

SENATE BILL NO. 214

INTRODUCED BY MAZUREK, BERGENE, BRADLEY,
GOULD, GILBERT, HAGER

IN THE SENATE

January 23, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
February 7, 1985	Committee recommend bill do pass. Report adopted.
February 8, 1985	Bill printed and placed on members' desks.
February 11, 1985	Second reading, do pass.
February 12, 1985	Considered correctly engrossed.
February 13, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Business and Labor.
March 20, 1985	Committee recommend bill be concurrent in. Report adopted. Statement of Intent attached.
March 23, 1985	Second reading, concurred in.
March 25, 1985	Third reading, concurred in. Returned to Senate with Statement of Intent.

IN THE SENATE

March 25, 1985

Received from House.

April 2, 1985

Second reading, Statement of Intent concurred in.

April 4, 1985

Third reading, Statement of Intent concurred in.
Ayes, 50; Noes, 0.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *214*
 2 INTRODUCED BY *Margaret Berggren Smalley*
 3 *Harold D. Bellant* *Hayes*

4 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING CERTAIN
 5 DENTAL HYGIENISTS TO ADMINISTER LOCAL ANESTHETIC AGENTS;
 6 REMOVING THE REQUIREMENT THAT AN APPLICANT FOR A LICENSE TO
 7 PRACTICE DENTAL HYGIENE SUBMIT TO AN ORAL INTERVIEW;
 8 AMENDING SECTIONS 37-4-401 AND 37-4-402, MCA; AND PROVIDING
 9 EFFECTIVE DATES."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 37-4-401, MCA, is amended to read:
 13 "37-4-401. Practice of dental hygiene. The practice of
 14 dental hygiene is services, performed by a licensed
 15 preventive oral health practitioner known as a dental
 16 hygienist, that are educational, therapeutic, prophylactic,
 17 or preventive procedures in nature, as the board in writing
 18 defines and authorizes. These services include and the board
 19 shall authorize the administration of local anesthetic
 20 agents by a licensed dental hygienist certified by the board
 21 to administer the agents under the direct supervision and
 22 authorization of a licensed dentist. However, this section
 23 does not allow the board or a licensed dentist to delegate
 24 any of the following duties:
 25 (1) diagnosis, treatment planning, and prescription;

1 (2) surgical procedures on hard and soft tissues other
 2 than root planing and subgingival curettage;
 3 (3) restorative, prosthetic, orthodontic, and other
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8 Section 2. Section 37-4-402, MCA, is amended to read:
 9 "37-4-402. License -- examination. (1) The department
 10 may issue licenses for the practice of dental hygiene to
 11 qualified applicants to be known as dental hygienists.

12 (2) Except as provided in subsections (1), (2), and
 13 (3) of 37-4-404, no person may engage in the practice of
 14 dental hygiene or practice as a dental hygienist in this
 15 state until he has passed an examination approved by the
 16 board under rules it considers proper and has been issued a
 17 license by the department.

18 (3) Applicants for licensure shall take and pass an
 19 examination in order to be licensed. The examination shall
 20 consist of a written part, and a practical or clinical part,
 21 ~~and an oral interview with the board which may include~~
 22 ~~questions pertaining to the practice of dental hygiene.~~ The
 23 board may accept, in satisfaction of the written part,
 24 successful completion of an examination by the national
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-2- INTRODUCED BILL
 SB 214

1 necessary, successful completion of a board examination in
2 jurisprudence. The board may accept, in satisfaction of the
3 practical part, successful completion of an examination by a
4 board-designated regional testing service.

5 (4) The board has the right to administer its own
6 examination in lieu of acceptance of the national board
7 written examination and a regional testing service practical
8 examination. The board is authorized to make rules
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10 (5) Applicants for licensure shall submit an
11 application, which shall include, when required:

12 (a) certification of successful completion of the
13 national board written examination;

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15 regional board practical examination;

16 (c) two affidavits of good moral character;

17 (d) certificate of graduation from a board-approved
18 dental hygiene school;

19 (e) an examination fee commensurate with costs and set
20 by the board;

21 (f) a licensure fee commensurate with costs and set by
22 the board;

23 (g) a recent photograph of the applicant; and

24 (h) copies of all other state licenses that are held
25 by the applicant.

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2 days prior to the board--interview--and jurisprudence
3 examination. Applicants may not take the jurisprudence
4 examination or--the--oral--interview without first having
5 completed and passed all other parts of the examination.

6 (7) Examination results will be accepted for a period
7 of time as set by board rule. An applicant failing to pass
8 his first examination, if otherwise qualified, may take a
9 subsequent examination on payment of a fee commensurate with
10 costs and set by the board.

11 (8) The board is authorized to adopt necessary and
12 reasonable rules governing application procedures."

13 NEW SECTION. Section 3. Extension of authority. Any
14 existing authority of the board of dentistry to make rules
15 on the subject of the provisions of this act is extended to
16 the provisions of this act.

17 NEW SECTION. Section 4. Effective dates. (1) Sections
18 2 and 3 and this section are effective on passage and
19 approval.

20 (2) Section 1 is effective October 1, 1985.

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APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

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STANDING COMMITTEE REPORT

HOUSE

March 20 19 85
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page 2 of 2

MR. SPEAKER

We, your committee on BUSINESS AND LABOR

having had under consideration SENATE Bill No. 214

third reading copy (blue color)

REVISING LAWS ON LICENSURE OF DENTAL HYGIENISTS

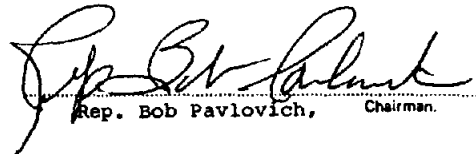
Respectfully report as follows: That SENATE Bill No. 214

STATEMENT OF INTENT

The legislature believes that a statement of intent is necessary because this bill authorizes the board of dentistry to make rules to implement the provisions permitting a licensed dental hygienist to administer local anesthetic agents under the direct supervision and authorization of a licensed dentist. The legislature intends that, as a prerequisite to issuance of a certificate to administer local anesthetic agents to a dental hygienist, the board, in addition to other criteria prescribed by 37-4-402, shall determine that the applicant is qualified to administer local anesthetic agents and holds a currently valid certificate to perform cardiopulmonary resuscitation from an agency recognized as qualified to make such certification. The board's rules for license renewal pursuant to 37-4-406 shall also recognize these criteria.

~~XXXXXX~~
BE CONCURRED IN
STATEMENT OF INTENT ATTACHED

54
3/20


Rep. Bob Pavlovich, Chairman.

KMC

Chairman.

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2 SENATE BILL 214

3 House Business and Labor Committee
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