

## HOUSE AMENDMENTS TO HOUSE BILL 3204

By COMMITTEE ON HEALTH CARE

May 1

1 On page 1 of the printed bill, line 2, after “hygienists;” insert “creating new provisions;”.

2 On page 2, delete lines 23 through 45 and delete pages 3 and 4 and insert:

3 “**SECTION 2.** ORS 680.060 is amended to read:

4 “680.060. (1) The Oregon Board of Dentistry may administer written, laboratory or clinical ex-  
5 aminations to test professional knowledge and skills.

6 “(2) The examination shall be sufficiently thorough to test the fitness of the applicant to practice  
7 dental hygiene. It shall include, written in the English language, questions on any subjects pertain-  
8 ing to dental hygiene. The written examination may be supplemented by oral examination. Demon-  
9 strations of the applicant’s skill in clinical dental hygiene also may be required.

10 “(3) The board may accept the results of national standardized examinations in satisfaction of  
11 the written examination as authorized by this section, and shall accept the results of regional test-  
12 ing agencies or of clinical board examinations administered by other states in satisfaction of the  
13 clinical examination authorized under this section, provided:

14 “(a) The test or examination was taken within five years of the date of application; and

15 “(b) The applicant received a passing score on the test or examination as established by the  
16 board by rule.

17 “(4) The board shall accept the results of regional testing agencies or of clinical board exam-  
18 inations administered by other states in satisfaction of the examinations authorized under this sec-  
19 tion for applicants who have engaged in the active practice of dental hygiene in **Oregon**, other  
20 states [*or in*], the Armed Forces of the United States, the United States Public Health Service or  
21 the United States Department of Veterans Affairs for a period of at least 3,500 hours in the five  
22 years immediately preceding application and who meet all other requirements for licensure.

23 “**SECTION 3.** ORS 680.200 is amended to read:

24 “680.200. (1) Upon application accompanied by the fee established by the Oregon Board of  
25 Dentistry, the board shall grant a permit to practice as a limited access permit dental hygienist to  
26 any applicant who:

27 “(a) Holds a valid, unrestricted Oregon dental hygiene license;

28 “[*(b) Presents evidence satisfactory to the board of at least 2,500 hours of supervised dental hygiene*  
29 *practice;*]

30 “[*(c)*] (b) Presents proof of current professional liability insurance coverage;

31 “[*(d) Presents documentation satisfactory to the board of successful completion of a total of 40*  
32 *hours of course content from a formal, post-secondary educational program accredited by the Commis-*  
33 *sion on Dental Accreditation of the American Dental Association or its successor agency or other ap-*  
34 *propriate health professional program accreditation agency and approved by the board, including but*  
35 *not limited to;*]

1       “(A) *General medicine and physical diagnosis*;

2       “(B) *Pharmacology*;

3       “(C) *Oral pathology*;

4       “(D) *Patient management and psychology*; and]

5       “(E) *Jurisprudence relating to unsupervised practice with limited access patients*; and]

6       “[(e)] (c) Presents documentation satisfactory to the board of successful completion of an emer-

7       gency life support course for health professionals, including cardiopulmonary resuscitation, from an

8       agency or educational institution approved by the board; **and**

9       **“(d) Presents documentation satisfactory to the board that the person has:**

10       **“(A)(i) Completed 2,500 hours of supervised dental hygiene practice; and**

11       **“(ii) Completed 40 hours of courses in a formal, post-secondary educational program ac-**

12       **credited by the Commission on Dental Accreditation of the American Dental Association or**

13       **its successor agency and approved by the board; or**

14       **“(B) Completed a course of study approved by the board that includes at least 500 hours**

15       **of dental hygiene practice on patients described in ORS 680.205 while under the direct**

16       **supervision of a member of the faculty of a dental program or dental hygiene program ac-**

17       **credited by the Commission on Dental Accreditation of the American Dental Association or**

18       **its successor agency. Practice hours from before and after graduation from the dental hy-**

19       **giene program may be combined to meet the requirement of this subparagraph.**

20       “(2) All permits issued pursuant to subsection (1) of this section expire two years following the

21       date of issuance unless renewed on or before that date by:

22       “(a) Payment of the renewal fee as set by the board;

23       “(b) Submission to the board of satisfactory evidence of completion of at least 36 hours of con-

24       tinuing education[, *12 hours of which shall be in the course content areas required in subsection (1)*

25       *of this section*]; and

26       “(c) Presentation to the board of proof of professional liability insurance coverage.

27       “(3) The board may refuse to issue or renew a limited access permit or may suspend or revoke

28       the permit of a limited access permit dental hygienist who has been convicted of an offense or been

29       disciplined by a dental licensing body in a manner that bears, in the judgment of the board, a de-

30       monstrable relationship to the ability of the applicant to practice limited access permit dental hy-

31       giene in accordance with the provisions of this chapter or ORS chapter 679, or who has falsified an

32       application for permit, or any person for any cause described under ORS 679.140 or 679.170.

33       **“SECTION 4.** ORS 680.205 is amended to read:

34       “680.205. (1) A dental hygienist issued a permit to act as a limited access permit dental hygienist

35       under ORS 680.200 shall be authorized to render all services within the scope of practice of dental

36       hygiene, as defined in ORS 679.010, without the supervision of a dentist and as authorized by the

37       limited access permit to:

38       “(a) Patients or residents of the following facilities or programs who, due to age, infirmity or

39       disability, are unable to receive regular dental hygiene treatment:

40       “(A) Nursing homes as defined in ORS 678.710;

41       “(B) Adult foster homes as defined in ORS 443.705;

42       “(C) Residential care facilities as defined in ORS 443.400;

43       “(D) Adult congregate living facilities as defined in ORS 441.525;

44       “(E) Mental health residential programs administered by the Department of Human Services;

45       “(F) Facilities for mentally ill persons, as those terms are defined in ORS 426.005;

1 “(G) Facilities for persons with mental retardation, as those terms are defined in ORS 427.005;

2 “(H) Local correctional facilities and juvenile detention facilities as those terms are defined in  
3 ORS 169.005, regional correctional facilities as defined in ORS 169.620, youth correction facilities  
4 as defined in ORS 420.005, youth care centers as defined in ORS 420.855, and Department of Cor-  
5 rections institutions as defined in ORS 421.005; or

6 “(I) Public and nonprofit community health clinics.

7 “(b) Adults who are homebound.

8 “(c) Students or enrollees of nursery schools and day care programs and their siblings under 18  
9 years of age, Job Corps and other similar employment training facilities, primary and secondary  
10 schools, including private schools and public charter schools, and persons entitled to benefits under  
11 the Women, Infants and Children Program.

12 “**(d) Patients in hospitals, medical clinics, medical offices or offices operated or staffed**  
13 **by nurse practitioners, physician assistants or midwives.**

14 “(2) The Oregon Board of Dentistry may authorize the provision of dental hygiene services by  
15 a limited access permit dental hygienist at locations or to populations that are underserved or lack  
16 access to dental hygiene services.

17 “(3) At least once each calendar year, a dental hygienist issued a permit to act as a limited  
18 access permit dental hygienist shall refer each patient or resident to a dentist who is available to  
19 treat the patient or resident.

20 “(4) This section does not authorize a limited access permit dental hygienist to administer local  
21 anesthesia[ *denture soft lines,*] **or** temporary restorations [*and radiographs*] except under the general  
22 supervision of a dentist licensed under ORS chapter 679, or to administer nitrous oxide except under  
23 the indirect supervision of a dentist licensed under ORS chapter 679.

24 “(5) A limited access permit dental hygienist may assess the need for and appropriateness of  
25 sealants, apply sealants and write prescriptions for all applications of fluoride in which fluoride is  
26 applied or supplied to patients.

27 “(6) A person granted a limited access permit under ORS 680.200 shall also procure all other  
28 permits or certificates required by the board under ORS 679.250.

29 “**SECTION 5. The amendments to ORS 680.200 by section 3 of this 2009 Act become op-**  
30 **erative on January 1, 2010.**

31 “**SECTION 6. This 2009 Act being necessary for the immediate preservation of the public**  
32 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
33 **on its passage.**”

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