

HOUSE No. 249**The Commonwealth of Massachusetts**

PRESENTED BY:

William Smitty Pignatelli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing an advanced dental hygiene practitioner level of practice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/14/2015</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>8/21/2019</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>1/29/2015</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/3/2015</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>	<i>2/4/2015</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>1/28/2015</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>2/3/2015</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>2/3/2015</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>8/21/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>8/21/2019</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	<i>8/21/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>8/21/2019</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>8/21/2019</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	<i>8/21/2019</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>8/21/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>8/21/2019</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>8/21/2019</i>

HOUSE No. 249

By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 249) of William Smitty Pignatelli and others relative to the occupation of advanced dental hygiene practitioner. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act establishing an advanced dental hygiene practitioner level of practice.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the Massachusetts General Laws, as appearing in the 2010
2 Official Edition, is hereby amended in Section 43A by adding the following definition:-

3 “Advanced Dental Hygiene Practitioner,” a dental hygienist who is a graduate of a
4 registered dental practitioner education program of not more than 18 months provided by an
5 accredited post secondary institution, who has been certified by the Board to practice as an
6 advanced dental hygiene practitioner pursuant to section 51B; and who provides oral health care
7 services, including preventive, oral evaluation and assessment, educational, palliative,
8 therapeutic, and restorative services as authorized under section 51B.

9 SECTION 2. Section 51 of Chapter 112 of The Massachusetts General Laws, as
10 appearing in the 2010 Official Edition, is hereby amended by inserting after the final paragraph
11 the following:-

Any licensed dental hygienist of good moral character, who is a graduate of a registered dental practitioner education program of 12-18 months that is provided by an accredited post secondary institution comprised of a curriculum approved by the state Department of Higher Education; pass a comprehensive, competency-based clinical examination that is approved by the Board and administered independently of an institution providing registered dental practitioner education; have practiced under direct supervision of a supervising dentist for at least 500 hours before practicing under general supervision; and obtain a policy of professional liability insurance and show proof of such insurance as required by rules and regulations, shall be registered as an advanced dental hygiene practitioner and be given a certificate allowing the hygienist to practice in this capacity.

Before performing a procedure or providing a service under this paragraph, an advanced dental hygiene practitioner shall enter into a written collaborative agreement with a local or state government agency or institution or with a licensed dentist who states that he shall be able to provide the appropriate level of communication and consultation with the advanced dental hygiene practitioner to ensure patient health and safety. The Board shall establish appropriate guidelines for this written collaborative agreement.

An advanced dental hygiene practitioner certified by the Board may perform all acts of a public health dental hygienist, as well as the following services and procedures pursuant to the written collaborative management agreement without the supervision or direction of a dentist: oral health instruction and disease prevention education, including nutritional counseling and dietary analysis; charting of the oral cavity; exposing and interpreting radiographs; mechanical polishing; application of topical preventive or prophylactic agents, including fluoride varnishes and pit and fissure sealants; pulp vitality testing; application of desensitizing medication or resin;

fabrication of athletic mouthguards; placement of temporary restorations; fabrication of soft occlusal guards; tissue conditioning and soft reline; atraumatic restorative therapy; dressing changes; tooth reimplantation; administration of local anesthetic; emergency palliative treatment of dental pain; the placement and removal of space maintainers; cavity preparation; restoration of primary and permanent teeth; placement of temporary crowns; preparation and placement of preformed crowns; and pulpotomies on primary teeth; indirect and direct pulp capping on primary and permanent teeth; stabilization of reimplanted teeth; extractions of primary teeth; suture removal; brush biopsies; repair of defective prosthetic devices; recementation of permanent crowns; an oral evaluation and assessment of dental disease and the formulation of an individualized treatment plan authorized by the collaborating dentist; and; nonsurgical extractions of permanent teeth as limited in the following paragraph.

An advanced dental hygiene practitioner shall not perform any service or procedure described in this section except as authorized by the collaborating dentist. An advanced dental hygiene practitioner may perform nonsurgical extractions of periodontally diseased permanent teeth with tooth mobility of +3 to +4 under general supervision if authorized in advance by the collaborating dentist. The advanced dental hygiene practitioner shall not extract a tooth for any patient if the tooth is unerupted, impacted, fractured, or needs to be sectioned for removal. The collaborating dentist is responsible for directly providing or arranging for another dentist or specialist to provide any necessary advanced services needed by the patient. An advanced dental hygiene practitioner in accordance with the written collaborative agreement must refer patients to another qualified dental or health care professional to receive any needed services that exceed the scope of practice of the advanced dental hygiene practitioner. A written collaborative agreement entered into with an advanced dental hygiene practitioner must include specific written protocols

to govern situations in which the advanced dental hygiene practitioner encounters a patient who requires treatment that exceeds the authorized scope of practice of the advanced dental hygiene practitioner. The collaborating dentist must ensure that a dentist is available to the advanced dental hygiene practitioner for timely consultation during treatment if needed and must either provide or arrange with another dentist or specialist to provide the necessary treatment to any patient who requires more treatment than the advanced dental hygiene practitioner is authorized to provide.

An advanced dental hygiene practitioner may provide, dispense, and administer the following medications within the parameters of the written collaborative agreement, within the scope of practice of the advanced dental hygiene practitioner, and with the authorization of the collaborating dentist: analgesics, anti-inflammatories, and antibiotics. The authority to provide, dispense, and administer shall extend only to the categories of drugs identified in this subdivision, and may be further limited by the written collaborative agreement. The authority to dispense includes the authority to dispense sample drugs within the categories identified in this paragraph if dispensing is permitted by the written collaborative agreement. An advanced dental hygiene practitioner is prohibited from providing, dispensing, or administering a narcotic drug.

Advanced dental hygiene practitioners shall be directly reimbursed for services covered by Medicaid or the commonwealth care health insurance program. An advanced dental hygiene practitioner shall not operate independently of a dentist, except for an advanced dental hygiene practitioner working for a local or state government agency or institution or practicing in a mobile or portable prevention program licensed or certified by the department of public health.

79 A licensed advanced dental hygiene practitioner may supervise dental assistants to the
80 extent permitted in the collaborative management agreement and according to section 51 ½.

81 The Board of Registration in Dentistry, in consultation with the Executive Office of
82 Health and Human Services, shall develop an evaluation process that focuses on assessing the
83 impact of advanced dental hygiene practitioners in terms of patient safety, cost-effectiveness, and
84 access to dental services. The process shall focus on the following outcome measures: (1)
85 number of new patients served; (2) reduction in waiting times for needed services; (3) decreased
86 travel time for patients; (4) impact on emergency room usage for dental care; and (5) costs to the
87 public health care system.