

1 community health centers, and mobile dental or health units.
2 Dental charting may also be performed on a volunteer basis at
3 health fairs. Each person, or the parent or legal guardian of
4 that person, who receives a dental charting pursuant to this
5 section must receive and acknowledge a written disclosure in
6 advance of the charting which states that the purpose of the
7 dental charting is to collect data for use by a dentist at a
8 prompt subsequent examination. The disclosure form also must
9 emphasize that diagnosis of caries, soft-tissue disease, oral
10 cancer, temporomandibular joint syndrome, and dento-facial
11 malocclusions can only be completed by a dentist in the
12 context of delivering a comprehensive dental examination. As
13 used in this section, the term "dental charting" means the
14 recording of visual observations of clinical conditions of the
15 oral cavity without the use of Xrays, laboratory tests, or
16 other diagnostic methods or equipment, except the instruments
17 necessary to record visual restorations, missing teeth,
18 suspicious areas, and periodontal pockets. The Board of
19 Dentistry shall approve the content of the charting and
20 disclosure forms to be used under this section. Both forms
21 must emphasize the inherent limitations of a dental charting
22 exercise, encourage complete examination by a dentist in
23 rendering a professional diagnosis of the patient's overall
24 oral health needs, and state that dental charting should not
25 be substituted for a comprehensive dental examination. Medical
26 clearance by a physician or dentist is required in those cases
27 when a periodontal probe is used. This section does not
28 authorize direct reimbursement for dental charting by
29 Medicaid, health insurers, health maintenance organizations,
30 prepaid dental plans, or other third-party payers beyond what
31 is otherwise allowed by law. Any referral made in conjunction

1 with providing dental charting services must comply with
2 federal and state laws governing patient referral, kickbacks,
3 and patient brokering. The performance of dental charting
4 without supervision does not create a patient of record with
5 respect to the dental hygienist performing the procedure.

6 Section 2. This act shall take effect July 1, 2006.

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9 SENATE SUMMARY

10 Authorizes a dental hygienist to complete dental charting
11 in certain public or private facilities. Requires a
12 person who receives a dental charting to acknowledge a
13 written disclosure. Provides for the contents of the
14 written disclosure. Defines the term "dental charting."
15 Requires the Board of Dentistry to approve the content of
16 the charting and disclosure forms. Requires a medical
17 clearance by a physician or dentist when a dental
18 instrument is used. Provides that the act does not
19 authorize direct reimbursement by certain insurers.
20 Requires referrals to be in conformance with certain
21 laws. Provides that a dental hygienist that performs
22 dental charting does not create a patient of record.
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