

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

246V0588

## SENATE BILL NO. 172

Introduced by: Senators Jones (Chuck), Bradford, Brown, Curd, Frerichs, Holien, Jensen, Kirkeby, Krebs, Lederman, Lucas, Maher, Monroe, Novstrup (Al), Omdahl, Peters, Rempelberg, Sutton, Tidemann, and Tieszen and Representatives Gosch, Bartling, Campbell, Carson, Conzet, Cronin, Duvall, Ecklund, Erickson, Feickert, Gibson, Greenfield, Haggart (Don), Hawks, Heinert, Hickey, Hoffman, Killer, Kirschman, Kopp, Latterell, May, Mickelson, Nelson, Olson (Betty), Peterson, Qualm, Ring, Romkema, Rounds, Russell, Schoenfish, Schrempp, Sly, Soli, Steele, Tulson, Verchio, Werner, Westra, Wick, and Wink

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to services performed  
2 by dental hygienists.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-6A-40 be amended to read as follows:

5 36-6A-40. Any licensed dentist, public institution, or school authority may use the services  
6 of a licensed dental hygienist. Such licensed dental hygienist may perform those services which  
7 are educational, diagnostic, therapeutic, or preventive in nature and are authorized by the Board  
8 of Dentistry, including those additional procedures authorized by subdivision 36-6A-14(10).  
9 Such services may not include the establishment of a final diagnosis or treatment plan for a  
10 dental patient. Such services shall be performed under supervision of a licensed dentist.

11 As an employee of a public institution or school authority, functioning without the



1 supervision of a licensed dentist, a licensed dental hygienist may only provide educational  
2 services.

3 A dental hygienist may perform preventive and therapeutic services under general  
4 supervision if all individuals treated are patients of record of a licensed dentist and all care  
5 rendered by the hygienist is completed under the definition of patient of record. A dental  
6 hygienist may perform preventive and therapeutic services under collaborative supervision if  
7 the requirements of § 36-6A-40.1 are met. However, no dental hygienist may perform  
8 preventive and therapeutic services under collaborative supervision for more than thirteen  
9 months for any person who has not had a complete evaluation by ~~the supervising a dentist,~~  
10 unless employed by a nonprofit entity providing services through written agreement with the  
11 Indian Health Service or a tribal entity.