

BILL ANALYSIS

Senate Research Center
84R689 SLB-D

S.B. 571
By: Rodríguez
Health & Human Services
3/25/2015
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since 1971, dental hygienists have been permitted to administer local anesthesia under the supervision of dentists in other states. Currently, 44 states and the District of Columbia allow registered dental hygienists with an associate degree to administer local anesthesia; no issues of public safety have arisen in these states. The ability to administer local anesthesia allows a dental hygienist to provide complete, compassionate care for patients experiencing pain.

S.B. 571 amends current law relating to the acts a dentist may delegate to a dental hygienist include the administration of a local anesthetic agent. Passage of S.B. 571 would offer several benefits, including less time for patients in the dental chair, giving dentists the ability to see more patients and focus on complicated procedures, and allowing hygienists in the military and those moving from other states to practice to the top of their license.

As proposed, S.B. 571 amends current law relating to the regulation of the practice of dental hygiene.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Dental Examiners in SECTION 3 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 258.001, Occupations Code, as follows:

Sec. 258.001. New heading: DELEGATIONS. (a) Creates this subsection from existing text and makes a nonsubstantive change.

(b) Authorizes a dentist to delegate the authority to an individual to administer a local anesthetic agent, inhalation sedative agent, parenteral sedative agent, or general anesthetic agent if the individual is licensed as:

(1) a dentist, with a permit issued by the Texas State Board of Dental Examiners (TSBDE) for the procedure being performed if a permit is required;

(2) a certified registered nurse anesthetist licensed by the Texas Board of Nursing, only if the delegating dentist holds a permit issued by TSBDE for the procedure being performed if a permit is required;

(3) a physician anesthesiologist licensed by the Texas Medical Board; or

(4) a dental hygienist, only if the procedure is the administration of a local anesthetic agent under Section 262.002(a)(6) and the dental hygienist fulfills certain criteria as set forth.

Makes nonsubstantive changes.

SECTION 2. Amends Section 262.002, Occupations Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Provides that a person practices dental hygiene if the person:

(1)-(4) Makes no change to these subdivisions;

(5) Makes a nonsubstantive change;

(6) administers intraoral, block, or infiltration anesthesia under the authorization and supervision of a dentist; and

(7) Creates this subdivision from existing text and makes no further change.

(c) Prohibits a dental hygienist from establishing an independent practice to provide services authorized by this subtitle.

SECTION 3. (a) Requires TSBDE, not later than January 1, 2016, to:

(1) prescribe by rule the requirements for a course to train dental hygienists to administer local anesthetic agents; and

(2) develop a procedure for the approval of courses described by Subdivision (1) of this subsection.

(b) Requires that a rule adopted under Subsection (a) of this section require that a course is accredited by the Commission on Dental Accreditation of the American Dental Association and offered in a classroom setting at an educational institution.

SECTION 4: Effective date: September 1, 2015.