

By: Van de Putte

S.B. No. 97

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of a dental hygienist to provide services
3 in certain facilities.

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

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

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

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

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

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

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

19 (A) a nursing facility as defined in Section
20 242.301, Health and Safety Code; [~~or~~]

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

23 (C) a community health center as defined by
24 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.