SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to H.P. 1037, L.D. 1514, Bill, “An Act To Conform Maine Law to the Requirements of the American Dental Association Commission on Dental Accreditation”

Amend the amendment by striking out everything after the title and inserting the following:

'Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 32 MRSA §18345, sub-§2, ¶C, as enacted by PL 2015, c. 429, §21, is amended to read:

C. For dental hygiene therapist authority:

(1) Verification of having successfully completed a master's degree in dental hygiene therapy from an educational program that:

(a) Is accredited by the American Dental Association Commission on Dental Accreditation or a successor organization approved by the board; or

(b) Is a minimum of 4 semesters;

(c) Is consistent with the model curriculum for educating dental hygiene therapists adopted by the American Association of Public Health Dentistry or a successor organization;

(d) Is consistent with existing dental hygiene therapy programs in other states approved by the board; and

(e) Meets the requirements for dental hygiene therapy education programs adopted by board rule;

(2) Verification of a bachelor's degree or higher in dental hygiene, dental hygiene therapy or dental therapy from a school accredited by the American Dental Association Commission on Dental Accreditation or a successor organization;
(3) Verification of passing a clinical examination and all other examinations required by board rule. The clinical examination must be a comprehensive, competency-based clinical examination approved by the board and administered independently of an institution providing dental hygiene therapy education;

(4) Verification of having engaged in 2,000--2,500 hours of supervised clinical practice under the supervision of a dentist and in conformity with rules adopted by the board, during which supervised clinical practice the applicant is authorized to practice pursuant to paragraph F.

For purposes of meeting the clinical requirements of this subparagraph, an applicant's hours of supervised clinical experience while enrolled in the dental hygiene therapy program under subparagraph (1) may be included as well as hours completed under the supervision of a dentist licensed in another state or a Canadian province, provided that as long as the applicant was operating lawfully under the laws and rules of that state or province; and

(5) A copy of the written practice agreement and standing orders required by section 18377, subsection 3;

Sec. 2. 32 MRSA §18371, sub-§5, as enacted by PL 2015, c. 429, §21, is amended to read:

5. Supervision of dental therapists. A dentist, referred to in this section as the "supervising dentist," who employs or supervises a dental hygiene therapist shall comply with this subsection.

A. A supervising dentist shall arrange for another dentist or specialist to provide any services needed by a patient of a dental hygiene therapist supervised by that dentist that are beyond the scope of practice of the dental hygiene therapist and that the supervising dentist is unable to provide.

B. The supervising dentist is responsible for all authorized services and procedures performed by the dental hygiene therapist pursuant to a written practice agreement executed by the dentist pursuant to section 18377.

C. Revisions to a written practice agreement must be documented in a new written practice agreement signed by the supervising dentist and the dental hygiene therapist.

D. A supervising dentist who signs a written practice agreement shall file a copy of the agreement with the board, keep a copy for the dentist's own records and make a copy available to patients of the dental hygiene therapist upon request.

E. A dentist may not supervise more than 5 dental therapists at one time.

Sec. 3. 32 MRSA §18377, sub-§1, as enacted by PL 2015, c. 429, §21, is amended to read:

1. Scope of practice. A dental hygiene therapist may perform the following procedures in limited practice settings, if authorized by a written practice agreement with a dentist licensed in this State pursuant to subsection 3.
A. To the extent permitted in a written practice agreement, a dental hygiene therapist may provide the care and services listed in this paragraph only under the direct general supervision of the supervising dentist:

1. Perform oral health assessments, pulpal disease assessments for primary and young teeth, simple cavity preparations and restorations and simple extractions;
2. Prepare and place stainless steel crowns and aesthetic anterior crowns for primary incisors and prepare, place and remove space maintainers;
3. Provide referrals;
4. Administer local anesthesia and nitrous oxide analgesia;
5. Perform preventive services;
6. Conduct urgent management of dental trauma, perform suturing, extract primary teeth and perform nonsurgical extractions of periodontally diseased permanent teeth if authorized in advance by the supervising dentist;
7. Provide, dispense and administer anti-inflammatories, nonprescription analgesics, antimicrobials, antibiotics and anticaries materials;
8. Administer radiographs; and
9. Perform other related services and functions authorized by the supervising dentist and for which the dental hygiene therapist is trained; and
10. Perform the procedures listed in section 18374, subsections 1 and 2.

B. To the extent permitted in a written practice agreement, a dental hygiene therapist may provide the care and services listed in section 18374, subsections 1 and 2 under the general supervision of the supervising dentist.

Sec. 4. 32 MRSA §18377, sub-§3, ¶B, as enacted by PL 2015, c. 429, §21, is amended to read:

B. A dental hygiene therapist may practice only under the direct general supervision of a dentist through a written practice agreement signed by both parties. A written practice agreement is a signed document that outlines the functions that the dental hygiene therapist is authorized to perform, which may not exceed the scopes of practice specified in subsections 1 and 2. A dental hygiene therapist may practice only under the standing order of the supervising dentist, may provide only care that follows written protocols and may provide only services that the dental hygiene therapist is authorized to provide by the written practice agreement.

Sec. 5. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "dental hygiene therapist" appear or reference is made to those words, they are amended to read or mean, as appropriate, "dental therapist," and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 6. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "dental hygiene therapy" appear or reference is made
to those words, they are amended to read or mean, as appropriate, "dental therapy," and
the Revisor of Statutes shall implement this revision when updating, publishing or
republishing the statutes.'

SUMMARY

This amendment corrects conflicts created by the enactment of Public Law 2015,
chapter 429, which repealed and replaced the laws governing dental professionals. This
amendment makes the following changes to the provisions of law enacted in chapter 429:

1. It changes the term "dental hygiene therapist" to "dental therapist";
2. It changes the term "dental hygiene therapy" to "dental therapy";
3. It specifies that an applicant who has successfully completed a master's degree,
   instead of a bachelor's degree or higher, in a dental therapy education program that is
   accredited by either the Board of Dental Practice or the American Dental Association
   Commission on Dental Accreditation or a successor organization approved by the board
   meets the requirements for having completed a dental therapy education program;
4. It increases the number of hours of supervised clinical practice that an applicant
   for dental therapist authority must complete from 2,000 to 2,500;
5. It removes the requirements that a dental therapy education program be consistent
   with a specified model curriculum, be consistent with programs in other states and be
   approved by the board;
6. It limits to 5 the number of dental therapists that a single dentist may supervise at
   one time; and
7. It removes the requirement that a dental therapist practice under the direct
   supervision of a dentist.

SPONSORED BY: ___________________________________

(Senator BURNS)

COUNTY: Washington