

HOUSE BILL REPORT

SHB 1309

As Amended by the Senate

Title: An act relating to dental hygiene.

Brief Description: Regarding dental hygiene.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Green, Ericksen, Appleton, Hinkle, Morrell, Rolfes, Cody, Moeller, Chase, Conway, Kenney, Goodman, Nelson and Roberts).

Brief History:

Committee Activity:

Health Care & Wellness: 1/30/09, 2/13/09 [DPS].

Floor Activity

Passed House: 2/23/09, 92-0.

Senate Amended.

Passed Senate: 4/13/09, 45-0.

Brief Summary of Substitute Bill

- Expands the circumstances under which a dental hygienist may practice without the direct supervision of a dentist.
- Removes the expiration date from provisions relating to the unsupervised practice of dentistry in senior centers and the authorization of dental hygienists to remove deposits and stains from the surfaces of teeth in community-based sealant programs.
- Provides an expiration date for reporting requirements relating to the practice of dental hygiene in senior centers and community-based sealant programs.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cody, Chair; Driscoll, Vice Chair; Ericksen, Ranking Minority Member; Bailey, Green, Herrera, Hinkle, Kelley, Moeller, Morrell and Pedersen.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Jim Morishima (786-7191)

Background:

Unsupervised Practice of Dental Hygiene.

A licensed dental hygienist is authorized to remove deposits and stains from the surfaces of teeth, apply topical preventative or prophylactic agents, polish and smooth restorations, perform root planning and soft-tissue curettage, and other dental operations and services delegated by a dentist. Generally speaking, a dental hygienist must be supervised by a dentist when performing these services.

One exception to this general rule is that a dental hygienist with two years of practical clinical experience within the last five years may provide dental hygiene operations and services without the supervision of a dentist when employed or retained by a health care facility, including a hospital, a nursing home, and a home health agency. Such a hygienist may only remove deposits and stains from the surfaces of teeth, apply topical preventative or prophylactic agents, polish and smooth restorations, and perform root planning and soft-tissue curettage.

Senior Centers.

In 2007 the definition of "health care facilities" for purposes of allowing the unsupervised practice of dental hygiene was temporarily expanded to include senior centers. For purposes of this expansion, "senior center" was defined as a multi-purpose community facility operated and maintained by a nonprofit organization or local government for the organization and provision of a broad spectrum of health, social, nutritional, and educational services and recreational activities for persons 60 years of age or older. When providing services in a senior center, the dental hygienist must:

- enter into a written practice arrangement plan with a dentist who will provide off-site supervision;
- obtain relevant information about the patient's health from the patient's primary care provider; and
- collect data on the patients treated and provide the data to the Department of Health (DOH) each quarter.

The provisions authorizing a dental hygienist to provide dental hygiene without supervision in a senior center expire on July 1, 2009.

Community-Based Sealant Programs.

A licensed dental hygienist is authorized to assess for and apply sealants and fluoride varnishes for low-income, rural, and other at-risk populations in community-based sealant programs carried out in schools. A dental hygienist participating in a community-based sealant program must either have been licensed prior to April 19, 2001, or be school-sealant endorsed under the DOH's School Sealant Endorsement Program. In 2007 the services a dental hygienist is authorized to carry out in these programs were expanded to include removing stains from the surfaces of teeth. This expansion expires on July 1, 2009.

A dental hygienist providing services in a community-based sealant program must collect data on the patients treated under the program and provide the data to the DOH each quarter.

Summary of Substitute Bill:

Unsupervised Practice of Dental Hygiene.

The circumstances under which a dental hygienist with two years practical experience in the preceding five years may practice without the supervision of a dentist are expanded to include:

- when a dental hygienist is contracted by a health care facility to provide dental hygiene operations and services; and
- when a dental hygienist provides dental hygiene operations and services under a lease agreement with a health care facility.

Senior Centers.

The definition of "senior center" for purposes of allowing the unsupervised practice of dental hygiene is changed. Instead of a "broad spectrum" of health, social, nutritional, and educational services and recreational activities, the center must only provide one or more of these services.

The requirement of reporting patient data to the Department of Health (DOH) is terminated effective October 1, 2013.

The provisions that allow the unsupervised practice of dental hygiene in senior centers are made permanent; i.e., the expiration date is eliminated.

Community-Based Sealant Programs.

The requirement of reporting patient data to the DOH is terminated effective October 1, 2013.

The provisions that allow dental hygienists to remove deposits and stains from the surfaces of teeth in community-based sealant programs are made permanent; i.e., the expiration date is eliminated

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment:

(1) makes "senior centers" a separate type of entity as opposed to being a subset of the definition of "health care facilities;"

(2) changes the definition of "senior center" to a multipurpose community facility operated and maintained by a nonprofit organization or local government for the organization and provision of "a combination of some" (as opposed to "one or more") of the following: health, social, nutritional, educational services, and recreational activities;

(3) requires the Secretary of Health to report information on patients receiving dental hygiene services in senior centers and community-based sealant programs to the Legislature by December 1, 2013; and
(4) inserts an emergency clause.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There is a great need for dental hygiene services in senior centers and in schools. Many seniors and children do not have access to regular dental care because of factors such as lack of insurance or finances. These programs increase access to dental hygiene services among underserved populations and do not cost the state any money. These programs help seniors get their smiles back and help children get the preventative services they need. Grant funding is available to fund these programs, but they are contingent upon the sunset being removed.

(Opposed) This program was acceptable when it was just a pilot, had reporting requirements, and was limited to a structured environment. This bill removes the sunset, removes the reporting requirements, broadens the program beyond seniors, and broadens the program beyond a structured environment.

Persons Testifying: (In support) Representative Green, prime sponsor; Bruce Reeves, Senior Citizen Lobbyist; Colleen Gaylord and Kate Mills, Washington State Dental Hygienists' Association; Angela Fenton; Anita Rodriguez, Alliance of Dental Hygiene Practitioners; and Jim Smith, Dentist of Record/Senior Center.

(Opposed) David Michener; Washington State Dental Association.

Persons Signed In To Testify But Not Testifying: None.