

1-1 By: Van de Putte S.B. No. 97
1-2 (In the Senate - Filed November 10, 2008; February 10, 2009,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; April 24, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 24, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 97 By: Uresti

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the authority of a dental hygienist to provide services
1-11 in certain facilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. The heading to Section 262.1515, Occupations
1-14 Code, is amended to read as follows:

1-15 Sec. 262.1515. DELEGATION OF DUTIES TO DENTAL HYGIENIST
1-16 PRACTICING IN CERTAIN [~~LONG-TERM CARE~~] FACILITIES [~~AND~~
1-17 ~~SCHOOL-BASED HEALTH CENTERS~~].

1-18 SECTION 2. Subsections (a), (c), and (e), Section 262.1515,
1-19 Occupations Code, are amended to read as follows:

1-20 (a) A licensed dentist may delegate a service, task, or
1-21 procedure, pursuant to this section, to a dental hygienist, without
1-22 complying with Section 262.151(a)(2) if:

1-23 (1) the dental hygienist has at least two years'
1-24 experience in the practice of dental hygiene; and

1-25 (2) the service, task, or procedure is performed in
1-26 one of the following locations:

1-27 (A) a nursing facility as defined in Section
1-28 242.301, Health and Safety Code; ~~or~~

1-29 (B) a school-based health center established
1-30 under Subchapter B, Chapter 38, Education Code; or

1-31 (C) a community health center as defined by
1-32 Section 136.002, Human Resources Code.

1-33 (c) A dental hygienist may only ~~not~~ perform [~~a second set~~
1-34 ~~of~~] delegated tasks or procedures with respect to a patient for six
1-35 months unless ~~until~~ the patient has been examined by a dentist in
1-36 compliance with Section 262.151(a)(2).

1-37 (e) The [~~nursing~~] facility under Subsection (a)(2) ~~or~~
1-38 ~~school-based health center~~ shall note each delegated service,
1-39 task, or procedure performed by the dental hygienist under this
1-40 section in the patient's medical records.

1-41 SECTION 3. Section 262.152, Occupations Code, is amended to
1-42 read as follows:

1-43 Sec. 262.152. PERFORMANCE OF DELEGATED DUTIES. Except as
1-44 provided by Section 262.1515, a [A] dental hygienist shall practice
1-45 dental hygiene:

1-46 (1) in the dental office of a supervising dentist
1-47 licensed by the board; or

1-48 (2) in an alternate setting, including a nursing home,
1-49 the patient's home, a school, a hospital, a state institution, a
1-50 public health clinic, or another institution, under the supervision
1-51 of a supervising dentist.

1-52 SECTION 4. This Act takes effect September 1, 2009.

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