

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Health Care

MEASURE: SB 302
CARRIER: Rep. Hayden

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 03/09/15

Action: Do Pass.

Meeting Dates: 03/04, 03/09

Vote:

Yeas: 9 - Buehler, Clem, Greenlick, Hayden, Kennemer, Keny-Guyer, Lively, Nosse, Weidner

Prepared By: Sandy Thiele-Cirka, Committee Administrator

WHAT THE MEASURE DOES:

Modifies the definition of dental hygiene to include certain specified services. Specifies that the definition of dentistry and dental hygiene includes prescribing, dispensing and administering prescription drugs for certain conditions and services. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Recent Assistant Attorney General opinion
- Board of Dentistry's response to the opinion
- Need for clarification and expressed authority for dentists and dental hygienists

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The Board of Dentistry was created on February 23, 1887. The mission of the Board is to protect the public and to license and regulate dentists, dental faculty and dental hygienists. A dental hygienist is a person under the supervision of a dentist who practices dental hygiene.

An Assistant Attorney General issued a legal opinion that found the Oregon Dental Practice Act (ORS Chapters 679 and 680) does not expressly authorize dental hygienists or dentists to prescribe drugs. The Board of Dentistry has rulemaking authority over dental hygienists and, beginning in April 2014, began removing the authority for dental hygienists to prescribe drugs in order to comply with the Assistant Attorney General's opinion. Prior to the Administrative Rule, licensed dental hygienists had the authority to prescribe drugs such as fluoride and antimicrobial solutions.