

Bill No. CS for SB 2178

Barcode 073752

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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3	Floor: WD/2R
4	04/28/2006 02:02 PM
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11 Senator Atwater moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

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16 and insert:

17 Section 1. Subsection (5) of section 466.023, Florida

18 Statutes, is renumbered as subsection (6), and a new

19 subsection (5) is added to that section, to read:

20 466.023 Dental hygienists; scope and area of

21 practice.--

22 (5) Dental hygienists may, without supervision,

23 perform dental charting as provided in s. 466.0235.

24 Section 2. Section 466.0235, Florida Statutes, is

25 created to read:

26 466.0235 Dental charting.--

27 (1) For purposes of this section, the term "dental

28 charting" means a recording of visual observations of clinical

29 conditions of the oral cavity without the use of X rays,

30 laboratory tests, or other diagnostic methods or equipment,

31 except the instruments necessary to record visual

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1 restorations, missing teeth, suspicious areas, and periodontal
2 pockets.

3 (2) A dental hygienist may, without supervision and
4 within the lawful scope of his or her duties as authorized by
5 law, perform dental charting of hard and soft tissues in
6 public and private educational institutions of the state and
7 Federal Government, nursing homes, assisted living and
8 long-term care facilities, community health centers, county
9 health departments, mobile dental or health units, and
10 epidemiological surveys for public health. A dental hygienist
11 may also perform dental charting on a volunteer basis at
12 health fairs.

13 (3) Each person who receives a dental charting
14 pursuant to this section, or the parent or legal guardian of
15 the person, shall receive and acknowledge a written disclosure
16 form before receiving the dental charting procedure that
17 states that the purpose of the dental charting is to collect
18 data for use by a dentist at a prompt subsequent examination.
19 The disclosure form shall also emphasize that diagnosis of
20 caries, soft tissue disease, oral cancer, temporomandibular
21 joint disease (TMJ), and dentofacial malocclusions can only be
22 completed by a dentist in the context of delivering a
23 comprehensive dental examination.

24 (4) The board shall approve the content of charting
25 and disclosure forms to be used under this section. Both forms
26 shall emphasize the inherent limitations of dental charting
27 and encourage complete examination by a dentist in rendering a
28 professional diagnosis of the patient's overall oral health
29 needs.

30 (5) Dental charting performed under this section is
31 not a substitute for a comprehensive dental examination.

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1 (6) Medical clearance by a physician or dentist is
2 required before a periodontal probe may be used on a person
3 who receives a dental charting.

4 (7) Nothing in this section shall be construed to
5 permit direct reimbursement for dental charting performed
6 under this section by Medicaid, health insurers, health
7 maintenance organizations, prepaid dental plans, or other
8 third-party payors beyond what is otherwise allowable by law.

9 (8) All referrals made in conjunction with the
10 provision of dental charting services under this section shall
11 be in strict conformance with federal and state patient
12 referral, anti-kickback, and patient brokering laws.

13 (9) A dental hygienist performing dental charting
14 without supervision shall not be deemed to have created either
15 a patient of record or a medical record.

16 Section 3. This act shall take effect July 1, 2006.

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19 ----- T I T L E A M E N D M E N T -----

20 And the title is amended as follows:

21 Delete everything before the enacting clause

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23 and insert:

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 A bill to be entitled

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 An act relating to dental charting; amending s.

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 466.023, F.S.; expanding the scope and area of

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 practice of dental hygienists to include dental

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 charting; creating s. 466.0235, F.S.; providing

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 for regulation of dental charting; providing a

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 definition; authorizing dental hygienists to

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 perform dental charting under certain

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1 conditions; regulating the use and content of
2 disclosure and charting forms; requiring the
3 Board of Dentistry to approve disclosure and
4 charting forms; limiting the applicability of
5 dental charting; providing restrictions on
6 periodontal probe use in dental charting;
7 providing restrictions on dental charting
8 reimbursement, referrals made in conjunction
9 with the provision of dental charting services,
10 and the provision of dental charting by a
11 dental hygienist without supervision; providing
12 an effective date.

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