

SENATE BILL REPORT

SHB 1309

As Reported by Senate Committee On:
Health & Long-Term Care, March 25, 2009

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

Committee Activity: Health & Long-Term Care: 3/16/09, 3/25/09 [DPA].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Becker, Fairley and Parlette.

Staff: Edith Rice (786-7444)

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 planing 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 planing and soft-tissue curettage.

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.

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. 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. 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 Bill (Recommended Amendments): 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 or a senior center 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 or senior center.

Senior Centers. The definition of "health care facility" no longer includes senior centers. A senior center is defined as a multipurpose community facility operated and maintained by a nonprofit organization or local government for the organization and provision of a combination of some of the following: health, social, nutritional, and educational services; and recreational activities, for persons 60 years of age or older.

The requirement of reporting patient data to the 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.

Reporting. The DOH is to provide a report on dental hygiene services provided at senior centers and in community-based sealant programs with additional information to the Legislature by December 1, 2013.

EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (Recommended Amendments): The senior center definition is described as a community facility that provides for a combination of some of the services described in the bill. The health care facility definition does not include senior centers. Dental hygienists are permitted to practice in health care facilities or senior centers. The DOH must report additional information to the Legislature by December 1, 2013.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Preliminary outcomes from the pilot project created two years ago are awesome. We need the sunset clause removed so that practitioners can commit to practice. These kinds of programs reconnect seniors to dental care.

CON: We would prefer to extend the sunset period. This will still allow the hygienists to practice.

Persons Testifying: PRO: Representative Green, prime sponsor; Anita Rodriguez, Allegiance of Dental Hygiene Practitioners; Colleen Gaylord, Melissa Johnson, Washington State Dental Hygienists Association.

CON: David Hemion, Washington State Dental Association.