

IN THE SENATE

SENATE BILL NO. 1291

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-903, IDAHO CODE, TO REVISE THE DEFINITIONS OF "DENTAL ASSISTANT," "DENTAL SPECIALIST" AND AN "EXTENDED ACCESS ORAL HEALTH CARE PROGRAM" AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-903, Idaho Code, be, and the same is hereby amended to read as follows:

54-903. GENERAL DEFINITIONS. As used in this chapter:

(1) "Association" means the Idaho state dental association and the Idaho dental hygienists' association.

(2) "Board" means the state board of dentistry.

(3) "Conviction" or "convicted" means a finding of guilt by a judge or jury, an entry of a guilty plea by a defendant and its acceptance by the court, a forfeiture of a bail bond or collateral deposited to secure a defendant's appearance, a judgment of conviction, a suspended sentence, probation, or a withheld judgment.

(4) "Dental assistant" is a person who need not be licensed under this chapter, but who is regularly employed ~~by a dentist~~ at his a dental office, who works under ~~the a dentist's~~ supervision, and is adequately trained and qualified according to standards established by the board to perform the dental services permitted to be performed by assistants by this chapter and applicable rules of the board.

(5) "Dental hygienist" is a person both qualified and licensed by the laws of Idaho to practice dental hygiene.

(6) "Dental specialist" is a dentist who limits ~~his~~ practice to a specialty recognized by the American dental association, who has graduated from a board-approved postgraduate program in ~~his the dentist's~~ specialty and is a person both qualified and licensed by the laws of Idaho to practice a dental specialty.

(7) "Dentist" is a person both qualified and licensed by the laws of Idaho to practice dentistry.

(8) "Direct supervision" is supervision of a dental assistant or dental hygienist requiring that a dentist diagnose the condition to be treated, that a dentist authorize the procedure to be performed, that a dentist remain in the dental office while the procedure is performed, and that before dismissal of the patient, a dentist approves the work performed by the dental assistant or dental hygienist.

(9) "Extended access oral health care program" means and includes:

(a) Dental and dental hygiene treatment and services provided as part of a program conducted by or through a ~~local~~ school district, county, state or federal agency, hospital, long-term care facility, public

1 health district, dental or dental hygiene school, tribal clinic, or
 2 ~~migrant~~ federally qualified health center; or

3 ~~(b) such other~~ Oral health care programs approved ~~on an annual basis~~ by
 4 the board and conducted by or through a nonprofit public or private en-
 5 tity, ~~recognized under~~ organized in accordance with section 501(c) (3)
 6 or 501(c) (4) of the federal Internal Revenue Code, to that provide free
 7 ~~or reduced fee dental and or~~ dental hygiene services to persons who, due
 8 to age, infirmity, indigence, ~~or~~ disability or other similar reason,
 9 ~~are may be~~ unable to receive regular dental and dental hygiene treatment
 10 ~~in a private office.~~ The board may require reapproval of the oral health
 11 care programs on an annual basis or at such other times as may be deemed
 12 by the board to be necessary or appropriate.

13 (10) "General supervision" is supervision of a dental assistant or den-
 14 tal hygienist requiring that a dentist authorize the procedure which is car-
 15 ried out, but not requiring that a dentist be in the office when the autho-
 16 rized procedure is performed.

17 (11) "Indirect supervision" is supervision of a dental assistant or
 18 dental hygienist requiring that a dentist authorize a procedure and that a
 19 dentist be in the dental office while the procedure is performed by the as-
 20 sistant or hygienist.