

As Introduced

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H. B. No. 518

**Representatives Reidelbach, White, McGregor, J., Collier, Fessler, Brown,
Schneider, Blasdel, Smith, S.**

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A B I L L

To amend section 4715.22 of the Revised Code 1
regarding dentist supervision of dental 2
hygienists. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4715.22 of the Revised Code be 4
amended to read as follows: 5

Sec. 4715.22. (A) As used in this section, "health care 6
facility" means either of the following: 7

(1) A hospital registered under section 3701.07 of the 8
Revised Code; 9

(2) A "home" as defined in section 3721.01 of the Revised 10
Code. 11

(B) A licensed dental hygienist shall practice ~~under the~~ 12
~~supervision, order, control, and full responsibility with the~~ 13
authorization of a dentist licensed under this chapter. A dental 14
hygienist may practice in a dental office, public or private 15
school, health care facility, dispensary, ~~or~~ public institution, 16
public or privately funded clinic or shelter, mobile dental unit, 17
community health fair, head start program, home of a patient, or 18

any other location approved by the state dental board. Except as 19
provided in division (C) ~~or (D)~~ of this section, a dental 20
hygienist may not provide dental hygiene services to a patient 21
when the ~~supervising~~ authorizing dentist is not physically present 22
at the location where the dental hygienist is practicing. 23

(C) A dental hygienist may, prior to the examination of a 24
patient by the authorizing dentist, provide, ~~for not more than~~ 25
~~fifteen consecutive business days,~~ dental hygiene services to a 26
~~patient~~ and perform the duties of basic qualified personnel as 27
determined by the board in rules when the ~~supervising~~ authorizing 28
dentist is not physically present at the location at which the 29
services are provided or duties performed if all of the following 30
requirements are met: 31

(1) The dental hygienist has at least two years and a minimum 32
of three thousand hours of experience in the practice of dental 33
hygiene. 34

(2) The dental hygienist has successfully completed a course 35
approved by the state dental board in the identification and 36
prevention of potential medical emergencies. 37

(3) The dental hygienist complies with written protocols for 38
emergencies the ~~supervising~~ authorizing dentist establishes. 39

(4) ~~The dental hygienist does not perform, while the~~ 40
~~supervising dentist is absent from the location, procedures while~~ 41
~~the patient is anesthetized, definitive root planing, definitive~~ 42
~~subgingival curettage, or other procedures identified in rules the~~ 43
~~state dental board adopts.~~ 44

~~(5) The supervising dentist has evaluated the dental~~ 45
~~hygienist's skills.~~ 46

~~(6) The supervising dentist examined the patient not more~~ 47
~~than seven months prior to the date the dental hygienist provides~~ 48
~~the dental hygiene services to the patient.~~ 49

~~(7) The dental hygienist complies with written protocols or written standing orders that the supervising authorizing dentist establishes.~~ 50
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~~(8) The supervising dentist completed and evaluated a medical and dental history of the patient not more than one year prior to the date the dental hygienist provides dental hygiene services to the patient and, except when the dental hygiene services are provided in a health care facility, the supervising dentist determines that the patient is in a medically stable condition.~~ 53
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~~(9)(5) The dental hygienist refers a patient to the authorizing dentist for diagnosis and restorative treatment.~~ 59
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~~(6) If the dental hygiene services are provided in a health care facility, a doctor of medicine and surgery or osteopathic medicine and surgery who holds a current certificate issued under Chapter 4731. of the Revised Code or a registered nurse licensed under Chapter 4723. of the Revised Code is present in the health care facility when the services are provided.~~ 61
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~~(10) In advance of the appointment for dental hygiene services, the patient is notified that the supervising dentist will be absent from the location and that the dental hygienist cannot diagnose the patient's dental health care status.~~ 67
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~~(11) The dental hygienist is employed by, or under contract with, one of the following:~~ 71
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~~(a) The supervising dentist;~~ 73

~~(b) A dentist licensed under this chapter who is one of the following:~~ 74
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~~(i) The employer of the supervising dentist;~~ 76

~~(ii) A shareholder in a professional association formed under Chapter 1785. of the Revised Code of which the supervising dentist is a shareholder;~~ 77
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~~(ii) A shareholder in a professional association formed under Chapter 1785. of the Revised Code of which the supervising dentist is a shareholder; (iii) A member or manager of a limited liability company formed under Chapter 1705. of the Revised Code of which the supervising dentist is a member or manager;~~

~~(iv) A shareholder in a corporation formed under division (B) of section 1701.03 of the Revised Code of which the supervising dentist is a shareholder;~~

~~(v) A partner or employee of a partnership or a limited liability partnership formed under Chapter 1775. of the Revised Code of which the supervising dentist is a partner or employee.~~

~~(c) A government entity that employs the dental hygienist to provide dental hygiene services in a public school or in connection with other programs the government entity administers.~~

~~(D) A dental hygienist may provide dental hygiene services to a patient when the supervising dentist is not physically present at the location at which the services are provided if the services are provided as part of a dental hygiene program that is approved by the state dental board and all of the following requirements are met:~~

~~(1) The program is operated through a school district board of education or the governing board of an educational service center; the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code; a national, state, district, or local dental association; or any other public or private entity recognized by the state dental board.~~

~~(2) The supervising dentist is employed by or a volunteer for, and the patients are referred by, the entity through which the program is operated.~~

~~(3) The services are performed after examination and
diagnosis by the dentist and in accordance with the dentist's
written treatment plan.~~ 110
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~~(E)~~(D) No person shall do either of the following: 113

(1) Practice dental hygiene in a manner that is separate or 114
otherwise independent from the dental practice of a ~~supervising an~~ 115
authorizing dentist; 116

(2) Establish or maintain an office or practice that is 117
primarily devoted to the provision of dental hygiene services. 118

~~(F) The state dental board shall adopt rules under division 119
(C) of section 4715.03 of the Revised Code identifying procedures 120
a dental hygienist may not perform when practicing in the absence 121
of the supervising dentist pursuant to division (C) or (D) of this 122
section.~~ 123

Section 2. That existing section 4715.22 of the Revised Code 124
is hereby repealed. 125