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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL
HYGIENISTS

Introduced By: Senators Nesselbush, Lombardo, Crowley, Sosnowski, and P Fogarty

Date Introduced: February 11, 2015

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-39 of the General Laws entitled "Social Workers" is hereby
2 amended by adding thereto the following section:

3 **5-39-39. Public health hygienists.** -- (a) Any public health dental hygienist which for
4 purposes of this chapter means any practicing registered dental hygienist who may perform dental
5 hygiene procedures in a public health setting subject to conditions adopted by the Rhode Island
6 board of examiners in dentistry, may perform in a public health setting, without the supervision or
7 direction of a dentist, any procedure or provide any service that is within the dental hygiene scope
8 of practice that has been authorized and adopted by the Rhode Island board of examiners in
9 dentistry as a delegable procedure for a dental hygienist under general supervision in a private
10 practice setting.

11 (b) Public health settings shall for purposes of this section, include, but not be limited to,
12 residences of the homebound, schools, nursing home and long-term care facilities, clinics,
13 hospitals, medical facilities, community health centers licensed or certified by the department of
14 health, mobile and portable dental health programs licensed or certified by the department of
15 health and operated by a local or state agency, head start programs and any other facilities or
16 programs deemed appropriate by the department of health.

17 (c) Any public health hygienist shall enter into a written collaborative agreement with a
18 local or state government agency or institution or with a licensed dentist who states that he or she

1 shall be able to provide the appropriate level of communication and consultation with the dental
2 hygienist to ensure patient health and safety prior to performing any procedure or providing any
3 service under this section. The written collaborative agreement will follow the appropriate
4 guidelines as determined and established by the Rhode Island board of examiners in dentistry.

5 (d) Any public health dental hygienist shall provide to the patient or to the patient's legal
6 guardian a consent form to be signed by the patient or legal guardian. The consent form shall be
7 consistent with current department of health policies that describes services to be rendered and
8 explains that services rendered are not a substitute for a dental examination by a dentist. The
9 consent form shall also inform the patient or legal guardian that the patient should obtain a dental
10 examination by a dentist within ninety (90) days. The patient or legal guardian shall also obtain
11 written referral to a dentist and an assessment of further dental needs.

12 (e) The public health dental hygienist shall be directly reimbursed for services
13 administered in a public health setting by Medicaid or the state healthcare insurance program but
14 except as required by federal Medicaid law, but shall not seek reimbursement from any other
15 insurance or third-party payor. A public health dental hygienist shall not operate independently of
16 a dentist, except for a dental hygienist working for a local or state government agency or
17 institution or practicing in a mobile or portable prevention program licensed or certified by the
18 department of health. In such cases the local or state government agency or institution or mobile
19 or portable prevention program licensed or certified by the department of health may seek
20 reimbursement from any other third-party payor.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL
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- 1 This act would authorize the practice of "public health hygienists" who would be
- 2 authorized to perform certain dental services in a public health setting.
- 3 This act would take effect upon passage.

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