

By: Representative Massengill

To: Public Health and Human Services

HOUSE BILL NO. 1330

1 AN ACT TO AMEND SECTION 73-9-5, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE LICENSED DENTAL HYGIENISTS TO PROVIDE SERVICES TO
3 PATIENTS UNDER THE GENERAL SUPERVISION OF LICENSED DENTISTS UNDER
4 CERTAIN CONDITIONS; TO PROVIDE DEFINITIONS; TO CLARIFY THAT DENTAL
5 ASSISTANTS SHALL CONTINUE TO PRACTICE ONLY UNDER THE DIRECT
6 SUPERVISION OF A LICENSED DENTIST; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 73-9-5, Mississippi Code of 1972, is
9 amended as follows:

10 73-9-5. (1) For the purpose of this chapter, a dental
11 hygienist * * * is an individual who has * * * graduated from a
12 dental hygiene program accredited by the American Dental
13 Association's Commission on Dental Accreditation (CODA) and is
14 licensed by the State Board of Dental Examiners to provide, as an
15 auxiliary to the dentist, preventive educational and therapeutic
16 services including the removal of all hard and soft deposits to
17 the depth of the gingival sulcus, polishing natural and restored
18 surfaces of teeth, performing clinical, photographic,
19 radiographic, and periodontal examination and documentation of
20 teeth and surrounding tissues, for diagnosis by the dentist, and



21 performing other procedures that may be delegated by the dentist,
22 under the supervision of a licensed dentist.

23 (2) * * * No person shall practice dental hygiene in a
24 manner that is separate or independent from a supervising dentist,
25 or establish or maintain an office or a practice that is primarily
26 devoted to the provision of dental hygiene services.

27 (3) * * * Under the general supervision of a licensed
28 dentist, a dental hygienist may provide to patients, for not more
29 than fifteen (15) consecutive business days, all other dental
30 hygiene services not otherwise limited to the direct supervision
31 of a licensed dentist by the rules adopted by the board, if all of
32 the following requirements are met:

33 (a) The dental hygienist has at least sixteen hundred
34 (1600) hours, one (1) year, full time, or an equivalent amount of
35 experience practicing dental hygiene;

36 (b) The dental hygienist complies with written
37 protocols for emergencies that the supervising dentist
38 establishes;

39 (c) The supervising dentist examined the patient not
40 more than eleven (11) months before the date that the dental
41 hygienist provides the dental hygiene services;

42 (d) The dental hygienist provides dental hygiene
43 services to the patient in accordance with a written treatment
44 plan developed by the supervising dentist for the patient;



45 (e) The patient is notified in advance of the
46 appointment that the supervising dentist will be absent from the
47 location and that the dental hygienist cannot diagnose the
48 patient's dental health care status; and

49 (f) The dental hygienist provides to the State Board of
50 Dental Examiners proof of current professional liability insurance
51 coverage.

52 (4) For the purpose of this chapter, the work of dental
53 assistants while working in the office of a regularly licensed and
54 registered dentist shall at all times be under the direct
55 supervision of the dentist, such supervision to be defined by the
56 board as set forth in its rules and regulations.

57 (5) Dental hygienists in the employ of the State Board of
58 Health or public school boards shall be limited to only performing
59 oral hygiene instruction and screening when under the general
60 supervision and direction of regularly licensed and registered
61 dentists. Dental hygienists recognized by the Board of Dental
62 Examiners when making public demonstrations of dental hygiene for
63 educational purposes shall be under the general supervision and
64 direction of regularly licensed and registered dentists.

65 **SECTION 2.** This act shall take effect and be in force from
66 and after July 1, 2018.

