

HOUSE No. 274

The Commonwealth of Massachusetts

PRESENTED BY:

William Smitty Pignatelli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act Establishing an Advanced Dental Hygiene Practitioner Level of Practice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>

HOUSE No. 274

By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 274) of William Smitty Pignatelli and others relative to the occupation of advanced dental hygiene practitioner. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

An Act Establishing an Advanced Dental Hygiene Practitioner Level of Practice.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the Massachusetts General Laws, as appearing in the 2010
2 Official Edition, is hereby amended in Section 43A by adding the following definition:-

3 “Advanced Dental Hygiene Practitioner,” a dental hygienist who is a graduate of a
4 registered dental practitioner education program of not more than 18 months provided by an
5 accredited post secondary institution, who has been certified by the Board to practice as an
6 advanced dental hygiene practitioner pursuant to section 51B; and who provides oral health care
7 services, including preventive, oral evaluation and assessment, educational, palliative,
8 therapeutic, and restorative services as authorized under section 51B.

9 SECTION 2. Section 51 of Chapter 112 of The Massachusetts General Laws, as
10 appearing in the 2010 Official Edition, is hereby amended by inserting after the final paragraph
11 the following:-

12 Any licensed dental hygienist of good moral character, who is a graduate of a registered
13 dental practitioner education program of 12-18 months that is provided by an accredited post
14 secondary institution comprised of a curriculum approved by the state Department of Higher
15 Education; pass a comprehensive, competency-based clinical examination that is approved by the
16 Board and administered independently of an institution providing registered dental practitioner
17 education; have practiced under direct supervision of a supervising dentist for at least 500 hours
18 before practicing under general supervision; and obtain a policy of professional liability
19 insurance and show proof of such insurance as required by rules and regulations, shall be
20 registered as an advanced dental hygiene practitioner and be given a certificate allowing the
21 hygienist to practice in this capacity.

22 Before performing a procedure or providing a service under this paragraph, an advanced
23 dental hygiene practitioner shall enter into a written collaborative agreement with a local or state

24 government agency or institution or with a licensed dentist who states that he shall be able to
25 provide the appropriate level of communication and consultation with the advanced dental
26 hygiene practitioner to ensure patient health and safety. The Board shall establish appropriate
27 guidelines for this written collaborative agreement.

28 An advanced dental hygiene practitioner certified by the Board may perform all acts of a
29 public health dental hygienist, as well as the following services and procedures pursuant to the
30 written collaborative management agreement without the supervision or direction of a dentist:
31 oral health instruction and disease prevention education, including nutritional counseling and
32 dietary analysis; charting of the oral cavity; exposing and interpreting radiographs; mechanical
33 polishing; application of topical preventive or prophylactic agents, including fluoride varnishes
34 and pit and fissure sealants; pulp vitality testing; application of desensitizing medication or resin;
35 fabrication of athletic mouthguards; placement of temporary restorations; fabrication of soft
36 occlusal guards; tissue conditioning and soft reline; atraumatic restorative therapy; dressing
37 changes; tooth reimplantation; administration of local anesthetic; emergency palliative treatment
38 of dental pain; the placement and removal of space maintainers; cavity preparation; restoration of
39 primary and permanent teeth; placement of temporary crowns; preparation and placement of
40 preformed crowns; and pulpotomies on primary teeth; indirect and direct pulp capping on
41 primary and permanent teeth; stabilization of reimplanted teeth; extractions of primary teeth;
42 suture removal; brush biopsies; repair of defective prosthetic devices; recementation of
43 permanent crowns; an oral evaluation and assessment of dental disease and the formulation of an
44 individualized treatment plan authorized by the collaborating dentist; and; nonsurgical
45 extractions of permanent teeth as limited in the following paragraph.

46 An advanced dental hygiene practitioner shall not perform any service or procedure
47 described in this section except as authorized by the collaborating dentist. An advanced dental
48 hygiene practitioner may perform nonsurgical extractions of periodontally diseased permanent
49 teeth with tooth mobility of +3 to +4 under general supervision if authorized in advance by the
50 collaborating dentist. The advanced dental hygiene practitioner shall not extract a tooth for any
51 patient if the tooth is unerupted, impacted, fractured, or needs to be sectioned for removal. The
52 collaborating dentist is responsible for directly providing or arranging for another dentist or
53 specialist to provide any necessary advanced services needed by the patient. An advanced dental
54 hygiene practitioner in accordance with the written collaborative agreement must refer patients to
55 another qualified dental or health care professional to receive any needed services that exceed the
56 scope of practice of the advanced dental hygiene practitioner. A written collaborative agreement
57 entered into with an advanced dental hygiene practitioner must include specific written protocols
58 to govern situations in which the advanced dental hygiene practitioner encounters a patient who
59 requires treatment that exceeds the authorized scope of practice of the advanced dental hygiene
60 practitioner. The collaborating dentist must ensure that a dentist is available to the advanced
61 dental hygiene practitioner for timely consultation during treatment if needed and must either
62 provide or arrange with another dentist or specialist to provide the necessary treatment to any

63 patient who requires more treatment than the advanced dental hygiene practitioner is authorized
64 to provide.

65 An advanced dental hygiene practitioner may provide, dispense, and administer the
66 following medications within the parameters of the written collaborative agreement, within the
67 scope of practice of the advanced dental hygiene practitioner, and with the authorization of the
68 collaborating dentist: analgesics, anti-inflammatories, and antibiotics. The authority to provide,
69 dispense, and administer shall extend only to the categories of drugs identified in this
70 subdivision, and may be further limited by the written collaborative agreement. The authority to
71 dispense includes the authority to dispense sample drugs within the categories identified in this
72 paragraph if dispensing is permitted by the written collaborative agreement. An advanced dental
73 hygiene practitioner is prohibited from providing, dispensing, or administering a narcotic drug.

74 Advanced dental hygiene practitioners shall be directly reimbursed for services covered
75 by Medicaid or the commonwealth care health insurance program. An advanced dental hygiene
76 practitioner shall not operate independently of a dentist, except for an advanced dental hygiene
77 practitioner working for a local or state government agency or institution or practicing in a
78 mobile or portable prevention program licensed or certified by the department of public health.

79 A licensed advanced dental hygiene practitioner may supervise dental assistants to the
80 extent permitted in the collaborative management agreement and according to section 51 ½.

81 The Board of Registration in Dentistry, in consultation with the Executive Office of
82 Health and Human Services, shall develop an evaluation process that focuses on assessing the
83 impact of advanced dental hygiene practitioners in terms of patient safety, cost-effectiveness, and
84 access to dental services. The process shall focus on the following outcome measures: (1)
85 number of new patients served; (2) reduction in waiting times for needed services; (3) decreased
86 travel time for patients; (4) impact on emergency room usage for dental care; and (5) costs to the
87 public health care system.