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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/18/2019	.	
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The Committee on Children, Families, and Elder Affairs (Rader) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 621 - 852

and insert:

(7) A dental therapist under the direct or indirect supervision of a dentist may administer local anesthesia, including intraoral block anesthesia or soft tissue infiltration anesthesia, or both, if she or he has completed the course described in subsection (5) and presents evidence of current certification in basic or advanced cardiac life support.



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11           (8)~~(7)~~ A licensed dentist, or a dental therapist who is  
12 authorized by her or his supervising dentist, may utilize an X-  
13 ray machine, expose dental X-ray films, and interpret or read  
14 such films. Notwithstanding ~~The provisions of part IV of chapter~~  
15 ~~468 to the contrary notwithstanding~~, a licensed dentist, or a  
16 dental therapist who is authorized by her or his supervising  
17 dentist, may authorize or direct a dental assistant to operate  
18 such equipment and expose such films under her or his direction  
19 and supervision, pursuant to rules adopted by the board in  
20 accordance with s. 466.024 which ensure that said assistant is  
21 competent by reason of training and experience to operate said  
22 equipment in a safe and efficient manner. The board may charge a  
23 fee not to exceed \$35 to defray the cost of verifying compliance  
24 with requirements adopted pursuant to this section.

25           (9)~~(8)~~ Notwithstanding ~~The provisions of s. 465.0276~~  
26 ~~notwithstanding~~, a dentist need not register with the board or  
27 comply with the continuing education requirements of that  
28 section if the dentist confines her or his dispensing activity  
29 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
30 rinse solutions; provided that the dentist complies with and is  
31 subject to all laws and rules applicable to pharmacists and  
32 pharmacies, including, but not limited to, chapters 465, 499,  
33 and 893, and all applicable federal laws and regulations, when  
34 dispensing such products.

35           Section 13. Subsection (1) of section 466.018, Florida  
36 Statutes, is amended to read:

37           466.018 Dentist of record; patient records.—

38           (1) Each patient shall have a dentist of record. The  
39 dentist of record shall remain primarily responsible for all



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40 dental treatment on such patient regardless of whether the  
41 treatment is rendered by the dentist or by another dentist,  
42 dental therapist, dental hygienist, or dental assistant  
43 rendering such treatment in conjunction with, at the direction  
44 or request of, or under the supervision of such dentist of  
45 record. The dentist of record shall be identified in the record  
46 of the patient. If treatment is rendered by a dentist other than  
47 the dentist of record or by a dental hygienist, dental  
48 therapist, or dental assistant, the name or initials of such  
49 person shall be placed in the record of the patient. In any  
50 disciplinary proceeding brought pursuant to this chapter or  
51 chapter 456, it shall be presumed as a matter of law that  
52 treatment was rendered by the dentist of record unless otherwise  
53 noted on the patient record pursuant to this section. The  
54 dentist of record and any other treating dentist are subject to  
55 discipline pursuant to this chapter or chapter 456 for treatment  
56 rendered to the patient and performed in violation of such  
57 chapter. One of the purposes of this section is to ensure that  
58 the responsibility for each patient is assigned to one dentist  
59 in a multidentist practice of any nature and to assign primary  
60 responsibility to the dentist for treatment rendered by a dental  
61 hygienist, dental therapist, or dental assistant under her or  
62 his supervision. This section shall not be construed to assign  
63 any responsibility to a dentist of record for treatment rendered  
64 pursuant to a proper referral to another dentist who does not ~~in~~  
65 practice with the dentist of record or to prohibit a patient  
66 from voluntarily selecting a new dentist without permission of  
67 the dentist of record.

68 Section 14. Section 466.0225, Florida Statutes, is created



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69 to read:

70 466.0225 Examination of dental therapists; licensing.-

71 (1) Any person desiring to be licensed as a dental  
72 therapist shall apply to the department to take the licensure  
73 examinations and shall verify the information required on the  
74 application by oath. The application must include two recent  
75 photographs of the applicant.

76 (2) An applicant is entitled to take the examinations  
77 required in this section and receive licensure to practice  
78 dental therapy in this state if the applicant:

79 (a) Is 18 years of age or older;

80 (b) Is a graduate of a dental therapy college or school  
81 accredited by the American Dental Association Commission on  
82 Dental Accreditation or its successor entity, if any, or any  
83 other dental therapy accrediting entity recognized by the United  
84 States Department of Education. For applicants applying for a  
85 dental therapy license before January 1, 2024, the board shall  
86 approve the applicant's dental therapy education program if the  
87 program was administered by a college or school that operates an  
88 accredited dental or dental hygiene program and the college or  
89 school certifies to the board that the applicant's education  
90 substantially conformed to the education standards established  
91 by the American Dental Association Commission on Dental  
92 Accreditation;

93 (c) Has successfully completed a dental therapy practical  
94 or clinical examination produced by the American Board of Dental  
95 Examiners, Inc., (ADEX) or its successor entity, if any, if the  
96 board finds that the successor entity's examination meets or  
97 exceeds the provisions of this section. If an applicant fails to



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98 pass the ADEX Dental Therapy Examination after three attempts,  
99 the applicant is not eligible to retake the examination unless  
100 the applicant completes additional education requirements as  
101 specified by the board. If a dental therapy examination has not  
102 been established by the ADEX, the board shall administer or  
103 approve an alternative examination;

104 (d) Has not been disciplined by a board, except for  
105 citation offenses or minor violations;

106 (e) Has not been convicted of or pled nolo contendere to,  
107 regardless of adjudication, any felony or misdemeanor related to  
108 the practice of a health care profession; and

109 (f) Has successfully completed a written examination on the  
110 laws and rules of this state regulating the practice of dental  
111 therapy.

112 (3) An applicant who meets the requirements of this  
113 section, and who has successfully completed the examinations  
114 identified in paragraph (2) (c) in a jurisdiction other than this  
115 state, or who has successfully completed comparable examinations  
116 administered or approved by the licensing authority in a  
117 jurisdiction other than this state shall be licensed to practice  
118 dental therapy in this state if the board determines that the  
119 other jurisdiction's examinations and scope of practice are  
120 substantially similar to those identified in paragraph (2) (c).

121 Section 15. Section 466.0227, Florida Statutes, is created  
122 to read:

123 466.0227 Dental therapists; scope and area of practice.—

124 (1) The Legislature finds that authorizing licensed dental  
125 therapists to perform the services specified in subsection (3)  
126 would improve access to high-quality affordable oral health



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127 services for all residents in this state. The Legislature  
128 intends to rapidly improve such access for low-income,  
129 uninsured, and underserved patients and communities. To further  
130 this intent, a dental therapist licensed under this chapter is  
131 limited to practicing dental therapy in the following settings:  
132 (a) A health access setting, as defined in s. 466.003(16).  
133 (b) A community health center, including an off-site care  
134 setting.  
135 (c) A nursing facility.  
136 (d) A military or veterans' hospital or clinic, including  
137 an off-site care setting.  
138 (e) A governmental or public health clinic, including an  
139 off-site care setting.  
140 (f) A school, Head Start program, or school-based  
141 prevention program, as defined in s. 466.003(17).  
142 (g) An oral health education institution, including an off-  
143 site care setting.  
144 (h) A hospital.  
145 (i) A geographic area designated as a dental health  
146 professional shortage area by the state or the Federal  
147 Government which is not located within a federally designated  
148 metropolitan statistical area.  
149 (2) Except as otherwise provided in this chapter, a dental  
150 therapist may perform the dental therapy services as specified  
151 in subsection (3) under the direct or indirect supervision of a  
152 dentist to the extent authorized by the supervising dentist and  
153 provided within the terms of a written collaborative management  
154 agreement signed by the dental therapist and the supervising  
155 dentist which meets the requirements of subsection (4). For



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156 purposes of this section, the term:

157 (a) "Direct supervision" means supervision whereby a  
158 dentist diagnoses the condition to be treated, a dentist  
159 authorizes the procedure to be performed, a dentist remains on  
160 the premises while the procedures are performed, and a dentist  
161 approves the work performed before dismissal of the patient.

162 (b) "Indirect supervision" means supervision whereby a  
163 dentist authorizes the procedure and a dentist is on the  
164 premises while the procedure is performed.

165 (3) Dental therapy services include all of the following:

166 (a) All services, treatments, and competencies identified  
167 by the American Dental Association Commission on Dental  
168 Accreditation in its Dental Therapy Education Accreditation  
169 Standards.

170 (b) The following state-specific services, if the dental  
171 therapist's education included curriculum content satisfying the  
172 American Dental Association Commission on Dental Accreditation  
173 criteria for state-specific dental therapy services:

174 1. Evaluating radiographs.

175 2. Placement of space maintainers.

176 3. Pulpotomies on primary teeth.

177 4. Dispensing and administering nonopioid analgesics

178 including nitrous oxide, anti-inflammatories, and antibiotics as  
179 authorized by the supervising dentist and within the parameters  
180 of the collaborative management agreement.

181 5. Oral evaluation and assessment of dental disease and  
182 formulation of an individualized treatment plan if authorized by  
183 a supervising dentist and subject to any conditions,  
184 limitations, and protocols specified by the supervising dentist



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185 in the collaborative management agreement.

186 (4) Before performing any of the services authorized in  
187 subsection (3), a dental therapist must enter into a written  
188 collaborative management agreement with a supervising dentist.  
189 The agreement must be signed by the dental therapist and the  
190 supervising dentist and must include:

191 (a) Practice settings where services may be provided by the  
192 dental therapist and the populations to be served by the dental  
193 therapist.

194 (b) Any limitations on the services that may be provided by  
195 the dental therapist, including the level of supervision  
196 required by the supervising dentist.

197 (c) Age- and procedure-specific practice protocols for the  
198 dental therapist, including case selection criteria, assessment  
199 guidelines, and imaging frequency.

200 (d) A procedure for creating and maintaining dental records  
201 for the patients who are treated by the dental therapist.

202 (e) A plan to manage medical emergencies in each practice  
203 setting where the dental therapist provides care.

204 (f) A quality assurance plan for monitoring care provided  
205 by the dental therapist, including patient care review, referral  
206 followup, and a quality assurance chart review.

207 (g) Protocols for the dental therapist to administer and  
208 dispense medications, including the specific conditions and  
209 circumstances under which the medications are to be dispensed  
210 and administered.

211 (h) Criteria relating to the provision of care by the  
212 dental therapist to patients with specific medical conditions or  
213 complex medication histories, including requirements for





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214 consultation before the initiation of care.

215 (i) Supervision criteria of dental therapists.

216 (j) A plan for the provision of clinical resources and  
217 referrals in situations that are beyond the capabilities of the  
218 dental therapist.

219 (5) A supervising dentist may restrict or limit the dental  
220 therapist's practice in a collaborative management agreement to  
221 be less than the full scope of practice for dental therapists  
222 which is authorized in subsection (3).

223 (6) A supervising dentist may authorize a dental therapist  
224 to provide dental therapy services to a patient before the  
225 dentist examines or diagnoses the patient if the authority,  
226 conditions, and protocols are established in a written  
227 collaborative management agreement and if the patient is  
228 subsequently referred to a dentist for any needed additional  
229 services that exceed the dental therapist's scope of practice or  
230 authorization under the collaborative management agreement.

231 (7) A supervising dentist must be licensed and practicing

232  
233 ===== T I T L E A M E N D M E N T =====

234 And the title is amended as follows:

235 Delete lines 48 - 72

236 and insert:

237 direct or indirect supervision of a dentist to  
238 administer local anesthesia and utilize an X-ray  
239 machine, expose dental X-ray films, and interpret or  
240 read such films if specified requirements are met;  
241 correcting a term; amending s. 466.018, F.S.;

242 providing that a dentist remains primarily responsible



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243 for the dental treatment of a patient regardless of  
244 whether the treatment is provided by a dental  
245 therapist; requiring the initials of a dental  
246 therapist who renders treatment to a patient to be  
247 placed in the record of the patient; creating s.  
248 466.0225, F.S.; providing application requirements and  
249 examination and licensure qualifications for dental  
250 therapists; creating s. 466.0227, F.S.; providing  
251 legislative findings and intent; limiting the practice  
252 of dental therapy to specified settings; authorizing a  
253 dental therapist to perform specified services under  
254 the direct or indirect supervision of a dentist under  
255 certain conditions; defining the terms "direct  
256 supervision" and "indirect supervision"; specifying  
257 state-specific dental therapy services; requiring a  
258 collaborative management agreement to be signed by a  
259 supervising dentist and a dental therapist and to  
260 include certain information;