

ASSEMBLY BILL NO. 277—ASSEMBLYWOMEN
BENITEZ-THOMPSON; AND CARLTON

MARCH 15, 2013

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing dental hygienists.
(BDR 54-788)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to dental hygienists; exempting certain programs that provide public health dental hygiene from requirements relating to supervision by a licensed dentist; authorizing dental hygienists who are authorized to practice public health dental hygiene to perform procedures without the authorization or supervision of a licensed dentist as specified by regulations adopted by the Board of Dental Examiners of Nevada; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a dental hygienist to obtain from the Board of Dental Examiners of Nevada a special endorsement of the dental hygienist's license that authorizes the dental hygienist to practice public health dental hygiene. A dental hygienist with such a special endorsement may perform such services for the promotion of public health dental hygiene as deemed appropriate by the State Dental Health Officer. (NRS 631.287) Existing law further provides that an entity which owns or operates certain dental offices or clinics must designate an actively licensed dentist as the dental director to supervise the dental office or clinic. (NRS 631.3452)

Section 1 of this bill exempts a program that provides public health dental hygiene from the provisions requiring the designation of a licensed dentist as the dental director if: (1) the program is owned or operated by a dental hygienist who holds a special endorsement of his or her license to practice public health dental hygiene; and (2) each dental hygienist employed to provide public health dental hygiene pursuant to the program holds a special endorsement of his or her license to practice public health dental hygiene. **Section 3** of this bill provides for the biennial renewal of such a special endorsement and authorizes a dental hygienist



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18 who holds such a special endorsement to provide services without the authorization
19 or supervision of a dentist as specified by regulations adopted by the Board.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 631 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *The provisions of NRS 631.3452 requiring the designation of*
4 *an actively licensed dentist as a dental director do not apply to a*
5 *program for the provision of public health dental hygiene if:*

6 1. *The program is owned or operated by a dental hygienist*
7 *who holds a special endorsement of his or her license to practice*
8 *public health dental hygiene pursuant to NRS 631.287; and*

9 2. *Each dental hygienist employed to provide public health*
10 *dental hygiene pursuant to the program holds a special*
11 *endorsement of his or her license to practice public health dental*
12 *hygiene pursuant to NRS 631.287.*

13 **Sec. 2.** (Deleted by amendment.)

14 **Sec. 3.** NRS 631.287 is hereby amended to read as follows:

15 631.287 1. The Board shall, upon application by a dental
16 hygienist who is licensed pursuant to this chapter and has such
17 qualifications as the Board specifies by regulation, issue a special
18 endorsement of the license allowing the dental hygienist to practice
19 public health dental hygiene . ~~pursuant to subsection 2.~~ *The*
20 *special endorsement may be renewed biennially upon the renewal*
21 *of the license of the dental hygienist.*

22 2. ~~{The State Dental Health Officer may authorize a person}~~ *A*
23 *dental hygienist* who holds a special endorsement issued pursuant to
24 subsection 1 ~~{to provide or cause to be provided such services for~~
25 ~~the promotion of public health dental hygiene as the State Dental~~
26 ~~Health Officer deems appropriate. Such services:~~

27 ~~—(a) May be provided at schools, community centers, hospitals,~~
28 ~~nursing homes and such other locations as the State Dental Health~~
29 ~~Officer deems appropriate;~~

30 ~~—(b) May not be provided at a dental office that is not operated by~~
31 ~~a public or nonprofit entity.}~~ *may provide services without the*
32 *authorization or supervision of a dentist only as specified by*
33 *regulations adopted by the Board.*

34 **Sec. 4.** (Deleted by amendment.)

35 **Sec. 4.5.** NRS 631.3452 is hereby amended to read as follows:

36 631.3452 ~~{An}~~ *Except as otherwise provided in section 1 of*
37 *this act, an* entity that owns or operates a dental office or clinic as
38 described in paragraph (f) of subsection 2 of NRS 631.215 must:



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1 1. Designate an actively licensed dentist as the dental director
2 of the dental office or clinic. The dental director shall have
3 responsibility for the clinical practice of dentistry at the dental office
4 or clinic, including, without limitation:

5 (a) Diagnosing or treating any of the diseases or lesions of the
6 oral cavity, teeth, gingiva or the supporting structures thereof.

7 (b) Administering or prescribing such remedies, medicinal or
8 otherwise, as are needed in the treatment of dental or oral diseases.

9 (c) Determining:

10 (1) Whether a particular treatment is necessary or advisable;
11 or

12 (2) Which particular treatment is necessary or advisable.

13 (d) The overall quality of patient care that is rendered or
14 performed in the clinical practice of dentistry.

15 (e) Supervising dental hygienists, dental assistants and other
16 personnel involved in direct patient care and authorizing procedures
17 performed by the dental hygienists, dental assistants and other
18 personnel in accordance with the standards of supervision
19 established by law or regulations adopted pursuant thereto.

20 (f) Providing any other specific services that are within the
21 scope of clinical dental practice.

22 (g) Retaining patient dental records as required by law and
23 regulations adopted by the Board.

24 (h) Ensuring that each patient receiving services from the dental
25 office or clinic has a dentist of record.

26 2. Maintain current records of the names of licensed dentists
27 who supervise the clinical activities of dental hygienists, dental
28 assistants or other personnel involved in direct patient care. The
29 records must be available to the Board upon written request.

30 **Sec. 5.** This act becomes effective on July 1, 2013.

