

By: Deuell

S.B. No. 726

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a dental hygienist to administer fluoride varnish.

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

SECTION 1. Section 262.152, Occupations Code, is amended to read as follows:

Sec. 262.152. PERFORMANCE OF DELEGATED DUTIES. Except as provided by Section 262.153, a [A] dental hygienist shall practice dental hygiene:

(1) in the dental office of a supervising dentist licensed by the board; or

(2) in an alternate setting, including a nursing home, the patient's home, a school, a hospital, a state institution, a public health clinic, or another institution, under the supervision of a supervising dentist.

SECTION 2. Subchapter D, Chapter 262, Occupations Code, is amended by adding Section 262.153 to read as follows:

Sec. 262.153. LIMITED FLUORIDE VARNISH PERMIT. (a) The board by rule shall provide for issuance of a permit to a dental hygienist to administer fluoride varnish.

(b) To obtain a permit under this section, a dental hygienist must meet the educational qualifications and provide proof of competency in the administration of fluoride varnish as required by the board after consultation with the advisory

1 committee.

2 (c) Rules adopted by the board under this section must
3 include rules that regulate the administration of fluoride varnish
4 by a dental hygienist who holds a permit under this section.

5 (d) A dental hygienist with a permit issued under this
6 section may administer fluoride varnish without supervision by a
7 dentist.

8 SECTION 3. The State Board of Dental Examiners shall adopt
9 rules as required by Section 262.153, Occupations Code, as added by
10 this Act, not later than November 1, 2005.

11 SECTION 4. This Act takes effect September 1, 2005.