dental hygienist or assistant or to
27 any other person not licensed to practice dentistry:

28 ~~[I.]~~(a) Diagnosis, treatment planning and prescriptions (including prescriptions for drugs
29 and medicaments or authorization for restorative, prosthodontic, or orthodontic appliances).

30 ~~[II.]~~(b) Surgical procedures on hard or soft tissues within the oral cavity; or any other inter-
31 oral procedure that contributes to, or results in, an irremediable alteration of the oral anatomy.

32 ***II. Under the public health supervision of an actively licensed dentist and in***
33 ***accordance with a written practice agreement, a certified public health dental hygienist***
34 ***may provide services pursuant to RSA 317-A:21-e, I for which certified public health***
35 ***dental hygienists have been trained and which have been authorized by a supervising***
36 ***dentist in writing. Services may be provided to an individual patient without the patient***

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1 *first seeing a dentist for an examination, diagnosis, and treatment planning if the*
2 *supervising dentist has provided written general authorization and standing protocols for*
3 *the certified public health dental hygienist.*

4 183:7 Effective Date. This act shall take effect upon its passage.

5 Approved: June 11, 2012

6 Effective Date: June 11, 2012