

# HOUSE BILL No. 1215

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-13-4.

**Synopsis:** Dental hygienists. Provides that a dental hygienist may administer an immunization that is recommended by the federal Centers for Disease Control and Prevention Advisory Committee on Immunization Practices for individuals who are not less than 11 years of age on the order of a dentist or other health care provider qualified to order the immunization, if the dental hygienist: (1) is certified in cardiopulmonary resuscitation; (2) has successfully completed a course of training in immunization that meets specified requirements; and (3) administers the immunization in accordance with a protocol that includes specified requirements and procedures. Prescribes reporting requirements for a dental hygienist who administers an immunization. Provides that a dental hygienist: (1) is not required to administer immunizations; and (2) is not required to complete immunization training; if the dental hygienist chooses not to administer immunizations.

**Effective:** Upon passage.

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January 9, 2024, read first time and referred to Committee on Public Health.

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Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1215

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-13-4 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **Chapter 4. Dental Hygienists and Administration of**  
5 **Immunizations**

6 **Sec. 1. (a) A dental hygienist may administer an immunization**  
7 **that is recommended by the federal Centers for Disease Control**  
8 **and Prevention Advisory Committee on Immunization Practices**  
9 **for individuals who are not less than eleven (11) years of age on the**  
10 **order of a dentist or other health care provider qualified to order**  
11 **the immunization, if the dental hygienist complies with the**  
12 **following requirements:**

13 **(1) Before administering an immunization to an individual,**  
14 **the dental hygienist receives the consent of one (1) of the**  
15 **following:**

16 **(A) If the individual to whom the immunization is to be**  
17 **administered is at least eleven (11) years of age and is less**



- 1 than eighteen (18) years of age, the parent or legal  
 2 guardian of the individual.
- 3 (B) If the individual to whom the immunization is to be  
 4 administered is at least eighteen (18) years of age and has  
 5 a legal guardian, the legal guardian of the individual.
- 6 (C) If the individual to whom the immunization is to be  
 7 administered is at least eighteen (18) years of age and does  
 8 not have a legal guardian, the individual.
- 9 A parent or legal guardian who is required to give consent  
 10 under this subdivision must be present at the time of  
 11 immunization.
- 12 (2) Is certified in cardiopulmonary resuscitation.
- 13 (3) Has successfully completed a course of training in  
 14 immunization that meets the requirements set forth in  
 15 subsection (b).
- 16 (4) Administers the immunization in accordance with a  
 17 protocol that meets the requirements set forth in section 2 of  
 18 this chapter.
- 19 (b) A course of training under subsection (a)(3) must:
- 20 (1) be provided by an accredited provider;
- 21 (2) be approved by the board;
- 22 (3) meet the standards set forth by:
- 23 (A) the federal Centers for Disease Control and Prevention  
 24 or a similar health authority; or
- 25 (B) a professional body approved by the board; and
- 26 (4) comply with guidelines issued by:
- 27 (A) the federal Centers for Disease Control and  
 28 Prevention; and
- 29 (B) the United States Occupational Safety and Health  
 30 Administration.
- 31 (c) A dental hygienist who administers immunizations under this  
 32 chapter shall maintain records of the dental hygienist's completion  
 33 of:
- 34 (1) training in cardiopulmonary resuscitation; and
- 35 (2) the training described in subsection (b).
- 36 (d) If the Indiana department of health or the department of  
 37 homeland security determines that an emergency exists, subject to  
 38 IC 16-41-9-1.7(a)(2), a dental hygienist may administer any  
 39 immunization in accordance with any instructions in the  
 40 emergency determination.
- 41 Sec. 2. (a) The protocol under which a dental hygienist  
 42 administers an immunization must include the following:



- 1           **(1) For each immunization to be administered by the dental**  
2           **hygienist:**  
3           **(A) the name and strength of the vaccine;**  
4           **(B) precautions and contraindications;**  
5           **(C) the intended audience or patient population;**  
6           **(D) the appropriate dosage;**  
7           **(E) administration schedules in accordance with guidelines**  
8           **issued by the federal Centers for Disease Control and**  
9           **Prevention;**  
10           **(F) appropriate routes of administration; and**  
11           **(G) appropriate injection sites.**  
12           **(2) The length of time for which the dental hygienist**  
13           **recommends an individual be observed for adverse effects**  
14           **following administration of an immunization to the individual.**  
15           **(3) A procedure for addressing emergency situations,**  
16           **including adverse and anaphylactic reactions.**  
17           **(4) A procedure for administration of epinephrine, including**  
18           **appropriate dosages, when required in the event of an adverse**  
19           **or anaphylactic reaction.**  
20           **(5) A requirement that not later than fourteen (14) days after**  
21           **the dental hygienist administers an immunization to an**  
22           **individual, the dental hygienist or dental hygienist's designee**  
23           **shall provide notice of the immunization to the individual's**  
24           **physician.**  
25           **(6) A requirement that, for each immunization administered**  
26           **by the dental hygienist, the dental hygienist shall maintain a**  
27           **copy of:**  
28           **(A) a record of immunization; and**  
29           **(B) the notification provided by the dental hygienist or**  
30           **dental hygienist's designee under subdivision (5);**  
31           **in accordance with rules adopted by the board.**  
32           **(b) The immunization protocol under which a dental hygienist**  
33           **administers an immunization must be:**  
34           **(1) maintained at the dental hygienist's office and available**  
35           **for inspection by the individual receiving the immunization;**  
36           **and**  
37           **(2) renewed annually.**  
38           **Sec. 3. A dental hygienist may not delegate to another person the**  
39           **administration of an immunization under this chapter.**  
40           **Sec. 4. (a) A dental hygienist who administers an immunization**  
41           **to a patient under this chapter or a dental hygienist's designee**  
42           **shall:**



1           (1) report the immunization of the patient to the  
2           immunization data registry under IC 16-38-5 unless a written  
3           immunization data exemption form has been completed and  
4           filed for the patient in accordance with IC 16-38-5-2; and  
5           (2) report any adverse event:  
6                (A) to the patient's primary care physician not later than  
7                seventy-two (72) hours after the dental hygienist knows of  
8                the adverse event; and  
9                (B) to the Vaccine Adverse Events Reporting System  
10              maintained by the federal Centers for Disease Control and  
11              Prevention and the federal Food and Drug Administration.  
12           (b) A dental hygienist shall maintain a record of each adverse  
13           event reported by the dental hygienist or dental hygienist's  
14           designee under subsection (a)(2).  
15           Sec. 5. (a) A dental hygienist may not be required to:  
16                (1) administer an immunization; or  
17                (2) complete a course of training under section 1(a)(3) of this  
18                chapter;  
19           if the dental hygienist chooses not to administer immunizations.  
20           (b) If a dental hygienist chooses not to administer  
21           immunizations, the dental hygienist is not required to complete a  
22           course of training under section 1(a)(3) of this chapter to maintain  
23           a license to practice as a dental hygienist in Indiana.  
24           SECTION 2. An emergency is declared for this act.

