

Senate Bill 673

Sponsored by Senators GIROD, STEINER HAYWARD; Senator MONNES ANDERSON, Representatives HELM, KENY-GUYER (at the request of Oregon Dental Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Permits licensed dentists to administer certain immunizations.

Directs Oregon Board of Dentistry to adopt rules relating to administration of certain immunizations by licensed dentists.

A BILL FOR AN ACT

1
2 Relating to administration of immunizations by dentists; creating new provisions; and amending ORS
3 433.090 and 679.010.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 679.**

6 **SECTION 2. The Oregon Board of Dentistry shall adopt rules pertaining to the adminis-**
7 **tration of immunizations against restrictable diseases by dentists licensed under this chap-**
8 **ter. The board shall consider the immunizations against restrictable diseases prescribed by**
9 **rules of the Oregon Health Authority as provided in ORS 433.273 when adopting rules under**
10 **this section.**

11 **SECTION 3. ORS 433.090 is amended to read:**

12 433.090. As used in ORS 433.090 to 433.102:

13 (1) "Authorized user" means a person or entity authorized to provide information to or to re-
14 ceive information from an immunization registry or tracking and recall system under ORS 433.090
15 to 433.102. "Authorized user" includes, but is not limited to:

16 (a) The Oregon Health Authority and its agents;

17 (b) Local health departments and their agents;

18 (c) Licensed health care providers and their agents;

19 (d) Health care institutions;

20 (e) Insurance carriers;

21 (f) State health plans as defined in ORS 192.556;

22 (g) Parents, guardians or legal custodians of children under 18 years of age;

23 (h) Clients 18 years of age or older;

24 (i) Post-secondary education institutions;

25 (j) Schools; and

26 (k) Children's facilities.

27 (2) "Children's facility" has the meaning given that term in ORS 433.235.

28 (3) "Client" means a person registered with any Oregon tracking and recall system.

29 (4) "Immunization record" includes but is not limited to records of the following:

30 (a) Any immunization received;

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (b) Date immunization was received;
- 2 (c) Complication or side effect associated with immunization;
- 3 (d) Date and place of birth of a client;
- 4 (e) Hospital where a client was born;
- 5 (f) Client's name; and
- 6 (g) Mother's name.

7 (5) "Immunization registry" means a listing of clients and information relating to their immu-
8 nization status, without regard to whether the registry is maintained in this state or elsewhere.

9 (6) "Local health department" has the meaning given that term in ORS 433.235.

10 (7) "Parent or guardian" has the meaning given the term "parent" in ORS 433.235.

11 (8) "Post-secondary education institution" means:

- 12 (a) A public university listed in ORS 352.002;
- 13 (b) A community college operated under ORS chapter 341;
- 14 (c) A school or division of Oregon Health and Science University; or
- 15 (d) An Oregon-based, generally accredited, private institution of higher education.

16 (9) "Provider" means a physician, **dentist** or [a] health care professional who is acting within
17 the scope of the physician's or professional's licensure and is responsible for providing immunization
18 services or for coordinating immunization services within a clinic, public health site, school or other
19 immunization site.

20 (10) "School" has the meaning given that term in ORS 433.235.

21 (11) "Tracking and recall record" means information needed to send reminder cards to, place
22 telephone calls to or personally contact the client or the parent or guardian of a client for the
23 purposes of informing the client, parent or guardian that the client is late in receiving recommended
24 immunizations, hearing or lead screenings, or other public health interventions, including but not
25 limited to the client's:

- 26 (a) Name;
- 27 (b) Address;
- 28 (c) Telephone number;
- 29 (d) Insurance carrier; and
- 30 (e) Health care provider.

31 (12) "Tracking and recall system" means a system attached to an immunization registry designed
32 to contact clients listed in the immunization registry for the purposes of assisting in the timely
33 completion of immunization series, hearing or lead screenings, or other public health interventions
34 designated by rule of the authority.

35 **SECTION 4.** ORS 679.010 is amended to read:

36 679.010. As used in this chapter and ORS 680.010 to 680.205, unless the context requires other-
37 wise:

38 (1) "Dental assistant" means a person who, under the supervision of a dentist, renders assistance
39 to a dentist, dental hygienist, dental technician or another dental assistant or renders assistance
40 under the supervision of a dental hygienist providing dental hygiene.

41 (2) "Dental hygiene" means that portion of dentistry that includes the rendering of educational,
42 preventive and therapeutic dental services and diagnosis and treatment planning for such services.
43 "Dental hygiene" includes, but is not limited to, scaling, root planing, curettage, the application of
44 sealants and fluoride and any related intraoral or extraoral procedure required in the performance
45 of such services.

1 (3) “Dental hygienist” means a person who, under the supervision of a dentist, practices dental
2 hygiene.

3 (4) “Dental technician” means that person who, at the authorization of a dentist, makes, pro-
4 vides, repairs or alters oral prosthetic appliances and other artificial materials and devices which
5 are returned to a dentist and inserted into the human oral cavity or which come in contact with its
6 adjacent structures and tissues.

7 (5) “Dentist” means a person who may perform any intraoral or extraoral procedure required
8 in the practice of dentistry.

9 (6) “Dentist of record” means a dentist that either authorizes treatment for, supervises treat-
10 ment of or provides treatment for a patient in a dental office or clinic owned or operated by an in-
11 stitution as described in ORS 679.020 (3).

12 (7)(a) “Dentistry” means the healing art [*which is*] concerned with the examination, diagnosis,
13 treatment planning, treatment, care and prevention of conditions within the human oral cavity and
14 maxillofacial region and conditions of adjacent or related tissues and structures.

15 (b) The practice of dentistry includes but is not limited to:

16 (A) [*the*] **The** cutting, altering, repairing, removing, replacing or repositioning of hard or soft
17 tissues [*and*];

18 (B) **The administration of immunizations as specified in section (2) of this 2015 Act; and**

19 (C) [*other*] **Other** acts or procedures as determined by the Oregon Board of Dentistry and in-
20 cluded in the curricula of dental schools accredited by the Commission on Dental Accreditation of
21 the American Dental Association, post-graduate training programs or continuing education courses.

22 (8) “Direct supervision” means supervision requiring that a dentist diagnose the condition to be
23 treated, that a dentist authorize the procedure to be performed, and that a dentist remain in the
24 dental treatment room while the procedures are performed.

25 (9) “Expanded practice dental hygienist” means a dental hygienist who performs dental hygiene
26 services in accordance with ORS 680.205 as authorized by an expanded practice dental hygienist
27 permit issued by the board under ORS 680.200.

28 (10) “General supervision” means supervision requiring that a dentist authorize the procedures
29 by standing orders, practice agreements or collaboration agreements, but not requiring that a den-
30 tist be present when the authorized procedures are performed. The authorized procedures may also
31 be performed at a place other than the usual place of practice of the dentist.

32 (11) “Indirect supervision” means supervision requiring that a dentist authorize the procedures
33 and that a dentist be on the premises while the procedures are performed.

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