

**HOUSE . . . . . No. 274**

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The Commonwealth of Massachusetts

PRESENTED BY:

*William Smitty Pignatelli*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Establishing an Advanced Dental Hygiene Practitioner Level of Practice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>

**HOUSE . . . . . No. 274**

By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 274) of William Smitty Pignatelli and others relative to the occupation of advanced dental hygiene practitioner. Consumer Protection and Professional Licensure.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act Establishing an Advanced Dental Hygiene Practitioner Level of Practice.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 112 of the Massachusetts General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended in Section 43A by adding the following definition:-

3 “Advanced Dental Hygiene Practitioner,” a dental hygienist who is a graduate of a  
4 registered dental practitioner education program of not more than 18 months provided by an  
5 accredited post secondary institution, who has been certified by the Board to practice as an  
6 advanced dental hygiene practitioner pursuant to section 51B; and who provides oral health care  
7 services, including preventive, oral evaluation and assessment, educational, palliative,  
8 therapeutic, and restorative services as authorized under section 51B.

9 SECTION 2. Section 51 of Chapter 112 of The Massachusetts General Laws, as  
10 appearing in the 2010 Official Edition, is hereby amended by inserting after the final paragraph  
11 the following:-

12 Any licensed dental hygienist of good moral character, who is a graduate of a registered  
13 dental practitioner education program of 12-18 months that is provided by an accredited post  
14 secondary institution comprised of a curriculum approved by the state Department of Higher  
15 Education; pass a comprehensive, competency-based clinical examination that is approved by the  
16 Board and administered independently of an institution providing registered dental practitioner  
17 education; have practiced under direct supervision of a supervising dentist for at least 500 hours  
18 before practicing under general supervision; and obtain a policy of professional liability  
19 insurance and show proof of such insurance as required by rules and regulations, shall be

20 registered as an advanced dental hygiene practitioner and be given a certificate allowing the  
21 hygienist to practice in this capacity.

22 Before performing a procedure or providing a service under this paragraph, an advanced  
23 dental hygiene practitioner shall enter into a written collaborative agreement with a local or state  
24 government agency or institution or with a licensed dentist who states that he shall be able to  
25 provide the appropriate level of communication and consultation with the advanced dental  
26 hygiene practitioner to ensure patient health and safety. The Board shall establish appropriate  
27 guidelines for this written collaborative agreement.

28 An advanced dental hygiene practitioner certified by the Board may perform all acts of a  
29 public health dental hygienist, as well as the following services and procedures pursuant to the  
30 written collaborative management agreement without the supervision or direction of a dentist:  
31 oral health instruction and disease prevention education, including nutritional counseling and  
32 dietary analysis; charting of the oral cavity; exposing and interpreting radiographs; mechanical  
33 polishing; application of topical preventive or prophylactic agents, including fluoride varnishes  
34 and pit and fissure sealants; pulp vitality testing; application of desensitizing medication or resin;  
35 fabrication of athletic mouthguards; placement of temporary restorations; fabrication of soft  
36 occlusal guards; tissue conditioning and soft relines; atraumatic restorative therapy; dressing  
37 changes; tooth reimplantation; administration of local anesthetic; emergency palliative treatment  
38 of dental pain; the placement and removal of space maintainers; cavity preparation; restoration of  
39 primary and permanent teeth; placement of temporary crowns; preparation and placement of  
40 preformed crowns; and pulpotomies on primary teeth; indirect and direct pulp capping on  
41 primary and permanent teeth; stabilization of reimplanted teeth; extractions of primary teeth;  
42 suture removal; brush biopsies; repair of defective prosthetic devices; recementation of  
43 permanent crowns; an oral evaluation and assessment of dental disease and the formulation of an  
44 individualized treatment plan authorized by the collaborating dentist; and; nonsurgical  
45 extractions of permanent teeth as limited in the following paragraph.

46 An advanced dental hygiene practitioner shall not perform any service or procedure  
47 described in this section except as authorized by the collaborating dentist. An advanced dental  
48 hygiene practitioner may perform nonsurgical extractions of periodontally diseased permanent  
49 teeth with tooth mobility of +3 to +4 under general supervision if authorized in advance by the  
50 collaborating dentist. The advanced dental hygiene practitioner shall not extract a tooth for any  
51 patient if the tooth is unerupted, impacted, fractured, or needs to be sectioned for removal. The  
52 collaborating dentist is responsible for directly providing or arranging for another dentist or  
53 specialist to provide any necessary advanced services needed by the patient. An advanced dental  
54 hygiene practitioner in accordance with the written collaborative agreement must refer patients to  
55 another qualified dental or health care professional to receive any needed services that exceed the  
56 scope of practice of the advanced dental hygiene practitioner. A written collaborative agreement  
57 entered into with an advanced dental hygiene practitioner must include specific written protocols  
58 to govern situations in which the advanced dental hygiene practitioner encounters a patient who

59 requires treatment that exceeds the authorized scope of practice of the advanced dental hygiene  
60 practitioner. The collaborating dentist must ensure that a dentist is available to the advanced  
61 dental hygiene practitioner for timely consultation during treatment if needed and must either  
62 provide or arrange with another dentist or specialist to provide the necessary treatment to any  
63 patient who requires more treatment than the advanced dental hygiene practitioner is authorized  
64 to provide.

65 An advanced dental hygiene practitioner may provide, dispense, and administer the  
66 following medications within the parameters of the written collaborative agreement, within the  
67 scope of practice of the advanced dental hygiene practitioner, and with the authorization of the  
68 collaborating dentist: analgesics, anti-inflammatories, and antibiotics. The authority to provide,  
69 dispense, and administer shall extend only to the categories of drugs identified in this  
70 subdivision, and may be further limited by the written collaborative agreement. The authority to  
71 dispense includes the authority to dispense sample drugs within the categories identified in this  
72 paragraph if dispensing is permitted by the written collaborative agreement. An advanced dental  
73 hygiene practitioner is prohibited from providing, dispensing, or administering a narcotic drug.

74 Advanced dental hygiene practitioners shall be directly reimbursed for services covered  
75 by Medicaid or the commonwealth care health insurance program. An advanced dental hygiene  
76 practitioner shall not operate independently of a dentist, except for an advanced dental hygiene  
77 practitioner working for a local or state government agency or institution or practicing in a  
78 mobile or portable prevention program licensed or certified by the department of public health.

79 A licensed advanced dental hygiene practitioner may supervise dental assistants to the  
80 extent permitted in the collaborative management agreement and according to section 51 ½.

81 The Board of Registration in Dentistry, in consultation with the Executive Office of  
82 Health and Human Services, shall develop an evaluation process that focuses on assessing the  
83 impact of advanced dental hygiene practitioners in terms of patient safety, cost-effectiveness, and  
84 access to dental services. The process shall focus on the following outcome measures: (1)  
85 number of new patients served; (2) reduction in waiting times for needed services; (3) decreased  
86 travel time for patients; (4) impact on emergency room usage for dental care; and (5) costs to the  
87 public health care system.