

By: Nelson

S.B. No. 632

A BILL TO BE ENTITLED

AN ACT

relating to dental assistant x-rays.

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

SECTION 1. Section 265.005, Occupations Code, is amended to read as follows:

(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 by the board covering:

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

(B) jurisprudence; and

(C) infection control; or

(2) pass an examination administered by the board covering the subject described by Subdivision (1)(B) and be certified as a dental assistant by the Dental Assisting National Board if the board determines that the requirements for certification by that board are sufficient to protect the public.

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

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

4 (e) The board shall develop the examination or contract with
5 another person the board determines has the expertise and resources
6 to develop the examination. The board [~~may~~] shall create an
7 advisory committee consisting of dental industry professionals and
8 educators to advise the board in developing the examination. The
9 advisory committee shall advise the board on any study guides or
10 reference materials provided by the board for use in preparation
11 for this examination.

12 (f) The examination shall be administered by the board or by
13 a testing service under an agreement with the board. The
14 examination shall be offered through the Internet, as defined in
15 Government Code Section 2054.120(b). The board by rule shall
16 specify guidelines to ensure adequate protections to guarantee the
17 identity of the person taking the examination and prevent any other
18 breaches of the security of the examination. A dentist shall
19 proctor persons taking the examination through the Internet. The
20 board shall make available the study guides or reference materials
21 developed pursuant to Subsection (e) through the Internet.

22 (g) The examination must be available in both English and
23 Spanish. [~~A certificate of registration issued under this section~~
24 ~~must be renewed annually.~~]

25 (h) The board by rule shall develop or approve [~~a~~] mandatory
26 continuing education courses [~~program~~] for holders of certificates
27 of registration. Holders of certificates of registration may

1 fulfill continuing education requirements through board approved
2 self-study and interactive computer courses. The board may not
3 require a person to complete more than 12 hours of continuing
4 education annually. The [~~curriculum~~] courses must cover procedures
5 for making dental x-rays, infection control, jurisprudence and
6 other subjects within dental assistant permitted duties. Holders
7 of certificates of registration shall complete courses on the
8 procedures for making dental x-rays, infection control and
9 jurisprudence at least once every three years. [~~standards of care,~~
10 ~~procedures for infectious disease control, and the requirements of~~
11 ~~this subtitle.~~] A person may not renew a certificate of
12 registration unless the person complies with the continuing
13 education requirements.

14 (i) A dentist may not allow a dental assistant to make
15 dental x-rays unless the dental assistant is in compliance with
16 this section.

17 (j) A certificate of registration issued under this section
18 must be renewed annually.

19 SECTION 2. This Act takes effect September 1, 2005.