

HB 1199

2004

1 A bill to be entitled
 2 An act relating to dentistry; amending s. 466.004, F.S.;
 3 revising membership, meetings, and duties of the Council
 4 on Dental Hygiene; providing duties of the Board of
 5 Dentistry with respect to rule and policy recommendations
 6 of the council; providing for resolution by the Department
 7 of Health of disagreements between the council and board
 8 with respect to such recommendations; amending s. 466.023,
 9 F.S.; authorizing dental hygienists to assess and refer
 10 patients for dental examinations at certain facilities,
 11 institutions, and places; providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Paragraph (a) of subsection (2) of section
 16 466.004, Florida Statutes, is amended to read:

17 466.004 Board of Dentistry.--

18 (2) To advise the board, it is the intent of the
 19 Legislature that councils be appointed as specified in
 20 paragraphs (a), (b), and (c). The department shall provide
 21 administrative support to the councils and shall provide public
 22 notice of meetings and agenda of the councils. Councils shall
 23 include at least one board member who shall chair the council
 24 and shall include nonboard members. All council members shall be
 25 appointed by the board chair. Council members shall be appointed
 26 for 4-year terms, and all members shall be eligible for
 27 reimbursement of expenses in the manner of board members.

28 (a) A Council on Dental Hygiene shall be appointed by the
 29 board chair and shall include one dental hygienist member of the

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30 board, who shall chair the council, ~~one dental member of the~~
 31 ~~board,~~ and four ~~three~~ dental hygienists recommended by the
 32 Florida Dental Hygiene Association who are actively engaged in
 33 the practice of dental hygiene in this state. The council shall
 34 meet at least three times each calendar year. Additional
 35 meetings may be called at the request of ~~the board chair,~~ a
 36 majority of the members of the council ~~board,~~ or the council
 37 chair. The council is charged with the responsibility of and
 38 shall meet for the purpose of developing all rules and policies
 39 relating to ~~for recommendation to the board, which the board~~
 40 ~~shall consider, on matters pertaining to that part of dentistry~~
 41 ~~consisting of educational, preventive, or therapeutic~~ dental
 42 hygiene services; dental hygiene licensure, discipline, or
 43 regulation; and dental hygiene education, which the council
 44 shall submit to the board as recommendation. Rule and policy
 45 recommendations of the council shall be considered by the board
 46 immediately following the submission of the proposed rule in the
 47 same manner as it considers rule and policy recommendations from
 48 designated subcommittees of the board. Any rule or policy
 49 proposed by the board pertaining to the specified part of
 50 dentistry defined by this paragraph shall be referred to the
 51 council for a recommendation prior to final action by the board.
 52 If the council disagrees with such finding of the board, the
 53 department shall determine whether the board must ratify the
 54 recommendation.

55 Section 2. Paragraph (c) of subsection (2) and subsection
 56 (3) of section 466.023, Florida Statutes, are amended to read:
 57 466.023 Dental hygienists; scope and area of practice.--
 58 (2) Dental hygienists may perform their duties:

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59 (c) Upon a patient of record of a dentist who has issued a
 60 prescription for the services of a dental hygienist, which
 61 prescription shall be valid for 2 years unless a shorter length
 62 of time is designated by the dentist, in:

- 63 1. Licensed public and private health facilities.+
- 64 2. Other public institutions of the state and federal
 65 government.+
- 66 3. Public and private educational institutions.+
- 67 4. The home of a nonambulatory patient.+ ~~and~~
- 68 5. Other places in accordance with the rules of the board.

69
 70 However, the dentist issuing such prescription shall remain
 71 responsible for the care of such patient. As used in this
 72 subsection, "patient of record" means a patient upon whom a
 73 dentist has taken a complete medical history, completed a
 74 clinical examination, recorded any pathological conditions, and
 75 prepared a treatment plan.

76 (3) Dental hygienists may, without supervision, provide
 77 educational programs, faculty or staff training programs, and
 78 authorized fluoride rinse programs; assess and refer patients
 79 for dental examinations at those facilities, institutions, and
 80 places listed under paragraph (2)(c); ~~and~~ provide other
 81 services which do not involve diagnosis or treatment of dental
 82 conditions and which services are approved by rule of the board.

83 Section 3. This act shall take effect July 1, 2004.