

HOUSE BILL No. 1331

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.

Zent, Shackelford

January 11, 2022, read first time and referred to Committee on Public Health.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1331

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 (11) years of age and is less than**



- 1 eighteen (18) years of age, the parent or legal guardian of
2 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 Occupational Safety and Health Administration.**
- 30 **(c) A dental hygienist who administers immunizations under this**
31 **chapter shall maintain records of the dental hygienist's completion**
32 **of:**
- 33 **(1) training in cardiopulmonary resuscitation; and**
- 34 **(2) training described in subsection (b).**
- 35 **(d) If the state department of health or the department of**
36 **homeland security determines that an emergency exists, subject to**
37 **IC 16-41-9-1.7(a)(2), a dental hygienist may administer any**
38 **immunization in accordance with any instructions in the**
39 **emergency determination.**
- 40 **Sec. 2. (a) The protocol under which a dental hygienist**
41 **administers an immunization must include the following:**
- 42 **(1) For each immunization to be administered by the dental**



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



1 immunization data registry under IC 16-38-5 unless a written
2 immunization data exception form has been completed and
3 filed for the patient in accordance with IC 16-38-5-2; and

4 (2) report any adverse event:

5 (A) to the patient's primary care physician not later than
6 seventy-two (72) hours after the dental hygienist knows of
7 the adverse event; and

8 (B) to the Vaccine Adverse Events Reporting System
9 maintained by the federal Centers for Disease Control and
10 Prevention and the Food and Drug Administration.

11 (b) A dental hygienist shall maintain a record of each adverse
12 event reported by the dental hygienist or dental hygienist's
13 designee under subsection (a)(2).

14 Sec. 5. (a) A dental hygienist may not be required to:

15 (1) administer an immunization; or

16 (2) complete a course of training under section 1(a)(3) of this
17 chapter;

18 if the dental hygienist chooses not to administer immunizations.

19 (b) If a dental hygienist chooses not to administer
20 immunizations, the dental hygienist is not required to complete a
21 course of training under section 1(a)(3) of this chapter to maintain
22 a license to practice as a dental hygienist in Indiana.

23 SECTION 2. An emergency is declared for this act.

