

By: Representative Felsher

To: Public Health and Human  
ServicesHOUSE BILL NO. 1062  
(As Passed the House)

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; TO AUTHORIZE THE BOARD OF DENTAL  
17 EXAMINERS TO ASSESS THE NEED FOR DENTAL HYGIENE SERVICES IN  
18 NURSING FACILITIES AND CORRECTIONAL FACILITIES AND AUTHORIZE THE  
19 GENERAL SUPERVISION OF DENTAL HYGIENISTS IN THOSE FACILITIES,  
20 PROVIDED THAT SUCH DENTAL HYGIENE SERVICES ARE PROVIDED IN  
21 ACCORDANCE WITH ALL OF THE CONDITIONS OF THIS SECTION; AND FOR  
22 RELATED PURPOSES.

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

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

26 73-9-5. (1) For the purpose of this chapter, a dental  
27 hygienist shall be an individual who has completed an accredited  
28 dental hygiene education program, passed the national dental



hygiene board and is licensed by the State Board of Dental  
Examiners to provide, as an auxiliary to the dentist, preventive  
care services including, but not limited to, scaling and  
polishing. In fulfilling these services, dental hygienists  
provide treatment that helps to prevent oral disease such as  
dental caries and periodontal disease and for educating patients  
in prevention of these and other dental problems.

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

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

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

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



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

57           (d) The dental hygienist provides dental hygiene  
58 services to the patient of record in accordance with a written  
59 treatment protocol prescribed by the supervising dentist for the  
60 patient;

61           (e) The patient of record is notified in advance of the  
62 appointment that the supervising dentist will be absent from the  
63 location;

64           (f) No licensed dental hygienist, under general  
65 supervision, may delegate or supervise any dental hygiene duties  
66 for a dental assistant; and

67           (g) The supervising dentist is responsible for all  
68 actions of the dental hygienist during treatment of patients under  
69 general supervision.

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

72           (a) No entity may employ dental hygienists to provide  
73 treatment for patients of record under general supervision other  
74 than:

75           (i) A nonprofit entity that meets the statutory,  
76 regulatory and program requirements for grantees supported by the  
77 Public Health Service and that has supervision by a Mississippi  
78 licensed dentist; or



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

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

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

88                   (d) No patient may be seen twice consecutively under  
89 general supervision.

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

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

97                   (5) Notwithstanding the above subsections of this section, a  
98 dental hygienist licensed in Mississippi may perform radiographs,  
99 oral prophylaxis, and place fluoride varnish without a Mississippi  
100 licensed dentist being physically present in the office if all of  
101 the other conditions of this section are met.

102                   (6) The board shall be authorized to assess the need for  
103 dental hygiene services in nursing facilities and correctional



104 facilities and authorize the general supervision of dental  
105 hygienists in those facilities, provided that such dental hygiene  
106 services are provided in accordance with all of the conditions of  
107 this section.

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

