

SENATE COMMITTEE OF REFERENCE REPORT

April 25, 2022

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Chair of Committee

Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB22-219 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1     Amend printed bill, page 7, strike lines 10 through 12 and substitute "THE  
2     BOARD PROOF THAT THE APPLICANT SUCCESSFULLY COMPLETED:
  - 3         (a) A CLINICAL EXAMINATION FOR DENTAL THERAPY THAT  
4         INCLUDES DENTAL THERAPY RESTORATIVE AND DENTAL HYGIENE  
5         CLINICAL SKILL EVALUATION. IF THE APPLICANT HAS PREVIOUSLY  
6         SUCCESSFULLY COMPLETED A CLINICAL EXAMINATION FOR DENTAL  
7         HYGIENE ADMINISTERED BY A TESTING AGENCY ACCEPTED BY THE BOARD  
8         THE APPLICANT MAY BE EXEMPTED FROM THAT PART OF THE DENTAL  
9         THERAPY EXAMINATION; AND
  - 10         (b) AN EXAMINATION DESIGNED TO TEST THE APPLICANT'S  
11         CLINICAL DENTAL THERAPY SKILLS AND KNOWLEDGE, WHICH MUST BE  
12         ADMINISTERED BY A REGIONAL TESTING AGENCY COMPOSED OF AT LEAST  
13         FOUR STATES OR AN EXAMINATION OF ANOTHER STATE, OR A  
14         METHODOLOGY ADOPTED BY THE BOARD BY RULE THAT IS DESIGNED TO  
15         TEST THE APPLICANT'S CLINICAL SKILLS AND KNOWLEDGE.".
- 16     Page 7, line 15, strike "ONE YEAR" and substitute "TWO YEARS.".
- 17     Page 8, strike line 4 and substitute "DENTIST; EXCEPT THAT THE DENTAL  
18         THERAPIST MAY PERFORM THE TASK OR PROCEDURE ONLY UNDER THE  
19         SUPERVISION AUTHORIZED UNDER SECTION 12-220-507.".
- 20     Page 8, strike lines 8 through 14 and substitute "**requirement - rules**.  
21         (1) (a) A DENTAL THERAPIST MAY PERFORM THE FOLLOWING TASKS AND  
22         PROCEDURES UNDER THE DIRECT SUPERVISION OF A LICENSED DENTIST:
  - 23             (I) PREPARE AND PLACE DIRECT RESTORATION IN PRIMARY AND  
24             PERMANENT TEETH;
  - 25             (II) PERFORM BRUSH BIOPSIES;
  - 26             (III) EXTRACT PERIODONTALLY DISEASED PERMANENT TEETH WITH

1 MOBILITY OF +3 TO +4, EXCEPT FOR TEETH THAT ARE UNERUPTED,  
2 IMPACTED, FRACTURED, OR REQUIRE SECTIONING;

3 (IV) EXTRACT BABY TEETH THAT ARE ERUPTED OR NOT IMPACTED  
4 WITH RADIOLOGICAL EVIDENCE OF ROOTS;

5 (V) ORAL EXAMINATION, EVALUATION, DIAGNOSIS, AND  
6 TREATMENT PLANNING FOR CONDITIONS AND SERVICES THAT ARE WITHIN  
7 THE DENTAL THERAPIST'S SCOPE OF PRACTICE AND EDUCATION;

8 (VI) PLACE TEMPORARY CROWNS;

9 (VII) PREPARE AND PLACE PREFORMED CROWNS; AND

10 (VIII) REPAIR DEFECTIVE PROSTHETIC DEVICES.

11 (b) A DENTAL THERAPIST LICENSED PURSUANT TO THIS ARTICLE  
12 220 WHO HAS COMPLETED ONE THOUSAND HOURS OR MORE UNDER DIRECT  
13 SUPERVISION, OR WHO HAS COMPLETED THE DIRECT SUPERVISION HOURS  
14 REQUIRED UNDER THE WAIVER DESCRIBED IN SUBSECTION (1)(e) OF THIS  
15 SECTION, MAY PRACTICE THE TASKS AND PROCEDURES IDENTIFIED IN  
16 SUBSECTION (1)(a) OF THIS SECTION UNDER THE INDIRECT SUPERVISION OF  
17 A LICENSED DENTIST PURSUANT TO A WRITTEN ARTICULATED PLAN WITH  
18 THE DENTIST THAT MEETS THE REQUIREMENTS OF SUBSECTION (2) OF THIS  
19 SECTION.

20 (c) A DENTAL THERAPIST LICENSED PURSUANT TO THIS ARTICLE".

21 Page 9, strike line 6 and substitute "(1), 12-220-504 (1), AND  
22 12-220-505.".

23 Page 9, after line 6 insert:

24 "(d) A DENTAL THERAPIST SHALL COMPLETE AT LEAST A MAJORITY  
25 OF THE DIRECT SUPERVISION HOURS REQUIRED UNDER SUBSECTION (1)(b)  
26 OR (1)(e) PERFORMING THE TASKS AND PROCEDURES IDENTIFIED IN  
27 SUBSECTION (1)(a) OF THIS SECTION.".

28 Page 9, line 7, strike "(c)" and substitute "(e)".

29 Page 9, strike lines 16 through 21 and substitute:

30 "(2) (a) AN ARTICULATED PLAN BETWEEN A DENTAL THERAPIST  
31 AND A DENTIST MUST INCLUDE:".

32 Page 10, strike lines 5 through 16 and substitute:

33 "(b) (I) A DENTIST WHO ENTERS INTO A WRITTEN ARTICULATED".

34 Page 10, after line 27 insert:

1           "(c) A WRITTEN ARTICULATED PLAN MUST BE SIGNED BY THE  
2 DENTIST AND THE DENTAL THERAPIST.

3           (d) FOR PURPOSES OF THIS SECTION, A WRITTEN ARTICULATED  
4 PLAN SATISFIES THE REQUIREMENT OF PRIOR KNOWLEDGE AND CONSENT  
5 FOR INDIRECT SUPERVISION.".

6 Page 11, line 1, strike "(b) (I)" and substitute "(3) (a)".

7 Page 11, lines 1 and 2, strike "(3)(b)(II) OR (3)(b)(III)" and substitute  
8 "(3)(b) OR (3)(c)".

9 Page 11, line 5, strike "(II)" and substitute "(b)".

10 Page 11, line 10, strike "(III)" and substitute "(c)".

11 Page 11, strike lines 14 and 15.

12 Page 11, strike lines 25 through 27.

13 Page 12, strike lines 1 through 16 and substitute:

14           "(b) (I) EXCEPT AS PROVIDED IN SUBSECTION (1)(b)(II) OF THIS  
15 SECTION, the board consists of seven dentist members, three dental  
16 hygienist members, and three members from the public at large. The  
17 governor shall appoint each member for a term of four years, and each  
18 member must have the qualifications provided in this article 220. No  
19 member shall serve more than two consecutive terms of four years. Each  
20 board member holds office until the member's term expires or until the  
21 governor appoints a successor. THIS SUBSECTION (1)(b)(I) IS REPEALED,  
22 EFFECTIVE DECEMBER 1, 2031.

23           (II) (A) EFFECTIVE JULY 1, 2031, THE BOARD CONSISTS OF SEVEN  
24 DENTIST MEMBERS, TWO DENTAL THERAPIST MEMBERS, TWO DENTAL  
25 HYGIENIST MEMBERS, AND TWO MEMBERS FROM THE PUBLIC AT LARGE.  
26 THE GOVERNOR SHALL APPOINT EACH MEMBER FOR A TERM OF FOUR  
27 YEARS, AND EACH MEMBER MUST HAVE THE QUALIFICATIONS PROVIDED  
28 IN THIS ARTICLE 220. A MEMBER SHALL NOT SERVE MORE THAN TWO  
29 CONSECUTIVE TERMS OF FOUR YEARS. EACH BOARD MEMBER HOLDS  
30 OFFICE UNTIL THE MEMBER'S TERM EXPIRES OR UNTIL THE GOVERNOR  
31 APPOINTS A SUCCESSOR.

32           (B) A MEMBER SERVING ON THE BOARD AS OF JUNE 30, 2031, MAY  
33 SERVE THE MEMBER'S FULL TERM.".

34 Page 16, line 27, strike "when" and substitute "when".

1 Page 17, strike lines 1 and 2 and substitute "employing unlicensed  
2 ~~persons in a dental or dental hygiene practice~~ OF UNLICENSED PERSONS IN  
3 DENTAL, DENTAL THERAPY, OR DENTAL HYGIENE PRACTICE;".

4 Page 23, line 1, after "(1)(c)," insert "(1)(j), (1)(k),".

5 Page 23, after line 23 insert:

6 (j) Extracts, or attempts to extract, human teeth or corrects, or  
7 attempts to correct, malformations of human teeth or jaws; EXCEPT THAT  
8 THIS SUBSECTION (1)(j) DOES NOT PROHIBIT A DENTAL THERAPIST FROM  
9 PERFORMING TASKS AND PROCEDURES CONSISTENT WITH SECTION  
10 12-220-507;

11 (k) Repairs or fills cavities in human teeth; EXCEPT THAT THIS  
12 SUBSECTION (1)(k) DOES NOT PROHIBIT A DENTAL THERAPIST FROM  
13 PERFORMING TASKS AND PROCEDURES CONSISTENT WITH SECTION  
14 12-220-507;".

15 Page 29, line 10, strike "12-220-507 (2)(a)" and substitute "12-220-507  
16 (2)".

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