

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 25, 2022

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB22-219 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 7, strike lines 10 through 12 and substitute "THE
2 BOARD PROOF THAT THE APPLICANT SUCCESSFULLY COMPLETED:
3 (a) A CLINICAL EXAMINATION FOR DENTAL THERAPY THAT
4 INCLUDES DENTAL THERAPY RESTORATIVE AND DENTAL HYGIENE
5 CLINICAL SKILL EVALUATION. IF THE APPLICANT HAS PREVIOUSLY
6 SUCCESSFULLY COMPLETED A CLINICAL EXAMINATION FOR DENTAL
7 HYGIENE ADMINISTERED BY A TESTING AGENCY ACCEPTED BY THE BOARD
8 THE APPLICANT MAY BE EXEMPTED FROM THAT PART OF THE DENTAL
9 THERAPY EXAMINATION; AND
10 (b) AN EXAMINATION DESIGNED TO TEST THE APPLICANT'S
11 CLINICAL DENTAL THERAPY SKILLS AND KNOWLEDGE, WHICH MUST BE
12 ADMINISTERED BY A REGIONAL TESTING AGENCY COMPOSED OF AT LEAST
13 FOUR STATES OR AN EXAMINATION OF ANOTHER STATE, OR A
14 METHODOLOGY ADOPTED BY THE BOARD BY RULE THAT IS DESIGNED TO
15 TEST THE APPLICANT'S CLINICAL SKILLS AND KNOWLEDGE."
- 16 Page 7, line 15, strike "ONE YEAR" and substitute "TWO YEARS."
- 17 Page 8, strike line 4 and substitute "DENTIST; EXCEPT THAT THE DENTAL
18 THERAPIST MAY PERFORM THE TASK OR PROCEDURE ONLY UNDER THE
19 SUPERVISION AUTHORIZED UNDER SECTION 12-220-507."
- 20 Page 8, strike lines 8 through 14 and substitute "**requirement - rules.**
21 (1) (a) A DENTAL THERAPIST MAY PERFORM THE FOLLOWING TASKS AND
22 PROCEDURES UNDER THE DIRECT SUPERVISION OF A LICENSED DENTIST:
23 (I) PREPARE AND PLACE DIRECT RESTORATION IN PRIMARY AND
24 PERMANENT TEETH;
25 (II) PERFORM BRUSH BIOPSIES;
26 (III) EXTRACT PERIODONTALLY DISEASED PERMANENT TEETH WITH

1 MOBILITY OF +3 TO +4, EXCEPT FOR TEETH THAT ARE UNERUPTED,
2 IMPACTED, FRACTURED, OR REQUIRE SECTIONING;
3 (IV) EXTRACT BABY TEETH THAT ARE ERUPTED OR NOT IMPACTED
4 WITH RADIOLOGICAL EVIDENCE OF ROOTS;
5 (V) ORAL EXAMINATION, EVALUATION, DIAGNOSIS, AND
6 TREATMENT PLANNING FOR CONDITIONS AND SERVICES THAT ARE WITHIN
7 THE DENTAL THERAPIST'S SCOPE OF PRACTICE AND EDUCATION;
8 (VI) PLACE TEMPORARY CROWNS;
9 (VII) PREPARE AND PLACE PREFORMED CROWNS; AND
10 (VIII) REPAIR DEFECTIVE PROSTHETIC DEVICES.
11 (b) A DENTAL THERAPIST LICENSED PURSUANT TO THIS ARTICLE
12 220 WHO HAS COMPLETED ONE THOUSAND HOURS OR MORE UNDER DIRECT
13 SUPERVISION, OR WHO HAS COMPLETED THE DIRECT SUPERVISION HOURS
14 REQUIRED UNDER THE WAIVER DESCRIBED IN SUBSECTION (1)(e) OF THIS
15 SECTION, MAY PRACTICE THE TASKS AND PROCEDURES IDENTIFIED IN
16 SUBSECTION (1)(a) OF THIS SECTION UNDER THE INDIRECT SUPERVISION OF
17 A LICENSED DENTIST PURSUANT TO A WRITTEN ARTICULATED PLAN WITH
18 THE DENTIST THAT MEETS THE REQUIREMENTS OF SUBSECTION (2) OF THIS
19 SECTION.
20 (c) A DENTAL THERAPIST LICENSED PURSUANT TO THIS ARTICLE".

21 Page 9, strike line 6 and substitute "(1), 12-220-504 (1), AND
22 12-220-505."

23 Page 9, after line 6 insert:

24 "(d) A DENTAL THERAPIST SHALL COMPLETE AT LEAST A MAJORITY
25 OF THE DIRECT SUPERVISION HOURS REQUIRED UNDER SUBSECTION (1)(b)
26 OR (1)(e) PERFORMING THE TASKS AND PROCEDURES IDENTIFIED IN
27 SUBSECTION (1)(a) OF THIS SECTION."

28 Page 9, line 7, strike "(c)" and substitute "(e)".

29 Page 9, strike lines 16 through 21 and substitute:

30 "(2) (a) AN ARTICULATED PLAN BETWEEN A DENTAL THERAPIST
31 AND A DENTIST MUST INCLUDE:"

32 Page 10, strike lines 5 through 16 and substitute:

33 "(b) (I) A DENTIST WHO ENTERS INTO A WRITTEN ARTICULATED"

34 Page 10, after line 27 insert:

1 (c) A WRITTEN ARTICULATED PLAN MUST BE SIGNED BY THE
2 DENTIST AND THE DENTAL THERAPIST.

3 (d) FOR PURPOSES OF THIS SECTION, A WRITTEN ARTICULATED
4 PLAN SATISFIES THE REQUIREMENT OF PRIOR KNOWLEDGE AND CONSENT
5 FOR INDIRECT SUPERVISION."

6 Page 11, line 1, strike "(b) (I)" and substitute "(3) (a)".

7 Page 11, lines 1 and 2, strike "(3)(b)(II) OR (3)(b)(III)" and substitute
8 "(3)(b) OR (3)(c)".

9 Page 11, line 5, strike "(II)" and substitute "(b)".

10 Page 11, line 10, strike "(III)" and substitute "(c)".

11 Page 11, strike lines 14 and 15.

12 Page 11, strike lines 25 through 27.

13 Page 12, strike lines 1 through 16 and substitute:

14 (b) (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(II) OF THIS
15 SECTION, the board consists of seven dentist members, three dental
16 hygienist members, and three members from the public at large. The
17 governor shall appoint each member for a term of four years, and each
18 member must have the qualifications provided in this article 220. No
19 member shall serve more than two consecutive terms of four years. Each
20 board member holds office until the member's term expires or until the
21 governor appoints a successor. THIS SUBSECTION (1)(b)(I) IS REPEALED,
22 EFFECTIVE DECEMBER 1, 2031.

23 (II) (A) EFFECTIVE JULY 1, 2031, THE BOARD CONSISTS OF SEVEN
24 DENTIST MEMBERS, TWO DENTAL THERAPIST MEMBERS, TWO DENTAL
25 HYGIENIST MEMBERS, AND TWO MEMBERS FROM THE PUBLIC AT LARGE.
26 THE GOVERNOR SHALL APPOINT EACH MEMBER FOR A TERM OF FOUR
27 YEARS, AND EACH MEMBER MUST HAVE THE QUALIFICATIONS PROVIDED
28 IN THIS ARTICLE 220. A MEMBER SHALL NOT SERVE MORE THAN TWO
29 CONSECUTIVE TERMS OF FOUR YEARS. EACH BOARD MEMBER HOLDS
30 OFFICE UNTIL THE MEMBER'S TERM EXPIRES OR UNTIL THE GOVERNOR
31 APPOINTS A SUCCESSOR.

32 (B) A MEMBER SERVING ON THE BOARD AS OF JUNE 30, 2031, MAY
33 SERVE THE MEMBER'S FULL TERM."

34 Page 16, line 27, strike "when" and substitute "~~when~~".

1 Page 17, strike lines 1 and 2 and substitute "~~employing unlicensed~~
2 ~~persons in a dental or dental hygiene practice~~ OF UNLICENSED PERSONS IN
3 DENTAL, DENTAL THERAPY, OR DENTAL HYGIENE PRACTICE;"

4 Page 23, line 1, after "(1)(c)," insert "(1)(j), (1)(k),"

5 Page 23, after line 23 insert:

6 (j) Extracts, or attempts to extract, human teeth or corrects, or
7 attempts to correct, malformations of human teeth or jaws; EXCEPT THAT
8 THIS SUBSECTION (1)(j) DOES NOT PROHIBIT A DENTAL THERAPIST FROM
9 PERFORMING TASKS AND PROCEDURES CONSISTENT WITH SECTION
10 12-220-507;

11 (k) Repairs or fills cavities in human teeth; EXCEPT THAT THIS
12 SUBSECTION (1)(k) DOES NOT PROHIBIT A DENTAL THERAPIST FROM
13 PERFORMING TASKS AND PROCEDURES CONSISTENT WITH SECTION
14 12-220-507;"

15 Page 29, line 10, strike "12-220-507 (2)(a)" and substitute "12-220-507
16 (2)".

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