

By: Senator(s) Parker

To: Public Health and Welfare

SENATE BILL NO. 2376

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 IF THE HYGIENIST MEETS  
 4 CERTAIN REQUIREMENTS; TO PROVIDE THAT A DENTAL HYGIENIST WHO  
 5 QUALIFIES UNDER THIS ACT SHALL HAVE NO LIMIT ON THE NUMBER OF DAYS  
 6 THAT THE HYGIENIST MAY WORK UNDER GENERAL SUPERVISION BUT SHALL  
 7 ADHERE TO ALL OTHER RESTRICTIONS SET FORTH IN STATUTE OR OTHERWISE  
 8 REQUIRED BY THE STATE BOARD OF DENTAL EXAMINERS; TO AUTHORIZE SUCH  
 9 DENTAL HYGIENISTS TO PERFORM CERTAIN FUNCTIONS WHILE UNDER THE  
 10 GENERAL SUPERVISION OF DENTISTS; TO PROVIDE THAT A DENTIST MAY  
 11 ONLY SUPERVISE A MAXIMUM OF SIX DENTAL HYGIENISTS AT A LICENSED  
 12 NURSING HOME; TO SET CERTAIN REQUIREMENTS OF DENTAL HYGIENISTS AND  
 13 DENTISTS; TO PROVIDE THAT THIS ACT SHALL NOT BE CONSTRUED TO ALLOW  
 14 A DENTAL HYGIENIST TO DIAGNOSE A PATIENT'S CONDITION; AND FOR  
 15 RELATED PURPOSES.

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

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

19 73-9-5. (1) For the purpose of this chapter, a dental  
 20 hygienist shall be an individual who has completed an accredited  
 21 dental hygiene education program, passed the national dental  
 22 hygiene board and is licensed by the State Board of Dental  
 23 Examiners to provide, as an auxiliary to the dentist, preventive  
 24 care services including, but not limited to, scaling and



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

29 (2) The work of dental hygienists and dental assistants  
30 while working in the office of a regularly licensed and registered  
31 dentist shall at all times be under the direct supervision of the  
32 dentist, except as provided in subsection (4) of this section.

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

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

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



49 by Section 43-11-1, hereinafter referred to collectively as  
50 "nursing homes" if:

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

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

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

59 (iv) The dental hygienist has current CPR  
60 certification;

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

65 (vi) The dental hygienist complies with emergency  
66 protocols established by the supervising dentist and by the  
67 licensed nursing home.

68 (b) A dental hygienist who qualifies under this  
69 subsection shall have no limit on the number of days the  
70 hygienists may work under general supervision in a licensed  
71 nursing home but shall adhere to all of the other restrictions and  
72 requirements set forth in statute or by the State Board of Dental  
73 Examiners pertaining to hygienists.



74 (c) A dental hygienist practicing under general  
75 supervision in accordance with this subsection may only perform  
76 the following functions under general supervision:

- 77 (i) Oral prophylaxis and assessment;  
78 (ii) Fluoride treatment;  
79 (iii) Silver diamine fluoride treatment; and  
80 (iv) Oral hygiene instruction and education.

81 (d) A dentist may supervise a maximum of six (6) dental  
82 hygienists working at a licensed nursing home. A Mississippi  
83 licensed dentist shall examine, diagnose and create a treatment  
84 plan for a patient prior to a dental hygienist performing services  
85 under general supervision. The dental hygienist shall notify the  
86 supervising dentist of any emergent condition encountered during  
87 treatment and note the emergent condition on the patient's file.  
88 This section shall not be construed to allow a dental hygienist to  
89 diagnose a patient's condition.

90 **SECTION 2.** This act shall take effect and be in force from  
91 and after July 1, 2024.

