

Senate Amendments to House Bill No. 1062

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

25 73-9-5. (1) For the purpose of this chapter, a dental
26 hygienist shall be an individual who has completed an accredited
27 dental hygiene education program, passed the national dental
28 hygiene board and is licensed by the State Board of Dental
29 Examiners to provide, as an auxiliary to the dentist, preventive
30 care services including, but not limited to, scaling and
31 polishing. In fulfilling these services, dental hygienists
32 provide treatment that helps to prevent oral disease such as
33 dental caries and periodontal disease and for educating patients
34 in prevention of these and other dental problems.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

101 (6) The board shall be authorized to assess the need for
102 dental hygiene services in nursing facilities and correctional
103 facilities and authorize the general supervision of dental
104 hygienists in those facilities, provided that such dental hygiene
105 services are provided in accordance with all of the conditions of
106 this section.

107 **SECTION 2.** This act shall take effect and be in force from
108 and after July 1, 2025, and shall stand repealed on June 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 24 TOTAL DAYS IN
13 ANY CALENDAR YEAR; TO PROVIDE THAT A PATIENT MAY NOT BE SEEN TWICE
14 CONSECUTIVELY UNDER GENERAL SUPERVISION; TO PROVIDE THAT AN
15 EXAMINATION FEE MUST NOT BE CHARGED IF A PATIENT IS SEEN UNDER
16 GENERAL SUPERVISION; TO AUTHORIZE THE BOARD OF DENTAL EXAMINERS TO
17 ASSESS THE NEED FOR DENTAL HYGIENE SERVICES IN NURSING FACILITIES
18 AND CORRECTIONAL FACILITIES AND AUTHORIZE THE GENERAL SUPERVISION
19 OF DENTAL HYGIENISTS IN THOSE FACILITIES, PROVIDED THAT SUCH
20 DENTAL HYGIENE SERVICES ARE PROVIDED IN ACCORDANCE WITH ALL OF THE
21 CONDITIONS OF THIS SECTION; AND FOR RELATED PURPOSES.

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Amanda White
Secretary of the Senate