

By: Villarreal, et al.

H.B. No. 456

Substitute the following for H.B. No. 456:

By: Gonzales

C.S.H.B. No. 456

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a dental hygienist to provide services  
in certain facilities.

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

SECTION 1. The heading to Section 262.1515, Occupations  
Code, is amended to read as follows:

Sec. 262.1515. DELEGATION OF DUTIES TO DENTAL HYGIENIST  
PRACTICING IN CERTAIN ~~[LONG-TERM CARE]~~ FACILITIES ~~[AND~~  
~~SCHOOL-BASED HEALTH CENTERS]~~.

SECTION 2. Sections 262.1515(a), (c), and (e), Occupations  
Code, are amended to read as follows:

(a) A licensed dentist may delegate a service, task, or  
procedure, pursuant to this section, to a dental hygienist, without  
complying with Section 262.151(a)(2) if:

(1) the dental hygienist has at least two years'  
experience in the practice of dental hygiene; and

(2) the service, task, or procedure is performed in  
one of the following locations:

(A) a nursing facility as defined in Section  
242.301, Health and Safety Code; ~~[or]~~

(B) a school-based health center established  
under Subchapter B, Chapter 38, Education Code; or

(C) a community health center as defined by  
Section 136.002, Human Resources Code.

1           (c) A dental hygienist may only ~~[not]~~ perform ~~[a second set~~  
2 ~~of]~~ delegated tasks or procedures with respect to a patient for six  
3 months unless ~~[until]~~ the patient has been examined by a dentist in  
4 compliance with Section 262.151(a)(2).

5           (e) The ~~[nursing]~~ facility under Subsection (a)(2) ~~[or~~  
6 ~~school-based health center]~~ shall note each delegated service,  
7 task, or procedure performed by the dental hygienist under this  
8 section in the patient's medical records.

9           SECTION 3. Section 262.152, Occupations Code, is amended to  
10 read as follows:

11           Sec. 262.152. PERFORMANCE OF DELEGATED DUTIES. Except as  
12 provided by Section 262.1515, a ~~[A]~~ dental hygienist shall practice  
13 dental hygiene:

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

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

20           SECTION 4. This Act takes effect September 1, 2009.