

By: Nelson

S.B. No. 632

A BILL TO BE ENTITLED

AN ACT

relating to the requirements for issuance of a dental x-ray certificate to a dental assistant.

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

SECTION 1. Section 258.054, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c) A dentist may not authorize a dental assistant to make a dental x-ray unless the dental assistant holds an x-ray certificate issued under Section 265.005.

SECTION 2. Section 265.005, Occupations Code, is amended to read as follows:

Sec. 265.005. X-RAY CERTIFICATE. (a) A dental assistant may not make dental x-rays unless the dental assistant holds a certificate of registration issued by the board under this section.

(b) To qualify for a certificate of registration, a dental assistant must pay a fee in an amount determined by the board and:

(1) pass an examination administered under this section after completing a course ~~[by the board]~~ covering:

(A) the procedure for making dental x-rays;

(B) jurisprudence; and

(C) infection control; or

(2) complete a course and pass an examination ~~[administered by the board]~~ covering the subject described by Subdivision (1)(B) and be certified as a dental assistant by the

1 Dental Assisting National Board if the board determines that the  
2 requirements for certification by that board are sufficient to  
3 protect the public.

4 ~~(c) [The board shall set the registration fee for a dental  
5 assistant who qualifies under Subsection (b)(1) in an amount  
6 greater than the amount of the registration fee for a dental  
7 assistant who qualifies under Subsection (b)(2)].~~

8 ~~[(d)]~~ The course and ~~[portion of the]~~ examination described  
9 by Subsection (b)(1) ~~[(b)(1)(B)]~~ must be tailored to a dental  
10 assistant's responsibilities and role in a dental office.

11 (d) ~~[(e) The board shall develop the examination or  
12 contract with another person the board determines has the expertise  
13 and resources to develop the examination.]~~ The board shall ~~[may]~~  
14 create an advisory committee consisting of dental industry  
15 professionals and educators to advise the board in adopting rules  
16 under Subsection (e).

17 (e) The board by rule shall set:

18 (1) objectives for ~~[developing]~~ the examination and  
19 course under Subsection (b)(1); and

20 (2) procedures to ensure the examination's integrity.

21 (f) The course and examination under Subsection (b)(1)  
22 shall comply with board rules and be developed and administered by:

23 (1) a school or program accredited by the Commission  
24 on Dental Accreditation of the American Dental Association, if the  
25 board determines that the accreditation requirements are  
26 sufficient to protect the public; or

27 (2) a dental industry professional organization.

1        (g) The board, in consultation with the advisory committee,  
2 shall develop a program to ensure that courses and examinations  
3 developed or administered under this section comply with board  
4 rules [~~the board or by a testing service under an agreement with the~~  
5 ~~board~~].

6        (h) [~~(g)~~] A certificate of registration issued under this  
7 section must be renewed annually.

8        (i) [~~(h)~~] The board by rule shall develop a mandatory  
9 continuing education program for holders of certificates of  
10 registration. The board may not require a person to complete more  
11 than 12 hours of continuing education annually. The curriculum  
12 must cover dental assistant duties [~~standards of care, procedures~~  
13 ~~for infectious disease control, and the requirements of this~~  
14 ~~subtitle~~].

15        (j) A person may not renew a certificate of registration  
16 unless the person complies with the continuing education  
17 requirements. The person may fulfill continuing education  
18 requirements through board-approved self-study, interactive  
19 computer courses, or lecture courses.

20        SECTION 3. (a) The State Board of Dental Examiners shall  
21 study the feasibility of providing through the Internet the course  
22 and examination described by Subdivision (1), Subsection (b),  
23 Section 265.005, Occupations Code, as amended by this Act.

24        (b) As part of the study, the State Board of Dental  
25 Examiners shall consider:

26                (1) the effect of increasing accessibility to the  
27 course or examination through the Internet;

1           (2) the cost benefit to the person taking the course or  
2 examination through the Internet; and

3           (3) potential breaches of security caused by offering  
4 the course or examination through the Internet, including whether  
5 the identity of the person taking the course and examination may be  
6 verified.

7           (c) Not later than November 1, 2006, the State Board of  
8 Dental Examiners shall report on the results of the study to the  
9 lieutenant governor and the speaker of the house of  
10 representatives.

11           SECTION 4. Section 265.005, Occupations Code, as amended by  
12 this Act, applies only to a certificate of registration renewed on  
13 or after the effective date of this Act. A certificate renewed  
14 before the effective date of this Act is governed by the law that  
15 existed at the time of renewal, and the former law is continued in  
16 effect for that purpose.

17           SECTION 5. This Act takes effect September 1, 2006.