

By: Laubenberg

H.B. No. 1065

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of a dental assistant to apply a pit and
3 fissure sealant.

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

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

7 (b) A licensed dentist may delegate, under Subsection (a),
8 the application of a pit and fissure sealant to a dental assistant
9 certified under Section 265.004 [~~if the dentist is a Medicaid~~
10 ~~provider or the dentist practices in an area determined to be~~
11 ~~underserved by the Texas Department of Health~~]. Cleansing of the
12 occlusal and smooth surfaces of the teeth by a dental assistant is
13 allowed immediately prior to and for the sole purpose of preparing
14 the tooth area for the placement of pit and fissure sealants or
15 orthodontic bonding resin, and shall not be billed as a
16 prophylaxis.

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

19 (b) A dental assistant may apply a pit and fissure sealant
20 under Subsection (a) only if[+

21 [~~(1)~~] the assistant is certified to apply a pit and
22 fissure sealant under Section 265.004[~~, and~~

23 [~~(2) the dentist described by Subsection (a):~~

24 [~~(A) is a Medicaid provider, or~~

1 ~~[(B) practices in an area determined to be~~
2 ~~underserved by the Texas Department of Health].~~

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2007.