

By: Crownover

H.B. No. 903

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain dental hygienists to administer a local anesthetic agent under supervision.

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

SECTION 1. Section 258.001, Occupations Code, is amended to read as follows:

Sec. 258.001. [~~IMPERMISSIBLE~~] DELEGATIONS. (a) A dentist may not delegate:

(1) an act to an individual who, by board order, is prohibited from performing the act;

(2) any of the following acts to a person not licensed as a dentist or dental hygienist:

(A) the removal of calculus, deposits, or accretions from the natural and restored surfaces of exposed human teeth and restorations in the human mouth;

(B) root planing or the smoothing and polishing of roughened root surfaces or exposed human teeth; or

(C) any other act the delegation of which is prohibited by board rule; or

(3) any of the following acts to a person not licensed as a dentist:

(A) comprehensive examination or diagnosis and treatment planning;

(B) a surgical or cutting procedure on hard or

1 soft tissue;

2 (C) the prescription of a drug, medication, or  
3 work authorization;

4 (D) the taking of an impression for a final  
5 restoration, appliance, or prosthesis;

6 (E) the making of an intraoral occlusal  
7 adjustment;

8 (F) direct pulp capping, pulpotomy, or any other  
9 endodontic procedure;

10 (G) the final placement and intraoral adjustment  
11 of a fixed or removable appliance; or

12 (H) the placement of any final restoration.

13 (b) A dentist may delegate ~~to~~

14 ~~(4)~~ the authority to an individual to administer a  
15 local anesthetic agent, inhalation sedative agent, parenteral  
16 sedative agent, or general anesthetic agent if the individual is  
17 ~~not~~ licensed as:

18 (1) ~~(A)~~ a dentist, with a permit issued by the board  
19 for the procedure being performed ~~to~~ if a permit is required;

20 (2) ~~(B)~~ a certified registered nurse anesthetist  
21 licensed by the Board of Nurse Examiners, only if the delegating  
22 dentist holds a permit issued by the board for the procedure being  
23 performed ~~to~~ if a permit is required; ~~or~~

24 (3) ~~(C)~~ a physician anesthesiologist licensed by  
25 the Texas Medical ~~State~~ Board; or

26 (4) a dental hygienist, only if the procedure is the  
27 administration of a local anesthetic agent under Section

1 262.002(a)(6) [of Medical Examiners].

2 SECTION 2. Section 262.002(a), Occupations Code, is amended  
3 to read as follows:

4 (a) A person practices dental hygiene if the person:

5 (1) removes accumulated matter, tartar, deposits,  
6 accretions, or stains, other than mottled enamel stains, from the  
7 natural and restored surface of exposed human teeth and  
8 restorations in the human mouth;

9 (2) smoothes roughened root surfaces;

10 (3) polishes exposed human teeth, restorations in the  
11 human mouth, or roughened root surfaces;

12 (4) topically applies drugs to the surface tissues of  
13 the human mouth or the exposed surface of human teeth;

14 (5) makes dental x-rays; ~~and~~

15 (6) administers a local anesthetic agent under  
16 supervision as required by this subtitle after completion of a  
17 board-approved course; and

18 (7) performs any other service, task, or procedure  
19 prescribed by board rule.

20 SECTION 3. The State Board of Dental Examiners, not later  
21 than January 1, 2008, shall:

22 (1) prescribe by rule the requirements for a course to  
23 train dental hygienists to administer local anesthetic agents; and

24 (2) develop a procedure for the approval of courses  
25 described by Subdivision (1).

26 SECTION 4. This Act takes effect September 1, 2007.