

Requested by SENATE COMMITTEE ON HEALTH CARE

**PROPOSED AMENDMENTS TO
SENATE BILL 1550**

1 On page 1 of the printed bill, delete lines 5 through 28 and delete page
2 2 and insert:

3 **SECTION 1.** ORS 680.205 is amended to read:

4 “680.205. (1) An expanded practice dental hygienist may render all ser-
5 vices within the scope of practice of dental hygiene, as defined in ORS
6 679.010, without the supervision of a dentist and as authorized by the ex-
7 panded practice dental hygienist permit to:

8 “(a) Patients or residents of the following facilities or programs who, due
9 to age, infirmity or disability, are unable to receive regular dental hygiene
10 treatment:

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

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

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

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

15 “(E) Mental health residential programs administered by the Oregon
16 Health Authority;

17 “(F) Facilities for persons with mental illness, as those terms are defined
18 in ORS 426.005;

19 “(G) Facilities for persons with developmental disabilities, as those terms
20 are defined in ORS 427.005;

21 “(H) Local correctional facilities and juvenile detention facilities as those

1 terms are defined in ORS 169.005, regional correctional facilities as defined
2 in ORS 169.620, youth correction facilities as defined in ORS 420.005, youth
3 care centers as defined in ORS 420.855, and Department of Corrections in-
4 stitutions as defined in ORS 421.005; or

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

6 “(b) Adults who are homebound.

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

12 “(d) Patients in hospitals, medical clinics, medical offices or offices oper-
13 ated or staffed by naturopathic physicians, nurse practitioners, physician
14 assistants or midwives.

15 “(e) Patients whose income is less than the federal poverty level.

16 “(f) Other populations that the Oregon Board of Dentistry determines are
17 underserved or lack access to dental hygiene services.

18 “(2) Unless different criteria for referral of a patient or resident to a
19 dentist are included in an agreement described in subsection (3) of this sec-
20 tion, at least once each calendar year, an expanded practice dental hygienist
21 shall refer each patient or resident to a dentist who is available to treat the
22 patient or resident.

23 “(3) An expanded practice dental hygienist may render the services de-
24 scribed in paragraphs (a) to [(d)] (e) of this subsection to the patients de-
25 scribed in subsection (1) of this section if the expanded practice dental
26 hygienist has entered into an agreement in a format approved by the board
27 with a dentist licensed under ORS chapter 679. The agreement must set forth
28 the agreed-upon scope of the dental hygienist’s practice with regard to:

29 “(a) Administering local anesthesia;

30 “(b) Administering temporary restorations **with or** without excavation;

1 “(c) Prescribing prophylactic antibiotics and nonsteroidal anti-
2 inflammatory drugs specified in the agreement; [and]

3 **“(d) Performing interim therapeutic restorations after diagnosis by
4 a dentist; and**

5 **“[(d)] (e) Referral parameters.**

6 “(4) This section does not authorize an expanded practice dental hygienist
7 to administer nitrous oxide except under the indirect supervision of a dentist
8 licensed under ORS chapter 679.

9 “(5) An expanded practice dental hygienist may assess the need for and
10 appropriateness of sealants, apply sealants and write prescriptions for all
11 applications of fluoride in which fluoride is applied or supplied to patients.

12 “(6) An expanded practice dental hygienist must also procure all other
13 permits or certificates required by the board under ORS 679.250.

14 **“(7) As used in this section and section 5 of this 2020 Act, ‘interim
15 therapeutic restoration’ means a direct provisional restoration placed
16 to temporarily stabilize a tooth until a dentist subsequently diagnoses
17 the need for further definitive treatment, and that:**

18 **“(a) Consists of the removal of soft material from the tooth using
19 only hand instrumentation and subsequent placement of an adhesive
20 restorative material; and**

21 **“(b) Does not require the administration of local anesthesia.**

22 **“SECTION 2. The amendments to ORS 680.205 by section 1 of this
23 2020 Act apply to agreements described in ORS 680.205 that are entered
24 into or renewed on or after the operative date specified in section 3
25 of this 2020 Act.**

26 **“SECTION 3. (1) The amendments to ORS 680.205 by section 1 of this
27 2020 Act become operative on January 2, 2021.**

28 **“(2) The Oregon Board of Dentistry may take any action before the
29 operative date specified in subsection (1) of this section that is neces-
30 sary to enable the board to exercise, on or after the operative date**

1 specified in subsection (1) of this section, all of the duties, functions
2 and powers conferred on the board by the amendments to ORS 680.205
3 by section 1 of this 2020 Act.

4 **“SECTION 4. (1) Not later than January 1, 2021, the Oregon Board**
5 **of Dentistry shall adopt rules to establish educational and instruc-**
6 **tional requirements for interim therapeutic restoration to be per-**
7 **formed by an expanded practice dental hygienist under ORS 680.205.**
8 **In establishing these requirements, the board shall use the curric-**
9 **ulum, competency-based training protocols and learning outcomes es-**
10 **tablished by the Dental Health Workforce Pilot Project No. 200**
11 **through the dental pilot project program of the Oregon Health Au-**
12 **thority.**

13 **“(2) Expanded practice dental hygienists performing interim**
14 **therapeutic restorations under the dental pilot project program of the**
15 **Oregon Health Authority as of the effective date of this 2020 Act may**
16 **continue performing interim therapeutic restorations until the rules**
17 **established by the board take effect.**

18 **“SECTION 5. (1) The Oregon Board of Dentistry shall approve ap-**
19 **plications from oral health care education providers for training**
20 **courses that meet the requirements established in rules adopted by the**
21 **board establishing educational and instructional requirements for in-**
22 **terim therapeutic restoration to be performed by an expanded practice**
23 **dental hygienist.**

24 **“(2) An expanded practice dental hygienist must successfully com-**
25 **plete a training course approved by the board under this section before**
26 **performing interim therapeutic restorations under ORS 680.205 (3)(d).**

27 **“(3) Notwithstanding subsection (2) of this section, an expanded**
28 **practice dental hygienist who is operating within the Dental Health**
29 **Workforce Pilot Project No. 200 through the dental pilot project pro-**
30 **gram of the Oregon Health Authority as of the effective date of this**

1 2020 Act, and who has completed training to perform interim
2 therapeutic restorations, is exempt from completing training under
3 subsection (2) of this section.

4 **“SECTION 6.** Section 5 of this 2020 Act is added to and made a part
5 of ORS chapter 680.

6 **“SECTION 7.** This 2020 Act takes effect on the 91st day after the
7 date on which the 2020 regular session of the Eightieth Legislative
8 Assembly adjourns sine die.”.

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