

By: Villarreal

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 PROGRAMS [~~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;

(C) a Head Start program as defined by Section 72.001, Human Resources Code; or

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

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

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

11            SECTION 3. Section 262.152, Occupations Code, is amended to  
12 read as follows:

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

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

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

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