

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.

