

3 Senate Bill No. 1509

4 SENATE BILL NO. 1509 - By: COFFEE of the Senate and ADKINS of the  
5 House.

6 An Act relating to professions and occupations; amending 59  
7 O.S. 2001, Section 328.3, as last amended by Section 1,  
8 Chapter 377, O.S.L. 2005 (59 O.S. Supp. 2005, Section  
9 328.3), which relates to the State Dental Act; modifying a  
10 definition; and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 59 O.S. 2001, Section 328.3, as  
13 last amended by Section 1, Chapter 377, O.S.L. 2005 (59 O.S. Supp.  
14 2005, Section 328.3), is amended to read as follows:

15 Section 328.3 As used in the State Dental Act, the following  
16 words, phrases, or terms, unless the context otherwise indicates,  
17 shall have the following meanings:

18 1. "Accredited dental college" means an institution whose  
19 dental educational program is accredited by the Commission on Dental  
20 Accreditation of the American Dental Association;

21 2. "Accredited dental hygiene program" means a dental hygiene  
22 educational program which is accredited by the Commission on Dental  
23 Accreditation of the American Dental Association;

24 3. "Board" means the Board of Dentistry;

25 4. "Dentistry" means the practice of dentistry in all of its  
26 branches;

1           5. "Dentist" means a graduate of an accredited dental college  
2 who has been issued a license by the Board to practice dentistry as  
3 defined in Section 328.19 of this title;

4           6. "Dental office" means an establishment owned and operated by  
5 a dentist for the practice of dentistry, which may be composed of  
6 reception rooms, business offices, private offices, laboratories,  
7 and dental operating rooms where dental operations are performed;

8           7. "Dental hygienist" means an individual who has fulfilled the  
9 educational requirements and is a graduate of an accredited dental  
10 hygiene program and who has passed an examination and has been  
11 issued a license by the Board and who is authorized to practice  
12 dental hygiene as hereinafter defined;

13          8. "Dental assistant and/or dental nurse" means an individual  
14 working for a dentist, under the dentist's direct supervision, and  
15 performing duties in the dental office or a treatment facility,  
16 including the limited treatment of patients in accordance with the  
17 provisions of the State Dental Act. A dental assistant or dental  
18 nurse may assist a dentist with the patient; provided, this shall be  
19 done only under the direct supervision and control of the dentist  
20 and only in accordance with the educational requirements and rules  
21 promulgated by the Board;

1           9. "Dental laboratory" means a location, whether in a dental  
2 office or not, where a dentist or a dental laboratory technician  
3 performs dental laboratory technology;

4           10. "Dental laboratory technician" means an individual whose  
5 name is duly filed in the official records of the Board, which  
6 authorizes the technician, upon the laboratory prescription of a  
7 dentist, to perform dental laboratory technology, which services  
8 must be rendered only to the prescribing dentist and not to the  
9 public;

10          11. "Dental laboratory technology" means using materials and  
11 mechanical devices for the construction, reproduction or repair of  
12 dental restorations, appliances or other devices to be worn in a  
13 human mouth;

14          12. "Dental specialty" means a specialized practice of a branch  
15 of dentistry, recognized and defined by the American Dental  
16 Association and the rules of the Board;

17          13. "Direct supervision" means the supervisory dentist is in  
18 the dental office or treatment facility and, during the appointment,  
19 personally examines the patient, diagnoses any conditions to be  
20 treated, authorizes the procedures to be performed by a dental  
21 hygienist or dental assistant, remains in the dental office or  
22 treatment facility while the procedures are being performed and,

1 before dismissal of the patient, evaluates the results of the dental  
2 treatment;

3 14. "General supervision" means the supervisory dentist has  
4 previously diagnosed any conditions to be treated, has personally  
5 authorized the procedures to be performed by a dental hygienist, and  
6 will evaluate the results of the dental treatment within a  
7 reasonable time as determined by the nature of the procedures  
8 performed, the needs of the patient, and the professional judgment  
9 of the supervisory dentist;

10 15. "Indirect supervision" means the supervisory dentist is in  
11 the dental office or treatment facility and has personally diagnosed  
12 any conditions to be treated, authorizes the procedures to be  
13 performed by a dental hygienist, remains in the dental office or  
14 treatment facility while the procedures are being performed, and  
15 will evaluate the results of the dental treatment within a  
16 reasonable time as determined by the nature of the procedures  
17 performed, the needs of the patient, and the professional judgment  
18 of the supervisory dentist;

19 16. "Investigations" means an investigation proceeding,  
20 authorized under Sections 328.15 and 328.43a of this title, to  
21 investigate alleged violations of the State Dental Act or the rules  
22 of the Board;

1        17. "Laboratory prescription" means a written description,  
2        dated and signed by a dentist, of dental laboratory technology to be  
3        performed by a dental laboratory technician;

4        18. "Out-of-state dental hygienist" means a graduate of an  
5        accredited dental hygienist program who holds a license to practice  
6        dental hygiene in another state but who is not licensed to practice  
7        dental hygiene in this state;

8        19. "Out-of-state dentist" means a graduate of an accredited  
9        dental college who holds a license to practice dentistry in another  
10       state but who is not licensed to practice dentistry in this state;

11       20. "Patient" or "patient of record" means an individual who  
12       has given a medical history and has been examined and accepted for  
13       dental care by a dentist;

14       21. "Supervision" means direct supervision, indirect  
15       supervision, or general supervision; and

16       22. "Treatment facility" means:

- 17           a. a federal, state or local public health facility,
- 18           b. a private health facility,
- 19           c. a group home or residential care facility serving the  
20           elderly, handicapped or juveniles,
- 21           d. a hospital,
- 22           e. a nursing home,

- 1 f. a penal institution operated by or under contract with  
2 the federal or state government,  
3 g. a public or private school,  
4 h. a patient of record's private residence,  
5 i. a mobile dental unit,  
6 j. an accredited dental college,  
7 ~~j.~~  
8 k. an accredited dental hygiene program, or  
9 ~~k.~~  
10 l. such other places as are authorized by the rules of  
11 the Board.

12 SECTION 2. This act shall become effective November 1, 2006.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN RESOURCES, dated  
14 2-9-06 - DO PASS, As Coauthored.