

ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1103

By: Gray, Benson, Glover,
Webb and Kirby of the
House

and

Weedn and Long (Lewis)
of the Senate

A Joint Resolution relating to certain rules adopted by the Board of Governors of the Registered Dentists of Oklahoma regarding examination and licensing of dentists, dental hygienists, and dental specialists, duties of auxiliaries and rules regulating the practice of dental hygiene, rules governing the administration of anesthesia, rules for continuing education, and rules concerning infection control; approving proposed amendments to proposed rule OAC 195:25-1-2; approving proposed rules OAC 195:35-1-1, OAC 195:35-1-2, OAC 195:35-1-3(a), OAC 195:35-1-3(c), OAC 195:35-1-3(d), OAC 195:35-1-3(e), OAC 195:35-1-3(f), OAC 195:35-1-4 and OAC 195:35-1-5; disapproving proposed amendments, additions and revocations to proposed rules OAC 195:10-1-1, OAC 195:10-1-2, OAC 195:10-1-3, OAC 195:10-1-4; OAC 195:10-3-1, OAC 195:10-3-2, OAC 195:10-3-3, OAC 195:10-3-4; OAC 195:10-5-2; OAC 195:10-9-2; OAC 195:10-11-1, OAC 195:10-11-2, OAC 195:10-11-3, OAC 195:10-11-4, OAC 195:10-11-5, OAC 195:10-11-6, OAC 195:10-11-7, OAC 195:10-11-8, OAC 195:10-11-9, OAC 195:10-11-10; OAC 195:15-1-1, OAC 195:15-1-3, OAC 195:15-1-4, OAC 195:15-1-5, OAC 195:15-1-6, OAC 195:15-1-7; OAC 195:20-1-2, OAC 195:20-1-3, OAC 195:20-1-4, OAC 195:20-1-5, OAC 195:20-1-6, OAC 195:20-1-7, OAC 195:20-1-8, OAC 195:20-1-9, OAC 195:20-1-10, OAC 195:20-1-11, OAC 195:20-1-12; OAC 195:25-1-8; and OAC 195:35-1-3(b); directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to approve any rule, establish policy, disapprove any rule and determine that a rule is not consistent with legislative intent; and

WHEREAS, on or about April 1, 1996, pursuant to Article I of the Oklahoma Administrative Procedures Act, the Board of Governors of

the Registered Dentists of Oklahoma submitted to the Legislature for review proposed permanent rules OAC 195:10-1-1 through OAC 195:10-1-4; OAC 195:10-3-1 through OAC 195:10-3-4; OAC 195:10-5-2; OAC 195:10-9-2; OAC 195:10-11-1 through OAC 195:10-11-10; OAC 195:15-1-1; OAC 195:15-1-3 through OAC 195:15-1-7; OAC 195:20-1-2 through OAC 195:20-1-12; OAC 195:25-1-2; OAC 195:25-1-8; and OAC 195:35-1-1 through OAC 195:35-1-5, regarding examination and licensing of dentists, dental hygienists, and dental specialists; duties of auxiliaries and rules regulating the practice of dental hygiene; rules governing the administration of anesthesia; rules for continuing education; and rules concerning infection control; and

WHEREAS, the Legislature recognizes cardiopulmonary resuscitation (CPR) as a critical life-saving technique and believes that primary health care professionals, especially licensed dentists and licensed dental hygienists, due to their direct contact with patients and the general nature of the dental profession, should be currently certified to perform CPR in order to protect the health, safety and welfare of the public; and

WHEREAS, the Legislature believes that proper sterilization, disinfection, and other infection control procedures are expected and essential elements of the practice of dentistry in order to ensure the health, safety and welfare of the public; and

WHEREAS, the Legislature believes that individuals, who are not licensed dentists or licensed dental hygienists, should not perform expanded duties involving the prevention and treatment for oral disease which is a human ill; and

WHEREAS, proposed amendments, additions and revocations to proposed permanent rules OAC 195:10-1-1 through OAC 195:10-1-4; OAC 195:10-3-1 through OAC 195:10-3-4; OAC 195:10-5-2; OAC 195:10-9-2; OAC 195:10-11-1 through OAC 195:10-11-10; OAC 195:15-1-1; OAC 195:15-1-3 through OAC 195:15-1-7; OAC 195:20-1-2 through OAC 195:20-1-12; OAC 195:25-1-8; and OAC 195:35-1-3(b), of the Board of

Governors of Registered Dentists of Oklahoma are inconsistent with legislative intent.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 45TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby approves proposed permanent rules OAC 195:25-1-2; OAC 195:35-1-1; OAC 195:35-1-2; OAC 195:35-1-3(a); OAC 195:35-1-3(c); OAC 195:35-1-3(d); OAC 195:35-1-3(e); OAC 195:35-1-3(f); OAC 195:35-1-4; and OAC 195:35-1-5.

SECTION 2. The Legislature hereby disapproves proposed permanent rules OAC 195:10-1-1 through OAC 195:10-1-4; OAC 195:10-3-1 through OAC 195:10-3-4; OAC 195:10-5-2; OAC 195:10-9-2; OAC 195:10-11-1 through OAC 195:10-11-10; OAC 195:15-1-1; OAC 195:15-1-3 through OAC 195:15-1-7; OAC 195:20-1-2 through OAC 195:20-1-12; OAC 195:25-1-8; and OAC 195:35-1-3(b), submitted to the Legislature on or about April 1, 1996, by the Board of Governors of the Registered Dentists of Oklahoma.

SECTION 3. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Executive Director of the Board of Governors of the Registered Dentists of Oklahoma and the Editor of "The Oklahoma Register".

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 21st day of May, 1996.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1996.

President

of the Senate