



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 18-1045

FINAL FISCAL NOTE

Drafting Number: LLS 18-0398
Prime Sponsors: Rep. Singer
Sen. Tate

Date: September 6, 2018
Bill Status: Signed into Law
Fiscal Analyst: Bill Zepernick | 303-866-4777
Bill.Zepernick@state.co.us

Bill Topic: DENTAL HYGIENIST APPLY SILVER DIAMINE FLUORIDE

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill allows a dental hygienist to apply silver diamine fluoride under the supervision of a dentist under certain conditions. The bill will result in a minimal increase in state workload in FY 2018-19 and FY 2020-21 only.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the enacted bill.

Summary of Legislation

This bill allows dental hygienists to apply silver diamine fluoride under the direct or indirect supervision of a dentist if the dental hygienist:

- holds a license in good standing to practice dental hygiene;
- completes a course on the use and limitations of silver diamine fluoride;
- is covered by professional liability insurance; and
- has a collaborative agreement with a dentist that outlines the protocol, any restrictions, and follow-up procedures for the use of silver diamine fluoride.

A dental hygienist may apply silver diamine fluoride only in collaboration with a dentist. The bill also outlines procedures for supervising dentists who are providing supervision from a separate location apart from the dental hygienist or via telehealth. The authority of dental hygienists to apply silver diamine fluoride is repealed on September 1, 2021, following a sunset review by the Department of Regulatory Agencies (DORA).

Background

Silver diamine fluoride was approved by the federal Food and Drug Administration (FDA) as a desensitizing agent in 2014, but can also be used to stop tooth decay at its early stages. While it stops the decay, silver diamine fluoride will stain the decayed area of teeth black. Because of this, silver diamine fluoride is primarily used on patients who are difficult to treat using

conventional dentistry, such as very young children, persons with intellectual and developmental disabilities, and elderly adults. Application of silver diamine fluoride is not currently a covered benefit under the state Medicaid program's adult dental benefit or CHP+; however, it is covered under two of Colorado's Medicaid home- and community-based services waiver programs for persons with developmental disabilities.

State Expenditures

This bill will increase workload for two divisions within DORA. In FY 2018-19, the bill will result in one-time increase in workload for the Division of Professions and Occupations to update rules and conduct outreach with dentists and dental hygienists on the allowable uses of silver diamine fluoride under the bill. In FY 2020-21, the Office of Policy, Research, and Regulatory Reform will have additional workload to conduct a sunset review of concerning dental hygienists' use of silver diamine fluoride. It is assumed this work can be accomplished within existing appropriations.

Effective Date

The bill was signed into law by the Governor and took effect on March 22, 2018.

State and Local Government Contacts

Health Care Policy And Financing
Judicial
Regulatory Agencies

Information Technology
Law