

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 564

Short Title: Supervising Dental Hygienists.

(Public)

Sponsors: Representatives Gardner, Thompson, Earle (Cosponsors); Allred, Beall, Berry, Boyd-McIntyre, Braswell, Buchanan, Capps, Carpenter, Cole, Culp, Culpepper, Davis, Decker, Easterling, Hurley, Insko, Jarrell, Jeffus, Kinney, Luebke, McCrary, Mitchell, Morris, Mosley, Oldham, Owens, Rayfield, Sexton, Sherrill, Tallent, Tolson, Wainwright, Warner, and Watson.

Referred to: Human Resources.

March 20, 1997

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW DENTAL HYGIENISTS TO PERFORM ACTS WITHOUT THE
2 DIRECT SUPERVISION OF A LICENSED DENTIST AND TO ALLOW
3 DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE
4 TIME.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 90-221 reads as rewritten:

8 "**§ 90-221. Definitions.**

9 (a) "~~Dental hygiene~~"~~as used in this Article shall mean the~~The following
10 definitions apply in this Article:

11 (1) Dental hygiene. – The performance of the following functions:

12 a. Complete oral ~~prophylaxis,~~ prophylaxis.

13 b. ~~application~~ Application of preventive agents to oral ~~structures,~~
14 ~~exposure~~ structures.

15 c. Exposure and processing of ~~radiographs,~~ administration
16 radiographs.

- 1 d. ~~Administration of medicaments prescribed by a licensed dentist,~~
2 ~~preparation dentist.~~
- 3 e. ~~Preparation of diagnostic aids, aids and written records of oral~~
4 ~~conditions for interpretation by the dentist, together with such~~
5 ~~other and further functions as may be permitted by rules and~~
6 ~~regulations of the Board not inconsistent herewith. dentist.~~
- 7 f. Any other functions permitted by rules of the Board consistent
8 with this Article.
- 9 (b) ~~"Dental hygienist" as used in this Article, shall mean any~~
10 (2) Dental hygienist. – A person who is a graduate of a Board-accredited and
11 accredited and Board-approved school of dental hygiene, who has been
12 licensed by the Board, and who practices dental hygiene as prescribed
13 by the Board.
- 14 (e) ~~"License" shall mean a~~
15 (3) License. – A certificate issued to any applicant upon completion of
16 requirements for admission to practice dental hygiene.
- 17 (d) ~~"Renewal certificate" shall mean the~~
18 (4) Renewal certificate. – The annual certificate of renewal of license to
19 continue practice of dental hygiene in the State of North Carolina.
- 20 (e) ~~"Board" shall mean "The~~
21 (5) Board. – The North Carolina State Board of Dental
22 Examiners" Examiners created by Chapter 139, Public Laws of 1879, and
23 Chapter 178, Public Laws of 1915 as continued in existence by G.S. 90-
24 22.
- 25 (f) ~~"Supervision" as used in this Article shall mean that acts are deemed to be~~
26 under the
- 27 (6) Supervision. – Acts are under the supervision of a licensed dentist when
28 if either of the following conditions are met:
- 29 a. The acts are performed in a locale where a licensed dentist is
30 physically present during the performance of such acts and such
31 the acts are being performed pursuant to the dentist's order,
32 control control, and approval.
- 33 b. A licensed dentist, using professional discretion, chooses not to
34 be physically present at the locale where the acts are being
35 performed, but the acts are performed pursuant to the dentist's
36 order, control, and approval."

37 Section 2. G.S. 90-233 reads as rewritten:

38 **"§ 90-233. Practice of dental hygiene.**

39 (a) A dental hygienist may practice only under the supervision of one or more
40 licensed dentists. ~~Provided, however, that this subsection (a) shall be deemed to be complied~~
41 ~~with in the case of dental~~ Dental hygienists employed by the Department of Environment,
42 Health, and Natural Resources and especially trained by ~~said that~~ Department as public
43 health hygienists are considered to be practicing under the supervision of a licensed

1 dentist while performing their duties in the public schools under the direction of a duly
2 licensed dentist.

3 ~~(b) A dentist in private practice may not employ more than two dental hygienists~~
4 ~~at one and the same time who are employed in clinical dental hygiene positions.~~

5 (c) Dental hygiene may be practiced only by the holder of a license or provisional
6 license currently in effect and duly issued by the Board. The following acts, practices,
7 functions or operations, however, shall not constitute the practice of dental hygiene
8 within the meaning of this Article:

9 (1) The teaching of dental hygiene in a school or college approved by the
10 Board in a board-approved program by an individual licensed as a
11 dental hygienist in any state in the United States.

12 (2) Activity which would otherwise be considered the practice of dental
13 hygiene performed by students enrolled in a school or college approved
14 by the Board in a board-approved dental hygiene program under the
15 direct supervision of a dental hygienist or a dentist duly licensed in
16 North Carolina or qualified for the teaching of dentistry pursuant to the
17 provisions of G.S. 90-29(c)(3), acting as an instructor.

18 (3) Any act or acts performed by an assistant to a dentist licensed to
19 practice in this State when said act or acts are authorized and permitted
20 by and performed in accordance with rules and regulations promulgated
21 by the Board.

22 (4) Dental assisting and related functions as a part of their instructions by
23 students enrolled in a course in dental assisting conducted in this State
24 and approved by the Board, when such functions are performed under
25 the supervision of a dentist acting as a teacher or instructor who is either
26 duly licensed in North Carolina or qualified for the teaching of dentistry
27 pursuant to the provisions of G.S. 90-29(c)(3).”

28 Section 3. This act is effective when it becomes law.