

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 564
Committee Substitute Favorable 4/15/97

Short Title: Supervising Dental Hygienists.

(Public)

Sponsors:

Referred to:

March 20, 1997

A BILL TO BE ENTITLED

AN ACT TO ALLOW DENTAL HYGIENISTS TO PERFORM ACTS WITHOUT THE
DIRECT SUPERVISION OF A LICENSED DENTIST AND TO ALLOW
DENTISTS TO EMPLOY MORE THAN TWO DENTAL HYGIENISTS AT ONE
TIME.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-221 reads as rewritten:

"§ 90-221. Definitions.

(a) " ~~Dental hygiene~~" as used in this Article shall mean ~~the~~ The following definitions apply in this Article:

(1) Dental hygiene. – The performance of the following functions:

- a. Complete oral ~~prophylaxis,~~ prophylaxis.
- b. ~~application~~ Application of preventive agents to oral ~~structures,~~ exposure structures.
- c. Exposure and processing of ~~radiographs,~~ administration radiographs.
- d. Administration of medicaments prescribed by a licensed ~~dentist,~~ preparation dentist.

- 1 e. Preparation of diagnostic aids, aids and written records of oral
2 conditions for interpretation by the dentist, together with such
3 other and further functions as may be permitted by rules and
4 regulations of the Board not inconsistent herewith. dentist.
- 5 f. Any other functions permitted by rules of the Board consistent
6 with this Article.
- 7 (b) ~~"Dental hygienist" as used in this Article, shall mean any~~
8 (2) Dental hygienist. – A person who is a graduate of a Board-accredited-an
9 accredited and Board-approved school of dental hygiene, who has been
10 licensed by the Board, and who practices dental hygiene as prescribed
11 by the Board.
- 12 (e) ~~"License" shall mean a~~
13 (3) License. – A certificate issued to any applicant upon completion of
14 requirements for admission to practice dental hygiene.
- 15 (d) ~~"Renewal certificate" shall mean the~~
16 (4) Renewal certificate. – The annual certificate of renewal of license to
17 continue practice of dental hygiene in the State of North Carolina.
- 18 (e) ~~"Board" shall mean "The~~
19 (5) Board. – The North Carolina State Board of Dental
20 Examiners" Examiners created by Chapter 139, Public Laws of 1879, and
21 Chapter 178, Public Laws of 1915 as continued in existence by G.S. 90-
22 22.
- 23 (f) ~~"Supervision" as used in this Article shall mean that acts are deemed to be~~
24 ~~under the~~
- 25 (6) Supervision. – supervision of a licensed dentist when
26 a. Direct supervision of a dental hygienist by a licensed dentist is
27 when the acts performed by the dental hygienist are performed in
28 a locale where a licensed dentist is physically present during the
29 performance of such the acts and such the acts are being
30 performed pursuant to the dentist's order, control control, and
31 approval approval; and
32 b. General supervision of a dental hygienist by a licensed dentist is
33 when a licensed dentist, using professional discretion, chooses
34 not to be physically present at the locale where the acts are being
35 performed, but the acts are performed pursuant to the dentist's
36 order, control, and approval."

37 Section 2. G.S. 90-233 reads as rewritten:

38 **"§ 90-233. Practice of dental hygiene.**

39 (a) A dental hygienist may practice only under the direct or general supervision of
40 one or more licensed dentists. Provided, however, that this subsection (a) shall be deemed to
41 be complied with in the case of dental Dental hygienists employed by the Department of
42 Environment, Health, and Natural Resources and especially trained by said that
43 Department as public health hygienists are practicing under the general supervision of a

1 licensed dentist while performing their duties in the public schools under the direction of
2 a duly licensed dentist.

3 (b) A dentist in private practice may not ~~employ~~ utilize more ~~than two~~ dental
4 hygienists at one and the same time ~~who are employed in clinical dental hygiene positions.~~
5 than the dentist can reasonably supervise.

6 (c) Dental hygiene may be practiced only by the holder of a license or provisional
7 license currently in effect and duly issued by the Board. The following acts, practices,
8 functions or operations, however, shall not constitute the practice of dental hygiene
9 within the meaning of this Article:

10 (1) The teaching of dental hygiene in a school or college approved by the
11 Board in a board-approved program by an individual licensed as a
12 dental hygienist in any state in the United States.

13 (2) Activity which would otherwise be considered the practice of dental
14 hygiene performed by students enrolled in a school or college approved
15 by the Board in a board-approved dental hygiene program under the
16 direct supervision of a dental hygienist or a dentist duly licensed in
17 North Carolina or qualified for the teaching of dentistry pursuant to the
18 provisions of G.S. 90-29(c)(3), acting as an instructor.

19 (3) Any act or acts performed by an assistant to a dentist licensed to
20 practice in this State when said act or acts are authorized and permitted
21 by and performed in accordance with rules and regulations promulgated
22 by the Board.

23 (4) Dental assisting and related functions as a part of their instructions by
24 students enrolled in a course in dental assisting conducted in this State
25 and approved by the Board, when such functions are performed under
26 the supervision of a dentist acting as a teacher or instructor who is either
27 duly licensed in North Carolina or qualified for the teaching of dentistry
28 pursuant to the provisions of G.S. 90-29(c)(3).”

29 Section 3. This act is effective when it becomes law.