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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/AD/2R

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03/01/2012 11:38 AM

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Senator Bogdanoff moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) of section 466.006, Florida
Statutes, is amended to read:

466.006 Examination of dentists.—

(3) If an applicant is a graduate of a dental college or
school not accredited in accordance with paragraph (2)(b) or of
a dental college or school not approved by the board, the
applicant ~~is shall~~ not ~~be~~ entitled to take the examinations
required in this section to practice dentistry until she or he
satisfies one of the following:



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14 (a) Completes a program of study, as defined by the board
15 by rule, at an accredited American dental school and
16 demonstrates receipt of a D.D.S. or D.M.D. from said school; or

17 (b) Submits proof of having successfully completed at least
18 2 consecutive academic years at a full-time supplemental general
19 dentistry program accredited by the American Dental Association
20 Commission on Dental Accreditation. This program must provide
21 didactic and clinical education at the level of a D.D.S. or
22 D.M.D. program accredited by the American Dental Association
23 Commission on Dental Accreditation ~~Completes a 2-year~~
24 ~~supplemental dental education program at an accredited dental~~
25 ~~school and receives a dental diploma, degree, or certificate as~~
26 ~~evidence of program completion.~~

27 Section 2. Subsections (2) and (4) of section 466.007,
28 Florida Statutes, are amended, and subsections (5) and (6) are
29 added to that section, to read:

30 466.007 Examination of dental hygienists.—

31 (2) An applicant is ~~shall be~~ entitled to take the
32 examinations required in this section to practice dental hygiene
33 in this state if the applicant:

34 (a) Is 18 years of age or older.

35 (b)1. Is a graduate of a dental hygiene college or school
36 approved by the board or accredited by the Commission on
37 Accreditation of the American Dental Association or its
38 successor entity, if any, or any other dental hygiene program
39 accrediting entity recognized by the United States Department of
40 Education ~~agency~~; or

41 2. Is a graduate of a dental college or school accredited
42 in accordance with s. 466.006(2)(b), or a graduate of an



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43 unaccredited dental college or school, and has met the
44 requirements of subsection (3).

45 (c)1. In the case of a graduate of a dental hygiene college
46 or school under subparagraph (2)(b)1.:

47 a. Has successfully completed the National Board of Dental
48 Hygiene examination at any time before the date of application
49 ~~within 10 years of the date of application;~~

50 b. Has been certified by the American Dental Association
51 Joint Commission on National Dental Examinations at any time
52 before the date of application ~~within 10 years of the date of~~
53 ~~application; and~~

54 c. Effective January 1, 1997, has completed coursework that
55 ~~which~~ is comparable to an associate in science degree;~~;~~

56 d. Has not been disciplined by a board, except for citation
57 offenses or minor violations; and

58 e. Has not been convicted of or pled nolo contendere to,
59 regardless of adjudication, any felony or misdemeanor related to
60 the practice of a health care profession.

61 2. In the case of a graduate of a dental college or school
62 under subparagraph (2)(b)2., has successfully completed ~~either~~
63 the National Board ~~of~~ Dental Hygiene Examination or the National
64 Board ~~of~~ Dental ~~Examiners~~ dental Examination, ~~within 10 years of~~
65 ~~the date of application.~~

66 (4) Effective July 1, 2012, to be licensed as a dental
67 hygienist in this state, an applicant must successfully complete
68 the following:

69 (a) A written examination on the laws and rules of this
70 state regulating the practice of dental hygiene.

71 (b) A practical or clinical examination approved by the



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72 board. Effective July 1, 2012, and thereafter, the examination
73 shall be the Dental Hygiene Examination produced by the American
74 Board of Dental Examiners, Inc. (ADEX) or its successor entity,
75 if any, if the board finds that the successor entity's clinical
76 examination meets or exceeds the provisions of this section. The
77 board shall approve the ADEX Dental Hygiene Examination if the
78 board has attained and continues to maintain representation on
79 the ADEX House of Representatives, the ADEX Dental Hygiene
80 Examination Development Committee, and such other ADEX Dental
81 Hygiene committees as the board deems appropriate through
82 rulemaking to ensure that the standards established in this
83 section are maintained organizationally. The ADEX Dental Hygiene
84 Examination or the examination produced by its successor entity
85 is a comprehensive examination in which an applicant must
86 demonstrate skills within the dental hygiene scope of practice
87 on a live patient and any other components that the board deems
88 necessary for the applicant to successfully demonstrate
89 competency for purpose of licensure. The ADEX Dental Hygiene
90 Examination or the examination by the successor entity
91 administered in this state shall be graded by dentists and
92 dental hygienists licensed in this state who are employed by the
93 department for this purpose.

94 (5) Effective July 1, 2012, an applicant who has completed
95 the ADEX Dental Hygiene Examination in a jurisdiction other than
96 this state and who has obtained a passing score may practice
97 dental hygiene in this state if the applicant:

98 (a) Has successfully completed the National Board Dental
99 Hygiene Examination at any time before the date of application;
100 and



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101 (b) Has been certified by the American Dental Association
102 Joint Commission on National Dental Examinations at any time
103 before the date of application, as specified by state law.

104 (6) (a) A passing score on the ADEX Dental Hygiene
105 Examination administered out of state shall be considered the
106 same as a passing score for the ADEX Dental Hygiene Examination
107 administered in this state and graded by licensed dentists and
108 dental hygienists.

109 (b) If an applicant fails to pass the ADEX Dental Hygiene
110 Examination in three attempts, the applicant is not eligible to
111 retake the examination unless the applicant completes additional
112 education requirements as specified by the board. ~~The practical~~
113 ~~or clinical examination shall test competency in areas to be~~
114 ~~established by rule of the board which shall include testing the~~
115 ~~ability to adequately perform a prophylaxis. On or after October~~
116 ~~1, 1986, every applicant who is otherwise qualified shall be~~
117 ~~eligible to take the examination a total of three times,~~
118 ~~notwithstanding the number of times the applicant has previously~~
119 ~~failed. If an applicant fails the examination three times, the~~
120 ~~applicant shall no longer be eligible to take the examination~~
121 ~~unless he or she obtains additional educational requirements~~
122 ~~established by the board. The department shall require a~~
123 ~~mandatory standardization exercise pursuant to s. 456.017(1) (b)~~
124 ~~for all examiners prior to each practical or clinical~~
125 ~~examination and shall retain for employment only those dentists~~
126 ~~and dental hygienists who have substantially adhered to the~~
127 ~~standard of grading established at such exercise. It is the~~
128 ~~intent of the Legislature that the examinations relate to those~~
129 ~~procedures which are actually performed by a dental hygienist in~~



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130 ~~general practice.~~

131 Section 3. Present subsection (4) of section 466.017,
132 Florida Statutes, is amended, subsections (5) and (6) are
133 renumbered as subsections (7) and (8), respectively, and new
134 subsections (5) and (6) are added to that section, to read:

135 466.017 Prescription of drugs; anesthesia.—

136 (4) A dentist or dental hygienist who administers or
137 employs the use of any form of anesthesia must possess a
138 certification in either basic cardiopulmonary resuscitation for
139 health professionals or advanced cardiac life support approved
140 by the American Heart Association or the American Red Cross or
141 an equivalent agency-sponsored course with recertification every
142 2 years. Each dental office which uses any form of anesthesia
143 must have immediately available and in good working order such
144 resuscitative equipment, oxygen, and other resuscitative drugs
145 as are specified by rule of the board in order to manage
146 possible adverse reactions.

147 (5) A dental hygienist under the direct supervision of a
148 dentist may administer local anesthesia, including intraoral
149 block anesthesia, soft tissue infiltration anesthesia, or both,
150 to a nonsedated patient who is 18 years of age or older, if the
151 following criteria are met:

152 (a) The dental hygienist has successfully completed a
153 course in the administration of local anesthesia which is
154 offered by a dental or dental hygiene program accredited by the
155 Commission on Dental Accreditation of the American Dental
156 Association or approved by the board. The course must include a
157 minimum of 30 hours of didactic instruction and 30 hours of
158 clinical experience, and instruction in:



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159 1. Theory of pain control.

160 2. Selection-of-pain-control modalities.

161 3. Anatomy.

162 4. Neurophysiology.

163 5. Pharmacology of local anesthetics.

164 6. Pharmacology of vasoconstrictors.

165 7. Psychological aspects of pain control.

166 8. Systematic complications.

167 9. Techniques of maxillary anesthesia.

168 10. Techniques of mandibular anesthesia.

169 11. Infection control.

170 12. Medical emergencies involving local anesthesia.

171 (b) The dental hygienist presents evidence of current
172 certification in basic or advanced cardiac life support.

173 (c) The dental hygienist possesses a valid certificate
174 issued under subsection (6).

175 (6) Any dental hygienist seeking a certificate to
176 administer local anesthesia must apply to the department, remit
177 an application fee, and submit proof of successful completion of
178 a course in the administration of local anesthesia pursuant to
179 subsection (5). The board shall certify, and the department
180 shall issue a certificate to, any dental hygienist who fulfills
181 the qualifications of subsection (5). The board shall establish
182 a one-time application fee not to exceed \$35. The certificate is
183 not subject to renewal but is part of the dental hygienist's
184 permanent record and must be prominently displayed at the
185 location where the dental hygienist is authorized to administer
186 local anesthesia. The board shall adopt rules necessary to
187 administer subsection (5) and this subsection.



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188 Section 4. Subsection (7) is added to section 466.023,
189 Florida Statutes, to read:

190 466.023 Dental hygienists; scope and area of practice.—

191 (7) A dental hygienist may administer local anesthesia as
192 provided in ss. 466.017 and 466.024.

193 Section 5. Subsection (1) of section 466.024, Florida
194 Statutes, is amended to read:

195 466.024 Delegation of duties; expanded functions.—

196 (1) A dentist may not delegate irremediable tasks to a
197 dental hygienist or dental assistant, except as provided by law.
198 A dentist may delegate remediable tasks to a dental hygienist or
199 dental assistant when such tasks pose no risk to the patient. A
200 dentist may only delegate remediable tasks so defined by law or
201 rule of the board. The board by rule shall designate which tasks
202 are remediable and delegable, except that the following are by
203 law found to be remediable and delegable:

204 (a) Taking impressions for study casts but not for the
205 purpose of fabricating any intraoral restorations or orthodontic
206 appliance.

207 (b) Placing periodontal dressings.

208 (c) Removing periodontal or surgical dressings.

209 (d) Removing sutures.

210 (e) Placing or removing rubber dams.

211 (f) Placing or removing matrices.

212 (g) Placing or removing temporary restorations.

213 (h) Applying cavity liners, varnishes, or bases.

214 (i) Polishing amalgam restorations.

215 (j) Polishing clinical crowns of the teeth for the purpose
216 of removing stains but not changing the existing contour of the



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217 tooth.

218 (k) Obtaining bacteriological cytological specimens not
219 involving cutting of the tissue.

220 (l) Administering local anesthesia pursuant to s.
221 466.017(5).

222
223 This subsection does not limit delegable tasks to those
224 specified herein.

225 Section 6. This act shall take effect upon becoming a law.

226

227 ===== T I T L E A M E N D M E N T =====

228 And the title is amended as follows:

229 Delete everything before the enacting clause
230 and insert:

231 A bill to be entitled

232 An act relating to the practice of dentistry; amending
233 s. 466.006, F.S.; revising the eligibility
234 requirements for taking the examinations required to
235 practice dentistry if the applicant is a graduate of a
236 certain dental college or school; amending s. 466.007,
237 F.S.; revising the eligibility requirements for taking
238 the examinations required to practice dental hygiene;
239 revising the licensing requirements to practice as a
240 dental hygienist; amending s. 466.017, F.S.;

241 authorizing dental hygienists to administer certain
242 local anesthesia under the direct supervision of a
243 licensed dentist if certain educational requirements
244 are met; requiring dental hygienists to maintain
245 current certification in basic or advanced



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246 cardiopulmonary resuscitation or advanced cardiac life
247 support with recertification every 2 years; amending
248 s. 466.023, F.S.; revising the scope and area of
249 practice for dental hygienists, to conform to changes
250 made by this act; amending s. 466.024, F.S.; revising
251 the delegated duties that are found to be remediable
252 and delegable, to conform to changes made by this act;
253 providing an effective date.