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1 A bill to be entitled
2 An act relating to the practice of dentistry; amending
3 s. 466.006, F.S.; revising the eligibility
4 requirements for taking the examinations required to
5 practice dentistry if the applicant is a graduate of a
6 certain dental college or school; amending s. 466.007,
7 F.S.; revising the eligibility requirements for taking
8 the examinations required to practice dental hygiene;
9 revising the licensing requirements to practice as a
10 dental hygienist; amending s. 466.017, F.S.;
11 authorizing dental hygienists to administer certain
12 local anesthesia under the direct supervision of a
13 licensed dentist if certain educational requirements
14 are met; requiring dental hygienists to maintain
15 current certification in basic or advanced
16 cardiopulmonary resuscitation or advanced cardiac life
17 support with recertification every 2 years; amending
18 s. 466.023, F.S.; revising the scope and area of
19 practice for dental hygienists, to conform to changes
20 made by this act; amending s. 466.024, F.S.; revising
21 the delegated duties that are found to be remediable
22 and delegable, to conform to changes made by this act;
23 providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsection (3) of section 466.006, Florida
28 Statutes, is amended to read:

29 466.006 Examination of dentists.—

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

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

39 (b) Submits proof of having successfully completed at least
40 2 consecutive academic years at a full-time supplemental general
41 dentistry program accredited by the American Dental Association
42 Commission on Dental Accreditation. This program must provide
43 didactic and clinical education at the level of a D.D.S. or
44 D.M.D. program accredited by the American Dental Association
45 Commission on Dental Accreditation ~~Completes a 2-year~~
46 ~~supplemental dental education program at an accredited dental~~
47 ~~school and receives a dental diploma, degree, or certificate as~~
48 ~~evidence of program completion.~~

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

52 466.007 Examination of dental hygienists.—

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

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

57 (b)1. Is a graduate of a dental hygiene college or school
58 approved by the board or accredited by the Commission on

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59 Accreditation of the American Dental Association or its
 60 successor entity, if any, or any other dental hygiene program
 61 accrediting entity recognized by the United States Department of
 62 Education agency; or

63 2. Is a graduate of a dental college or school accredited
 64 in accordance with s. 466.006(2) (b), or a graduate of an
 65 unaccredited dental college or school, and has met the
 66 requirements of subsection (3).

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

69 a. Has successfully completed the National Board of Dental
 70 Hygiene examination at any time before the date of application
 71 ~~within 10 years of the date of application;~~

72 b. Has been certified by the American Dental Association
 73 Joint Commission on National Dental Examinations at any time
 74 before the date of application ~~within 10 years of the date of~~
 75 ~~application;~~ and

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

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

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

83 2. In the case of a graduate of a dental college or school
 84 under subparagraph (2) (b)2. ~~;~~ ~~has~~

85 a. Successfully completed either the National Board of
 86 Dental Hygiene Examination or the National Board of Dental
 87 Examiners dental Examination; ~~;~~ ~~within 10 years of the date of~~

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88 ~~application.~~

89 b. Has not been disciplined by a board, except for citation
90 offenses or minor violations; and

91 c. Has not been convicted of or pled nolo contendere to,
92 regardless of adjudication, any felony or misdemeanor related to
93 the practice of a health care profession.

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

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

99 (b) A practical or clinical examination approved by the
100 board. The examination shall be the Dental Hygiene Examination
101 produced by the American Board of Dental Examiners, Inc. (ADEX)
102 or its successor entity, if any, if the board finds that the
103 successor entity's clinical examination meets or exceeds the
104 provisions of this section. The board shall approve the ADEX
105 Dental Hygiene Examination if the board has attained and
106 continues to maintain representation on the ADEX House of
107 Representatives, the ADEX Dental Hygiene Examination Development
108 Committee, and such other ADEX Dental Hygiene committees as the
109 board deems appropriate through rulemaking to ensure that the
110 standards established in this section are maintained
111 organizationally. The ADEX Dental Hygiene Examination or the
112 examination produced by its successor entity is a comprehensive
113 examination in which an applicant must demonstrate skills within
114 the dental hygiene scope of practice on a live patient and any
115 other components that the board deems necessary for the
116 applicant to successfully demonstrate competency for the purpose

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117 of licensure. The ADEX Dental Hygiene Examination or the
118 examination by the successor entity administered in this state
119 shall be graded by dentists and dental hygienists licensed in
120 this state who are employed by the department for this purpose.

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

125 (a) Has successfully completed the National Board Dental
126 Hygiene Examination at any time before the date of application;

127 (b) Has been certified by the American Dental Association
128 Joint Commission on National Dental Examinations at any time
129 before the date of application, as specified by state law;

130 (c) Has successfully completed a written examination on the
131 laws and rules of this state regulating the practice of dental
132 hygiene;

133 (d) Has not been disciplined by a board, except for
134 citation offenses or minor violations; and

135 (e) Has not been convicted of or pled nolo contendere to,
136 regardless of adjudication, any felony or misdemeanor related to
137 the practice of a health care profession.

138 (6) (a) A passing score on the ADEX Dental Hygiene
139 Examination administered out of state shall be considered the
140 same as a passing score for the ADEX Dental Hygiene Examination
141 administered in this state and graded by licensed dentists and
142 dental hygienists.

143 (b) If an applicant fails to pass the ADEX Dental Hygiene
144 Examination in three attempts, the applicant is not eligible to
145 retake the examination unless the applicant completes additional

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146 education requirements as specified by the board. ~~The practical~~
147 ~~or clinical examination shall test competency in areas to be~~
148 ~~established by rule of the board which shall include testing the~~
149 ~~ability to adequately perform a prophylaxis. On or after October~~
150 ~~1, 1986, every applicant who is otherwise qualified shall be~~
151 ~~eligible to take the examination a total of three times,~~
152 ~~notwithstanding the number of times the applicant has previously~~
153 ~~failed. If an applicant fails the examination three times, the~~
154 ~~applicant shall no longer be eligible to take the examination~~
155 ~~unless he or she obtains additional educational requirements~~
156 ~~established by the board. The department shall require a~~
157 ~~mandatory standardization exercise pursuant to s. 456.017(1)(b)~~
158 ~~for all examiners prior to each practical or clinical~~
159 ~~examination and shall retain for employment only those dentists~~
160 ~~and dental hygienists who have substantially adhered to the~~
161 ~~standard of grading established at such exercise. It is the~~
162 ~~intent of the Legislature that the examinations relate to those~~
163 ~~procedures which are actually performed by a dental hygienist in~~
164 ~~general practice.~~

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

169 466.017 Prescription of drugs; anesthesia.—

170 (4) A dentist or dental hygienist who administers or
171 employs the use of any form of anesthesia must possess a
172 certification in either basic cardiopulmonary resuscitation for
173 health professionals or advanced cardiac life support approved
174 by the American Heart Association or the American Red Cross or

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175 an equivalent agency-sponsored course with recertification every
176 2 years. Each dental office which uses any form of anesthesia
177 must have immediately available and in good working order such
178 resuscitative equipment, oxygen, and other resuscitative drugs
179 as are specified by rule of the board in order to manage
180 possible adverse reactions.

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

186 (a) The dental hygienist has successfully completed a
187 course in the administration of local anesthesia which is
188 offered by a dental or dental hygiene program accredited by the
189 Commission on Dental Accreditation of the American Dental
190 Association or approved by the board. The course must include a
191 minimum of 30 hours of didactic instruction and 30 hours of
192 clinical experience, and instruction in:

- 193 1. Theory of pain control.
- 194 2. Selection-of-pain-control modalities.
- 195 3. Anatomy.
- 196 4. Neurophysiology.
- 197 5. Pharmacology of local anesthetics.
- 198 6. Pharmacology of vasoconstrictors.
- 199 7. Psychological aspects of pain control.
- 200 8. Systematic complications.
- 201 9. Techniques of maxillary anesthesia.
- 202 10. Techniques of mandibular anesthesia.
- 203 11. Infection control.

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204 12. Medical emergencies involving local anesthesia.

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

207 (c) The dental hygienist possesses a valid certificate
208 issued under subsection (6).

209 (6) Any dental hygienist seeking a certificate to
210 administer local anesthesia must apply to the department, remit
211 an application fee, and submit proof of successful completion of
212 a course in the administration of local anesthesia pursuant to
213 subsection (5). The board shall certify, and the department
214 shall issue a certificate to, any dental hygienist who fulfills
215 the qualifications of subsection (5). The board shall establish
216 a one-time application fee not to exceed \$35. The certificate is
217 not subject to renewal but is part of the dental hygienist's
218 permanent record and must be prominently displayed at the
219 location where the dental hygienist is authorized to administer
220 local anesthesia. The board shall adopt rules necessary to
221 administer subsection (5) and this subsection.

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

224 466.023 Dental hygienists; scope and area of practice.—

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

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

229 466.024 Delegation of duties; expanded functions.—

230 (1) A dentist may not delegate irremediable tasks to a
231 dental hygienist or dental assistant, except as provided by law.
232 A dentist may delegate remediable tasks to a dental hygienist or

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233 dental assistant when such tasks pose no risk to the patient. A
234 dentist may only delegate remediable tasks so defined by law or
235 rule of the board. The board by rule shall designate which tasks
236 are remediable and delegable, except that the following are by
237 law found to be remediable and delegable:

238 (a) Taking impressions for study casts but not for the
239 purpose of fabricating any intraoral restorations or orthodontic
240 appliance.

241 (b) Placing periodontal dressings.

242 (c) Removing periodontal or surgical dressings.

243 (d) Removing sutures.

244 (e) Placing or removing rubber dams.

245 (f) Placing or removing matrices.

246 (g) Placing or removing temporary restorations.

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

248 (i) Polishing amalgam restorations.

249 (j) Polishing clinical crowns of the teeth for the purpose
250 of removing stains but not changing the existing contour of the
251 tooth.

252 (k) Obtaining bacteriological cytological specimens not
253 involving cutting of the tissue.

254 (l) Administering local anesthesia pursuant to s.
255 466.017(5).

256
257 This subsection does not limit delegable tasks to those
258 specified herein.

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