

1-1 By: Villarreal, et al. H.B. No. 456
1-2 (Senate Sponsor - Van de Putte)
1-3 (In the Senate - Received from the House May 11, 2009;
1-4 May 12, 2009, read first time and referred to Committee on Health
1-5 and Human Services; May 20, 2009, reported favorably by the
1-6 following vote: Yeas 8, Nays 0; May 20, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the authority of a dental hygienist to provide services
1-10 in certain facilities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The heading to Section 262.1515, Occupations
1-13 Code, is amended to read as follows:

1-14 Sec. 262.1515. DELEGATION OF DUTIES TO DENTAL HYGIENIST
1-15 PRACTICING IN CERTAIN [~~LONG-TERM CARE~~] FACILITIES [~~AND~~
1-16 ~~SCHOOL-BASED HEALTH CENTERS~~].

1-17 SECTION 2. Sections 262.1515(a), (c), and (e), Occupations
1-18 Code, are amended to read as follows:

1-19 (a) A licensed dentist may delegate a service, task, or
1-20 procedure, pursuant to this section, to a dental hygienist, without
1-21 complying with Section 262.151(a)(2) if:

1-22 (1) the dental hygienist has at least two years'
1-23 experience in the practice of dental hygiene; and

1-24 (2) the service, task, or procedure is performed in
1-25 one of the following locations:

1-26 (A) a nursing facility as defined in Section
1-27 242.301, Health and Safety Code; ~~or~~

1-28 (B) a school-based health center established
1-29 under Subchapter B, Chapter 38, Education Code; or

1-30 (C) a community health center as defined by
1-31 Section 136.002, Human Resources Code.

1-32 (c) A dental hygienist may only ~~not~~ perform [~~a second set~~
1-33 ~~of~~] delegated tasks or procedures with respect to a patient for six
1-34 months unless ~~until~~ the patient has been examined by a dentist in
1-35 compliance with Section 262.151(a)(2).

1-36 (e) The [~~nursing~~] facility under Subsection (a)(2) ~~or~~
1-37 ~~school-based health center~~ shall note each delegated service,
1-38 task, or procedure performed by the dental hygienist under this
1-39 section in the patient's medical records.

1-40 SECTION 3. Section 262.152, Occupations Code, is amended to
1-41 read as follows:

1-42 Sec. 262.152. PERFORMANCE OF DELEGATED DUTIES. Except as
1-43 provided by Section 262.1515, a [A] dental hygienist shall practice
1-44 dental hygiene:

1-45 (1) in the dental office of a supervising dentist
1-46 licensed by the board; or

1-47 (2) in an alternate setting, including a nursing home,
1-48 the patient's home, a school, a hospital, a state institution, a
1-49 public health clinic, or another institution, under the supervision
1-50 of a supervising dentist.

1-51 SECTION 4. This Act takes effect September 1, 2009.

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