

By: Senator(s) DeBar

To: Public Health and
Welfare

SENATE BILL NO. 2668

1 AN ACT TO AMEND SECTION 73-9-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A DENTAL HYGIENIST MAY WORK UNDER GENERAL SUPERVISION
3 OF A DENTIST IN A LICENSED NURSING HOME, INSTITUTION FOR THE AGED
4 OR INFIRM, PUBLIC OR PRIVATE PRISON, DETENTION CENTER OR
5 CORRECTIONAL FACILITY IF THE HYGIENIST MEETS CERTAIN REQUIREMENTS;
6 TO PROVIDE THAT A DENTAL HYGIENIST WHO QUALIFIES UNDER THIS ACT
7 SHALL HAVE NO LIMIT ON THE NUMBER OF DAYS THAT THE HYGIENIST MAY
8 WORK UNDER GENERAL SUPERVISION, BUT SHALL ADHERE TO ALL OTHER
9 RESTRICTIONS SET FORTH IN STATUTE OR OTHERWISE REQUIRED BY THE
10 STATE BOARD OF DENTAL EXAMINERS; TO AUTHORIZE SUCH DENTAL
11 HYGIENISTS TO PERFORM CERTAIN FUNCTIONS WHILE UNDER THE GENERAL
12 SUPERVISION OF DENTISTS; TO PROVIDE THAT A DENTIST MAY ONLY
13 SUPERVISE A MAXIMUM OF SIX DENTAL HYGIENISTS AT A LICENSED NURSING
14 HOME, INSTITUTION FOR THE AGED OR INFIRM, PUBLIC OR PRIVATE
15 PRISON, DETENTION CENTER OR CORRECTIONAL FACILITY; TO SET CERTAIN
16 REQUIREMENTS OF DENTAL HYGIENISTS AND DENTISTS; TO PROVIDE THAT
17 THIS ACT SHALL NOT BE CONSTRUED TO ALLOW A DENTAL HYGIENIST TO
18 DIAGNOSE A PATIENT'S CONDITION; AND FOR RELATED PURPOSES.

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

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

22 73-9-5. (1) For the purpose of this chapter, a dental
23 hygienist shall be an individual who has completed an accredited
24 dental hygiene education program, passed the national dental
25 hygiene board and is licensed by the State Board of Dental
26 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) The work of dental hygienists and dental assistants while working in the office of a regularly licensed and registered dentist shall at all times be under the direct supervision of the dentist, except as provided in subsection (4) of this section.

Dental hygienists in the employ of the State Board of Health or public school boards shall be limited to only performing oral hygiene instruction and screening when under the general supervision and direction of regularly licensed and registered dentists. Dental hygienists recognized by the Board of Dental Examiners when making public demonstrations of dental hygiene for educational purposes shall be under the general supervision and direction of regularly licensed and registered dentists.

(3) The Board of Dental Examiners may prohibit any dental hygienist or other auxiliary personnel from rendering service that it feels is not in the best interest of the public welfare.

(4) (a) Notwithstanding the limits in subsection (2) of this section on dental hygienists working under general supervision, a dental hygienist may work under the general supervision of a dentist in a licensed nursing home as defined by Section 73-17-5 or institutions for the aged or infirm as defined



by Section 43-11-1, hereinafter referred to collectively as
"nursing homes," and in a public or private prison, detention
center or correctional facility, hereinafter collectively referred
to as "correctional facilities," if:

(i) The dental hygienist has at least four (4)
years of full-time practice of dental hygiene;

(ii) The dental hygienist is supervised by a
Mississippi licensed dentist;

(iii) The dental hygienist has taken six (6) hours
of continuing education on medical emergencies within the last two
(2) years or during the hygienist's last preceding licensure
cycle;

(iv) The dental hygienist has current CPR
certification;

(v) The supervising dentist has examined the
patient prior to work being done by the dental hygienist, and
subsequently, the patient is examined by the supervising dentist
at least in nine-month intervals; and

(vi) The dental hygienist complies with emergency
protocols established by the supervising dentist and by the
nursing home or correctional facility.

(b) A dental hygienist who qualifies under this
subsection shall have no limit on the number of days the
hygienists may work under general supervision in a nursing home or
correctional facility, but shall adhere to all of the other



77 restrictions and requirements set forth in statute or by the State
78 Board of Dental Examiners pertaining to hygienists.

79 (c) A dental hygienist practicing under general
80 supervision in accordance with this subsection may only perform
81 the following functions under general supervision:

82 (i) Oral prophylaxis and assessment;

83 (ii) Fluoride treatment;

84 (iii) Silver diamine fluoride treatment; and

85 (iv) Oral hygiene instruction and education.

86 (d) A dentist may supervise a maximum of six (6) dental
87 hygienists working at a nursing home or a correctional facility.

88 (e) A Mississippi licensed dentist shall examine,
89 diagnose and create a treatment plan for a patient prior to a
90 dental hygienist performing services under general supervision.
91 The dental hygienist shall notify the supervising dentist of any
92 emergent condition encountered during treatment and note the
93 emergent condition on the patient's file. This section shall not
94 be construed to allow a dental hygienist to diagnose a patient's
95 condition.

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

