

By: Representative Felsher

To: Public Health and Human  
Services

## HOUSE BILL NO. 1062

1 AN ACT TO AMEND SECTION 73-9-5, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE LICENSED DENTAL HYGIENISTS TO PROVIDE DENTAL HYGIENE  
3 SERVICES TO PATIENTS FOR UP TO TEN CONSECUTIVE BUSINESS DAYS UNDER  
4 THE GENERAL SUPERVISION OF LICENSED DENTISTS UNDER CERTAIN  
5 CONDITIONS; TO PROHIBIT THE PRACTICE OF DENTAL HYGIENE IN A MANNER  
6 THAT IS SEPARATE OR INDEPENDENT FROM A SUPERVISING DENTIST, AND  
7 PROHIBIT ESTABLISHING OR MAINTAINING AN OFFICE OR A PRACTICE THAT  
8 IS PRIMARILY DEVOTED TO THE PROVISION OF DENTAL HYGIENE SERVICES;  
9 TO PROVIDE THAT A DENTIST MAY NOT SUPERVISE MORE THAN THREE DENTAL  
10 HYGIENISTS UNDER GENERAL SUPERVISION AT ANY ONE TIME; TO PROVIDE  
11 THAT A DENTIST MAY NOT SUPERVISE A DENTAL HYGIENIST FOR MORE THAN  
12 TEN CONSECUTIVE BUSINESS DAYS OR FOR MORE THAN TWENTY-FOUR TOTAL  
13 DAYS IN ANY CALENDAR YEAR; TO PROVIDE THAT A PATIENT MAY NOT BE  
14 SEEN TWICE CONSECUTIVELY UNDER GENERAL SUPERVISION; TO PROVIDE  
15 THAT AN EXAMINATION FEE MUST NOT BE CHARGED IF A PATIENT IS SEEN  
16 UNDER GENERAL SUPERVISION; AND FOR RELATED PURPOSES.

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

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

20 73-9-5. (1) For the purpose of this chapter, a dental  
21 hygienist shall be an individual who has completed an accredited  
22 dental hygiene education program, passed the national dental  
23 hygiene board and is licensed by the State Board of Dental  
24 Examiners to provide, as an auxiliary to the dentist, preventive  
25 care services including, but not limited to, scaling and



26 polishing. In fulfilling these services, dental hygienists  
27 provide treatment that helps to prevent oral disease such as  
28 dental caries and periodontal disease and for educating patients  
29 in prevention of these and other dental problems.

30 (2) \* \* \* No person shall practice dental hygiene in a  
31 manner that is separate or independent from a supervising dentist,  
32 or establish or maintain an office or a practice that is primarily  
33 devoted to the provision of dental hygiene services.

34 (3) \* \* \* Under general supervision, a dental hygienist may  
35 provide to patients of record, for not more than ten (10)  
36 consecutive business days, all dental hygiene services (except the  
37 administration of nitrous oxide inhalation or local anesthesia,  
38 which must be under direct supervision) if all of the following  
39 conditions are satisfied:

40 (a) The dental hygienist has practiced dental hygiene  
41 in the State of Mississippi for a minimum of five (5) years, such  
42 five-year period having been determined by the board as equivalent  
43 to a minimum of six thousand (6,000) hours of dental hygiene  
44 practice;

45 (b) The dental hygienist has current CPR certification  
46 and complies with the established protocols for emergencies that  
47 the supervising dentist has established;

48 (c) The supervising dentist examined the patient of  
49 record not more than seven (7) months before the date that the  
50 dental hygienist provides the dental hygiene services;



51           (d) The dental hygienist provides dental hygiene  
52 services to the patient of record in accordance with a written  
53 treatment protocol prescribed by the supervising dentist for the  
54 patient;

55           (e) The patient of record is notified in advance of the  
56 appointment that the supervising dentist will be absent from the  
57 location;

58           (f) No licensed dental hygienist, under general  
59 supervision, may delegate or supervise any dental hygiene duties  
60 for a dental assistant; and

61           (g) The supervising dentist is responsible for all  
62 actions of the dental hygienist during treatment of patients under  
63 general supervision.

64           (4) The following limitations also apply to the practice of  
65 dental hygiene under general supervision:

66           (a) No entity may employ dental hygienists to provide  
67 treatment for patients of record under general supervision other  
68 than:

69                   (i) A nonprofit entity that meets the statutory,  
70 regulatory and program requirements for grantees supported by the  
71 Public Health Service and that has supervision by a Mississippi  
72 licensed dentist; or

73                   (ii) An office owned by a dentist or group of  
74 dentists licensed in Mississippi.



75           (b) No duly licensed and registered dentist shall  
76 supervise more than three (3) dental hygienists under general  
77 supervision at any one time.

78           (c) No duly licensed and registered dentist shall  
79 supervise a dental hygienist for more than ten (10) consecutive  
80 business days or for more than twenty-four (24) total days in any  
81 calendar year.

82           (d) No patient may be seen twice consecutively under  
83 general supervision.

84           (e) An examination fee must not be charged if a patient  
85 is seen under general supervision.

86           (f) The patient undergoing dental hygiene services  
87 under general supervision must be a minimum of eighteen (18) years  
88 of age, and either ASA Class I or ASA Class II as defined by the  
89 American Society of Anesthesiologist Physical Status  
90 Classification System.

91           (5) Notwithstanding the above subsections of this section, a  
92 dental hygienist licensed in Mississippi may perform radiographs,  
93 oral prophylaxis, and place fluoride varnish without a Mississippi  
94 licensed dentist being physically present in the office if all of  
95 the other conditions of this section are met.

96           **SECTION 2.** This act shall take effect and be in force from  
97 and after July 1, 2025.

