

AN ACT

relating to the delegation of certain acts by dentists.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 258.002(b), Occupations Code, is amended to read as follows:

(b) A licensed dentist may delegate, under Subsection (a), the application of a pit and fissure sealant to a dental assistant if the dentist is a Medicaid provider or the dentist practices in an area determined to be underserved by the Texas Department of Health. Cleansing of the occlusal and smooth surfaces of the teeth by a dental assistant is allowed immediately prior to and for the sole purpose of preparing the tooth area for the placement of pit and fissure sealants or orthodontic bonding resin, and shall not be billed as a prophylaxis.

SECTION 2. Section 265.003(b), Occupations Code, is amended to read as follows:

(b) A dental assistant may apply a pit and fissure sealant under Subsection (a) only if:

(1) the assistant is certified to apply a pit and fissure sealant under Section 265.004; and

(2) the dentist described by Subsection (a):

(A) is a Medicaid provider; or

(B) practices in an area determined to be underserved by the Texas Department of Health.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 3193 was passed by the House on May 6, 2003, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3193 was passed by the Senate on May 28, 2003, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor