

# House Bill 3181

Sponsored by Representatives KENY-GUYER, HAYDEN (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**.

Provides that statement from parent or guardian releasing student seven years of age or younger from requirement to submit certification that student received dental screening within previous 12 months may include explanation of reason that student has not received dental screening.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to dental screenings; creating new provisions; amending ORS 336.213; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 336.213 is amended to read:

6 336.213. (1) As used in this section:

7 (a) "Dental screening" means a dental screening test to identify potential dental health problems  
8 that is conducted by:

9 (A) A dentist licensed under ORS chapter 679;

10 (B) A dental hygienist licensed under ORS 680.010 to 680.205;

11 (C) A health care practitioner who is acting in accordance with rules adopted by the State  
12 Board of Education; or

13 (D) A person who:

14 (i) Is one of the following:

15 (I) An employee of an education provider; or

16 (II) Trained in accordance with guidelines established by the dental director appointed by the  
17 Oregon Health Authority; and

18 (ii) Is acting in accordance with rules adopted by the State Board of Education in collaboration  
19 with the dental director appointed by the Oregon Health Authority.

20 (b) "Education provider" means:

21 (A) An entity that offers a program that is recognized as an Oregon prekindergarten program  
22 under ORS 329.170 to 329.200.

23 (B) A school district board.

24 (2)(a) Except as provided in subsection (3) of this section, each education provider shall require  
25 a student who is seven years of age or younger and who is beginning an educational program with  
26 the education provider for the first time to submit certification that the student received a dental  
27 screening within the previous 12 months.

28 (b) The certification required by this subsection:

29 (A) Must be provided no later than 120 days after the student begins the educational program.

30 (B) May be provided by a person identified in subsection (1)(a) of this section who conducts the

**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 dental screening at a location not associated with the education provider or who conducts regular  
2 dental screenings of the student.

3 [(3)] **(3)(a)** A student is not required to submit certification as required under subsection (2) of  
4 this section if the student provides a statement from the parent or guardian of the student that:

5 [(a)] **(A)** The student submitted certification to a prior education provider;

6 [(b)] **(B)** The dental screening is contrary to the religious beliefs of the student or the parent  
7 or guardian of the student; or

8 [(c)] **(C)** The dental screening is a burden, as defined by the State Board of Education by rule,  
9 for the student or the parent or guardian of the student.

10 **(b) A statement provided under this subsection may include an explanation of the reason**  
11 **that the dental screening is:**

12 **(A) Contrary to the religious beliefs of the student or the parent or guardian of the stu-**  
13 **dent; or**

14 **(B) A burden for the student or the parent or guardian of the student.**

15 (4) Each education provider shall:

16 (a) File in the student's dental health record any certifications and any results of a dental  
17 screening known by the education provider.

18 (b) Provide the parent or guardian of each student with information about:

19 (A) The dental screenings;

20 (B) Further examinations or necessary treatments; and

21 (C) Preventive care, including fluoride varnish, sealants and daily brushing and flossing.

22 (5) The dental director appointed by the Oregon Health Authority shall develop standardized  
23 information described in subsection (4)(b) of this section for distribution by education providers.

24 (6)(a) No later than October 1 each year, each school district shall submit to the Department  
25 of Education a report that identifies the percentage of students who failed to submit the certification  
26 required under this section for the previous school year.

27 (b) No later than December 1 each year, the department shall summarize the reports received  
28 under paragraph (a) of this subsection and submit the summary to the interim legislative committees  
29 on education and to the dental director appointed by the Oregon Health Authority.

30 (7) The State Board of Education, in consultation with the Oregon Health Policy Board and the  
31 Oregon Board of Dentistry, shall adopt by rule any standards for the implementation of this section.

32 **SECTION 2. The amendments to ORS 336.213 by section 1 of this 2017 Act first apply to**  
33 **statements provided by students during the 2017-2018 school year.**

34 **SECTION 3. This 2017 Act being necessary for the immediate preservation of the public**  
35 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**  
36 **on its passage.**

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