

Senate Bill 1550

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Health Care)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows expanded practice dental hygienist to perform interim therapeutic restoration. Requires agreement between dentist and expanded practice dental hygienist to include expanded practice dental hygienist's scope of practice regarding interim therapeutic restorations. Defines "interim therapeutic restoration."

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to interim therapeutic restorations; creating new provisions; amending ORS 680.205; and
3 prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 680.205 is amended to read:

6 680.205. (1) An expanded practice dental hygienist may render all services within the scope of
7 practice of dental hygiene, as defined in ORS 679.010, without the supervision of a dentist and as
8 authorized by the expanded practice dental hygienist permit to:

9 (a) Patients or residents of the following facilities or programs who, due to age, infirmity or
10 disability, are unable to receive regular dental hygiene treatment:

11 (A) Nursing homes as defined in ORS 678.710;

12 (B) Adult foster homes as defined in ORS 443.705;

13 (C) Residential care facilities as defined in ORS 443.400;

14 (D) Adult congregate living facilities as defined in ORS 441.525;

15 (E) Mental health residential programs administered by the Oregon Health Authority;

16 (F) Facilities for persons with mental illness, as those terms are defined in ORS 426.005;

17 (G) Facilities for persons with developmental disabilities, as those terms are defined in ORS
18 427.005;

19 (H) Local correctional facilities and juvenile detention facilities as those terms are defined in
20 ORS 169.005, regional correctional facilities as defined in ORS 169.620, youth correction facilities
21 as defined in ORS 420.005, youth care centers as defined in ORS 420.855, and Department of Cor-
22 rections institutions as defined in ORS 421.005; or

23 (I) Public and nonprofit community health clinics.

24 (b) Adults who are homebound.

25 (c) Students or enrollees of nursery schools and day care programs and their siblings under 18
26 years of age, Job Corps and similar employment training facilities, primary and secondary schools,
27 including private schools and public charter schools, and persons entitled to benefits under the
28 Women, Infants and Children Program.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (d) Patients in hospitals, medical clinics, medical offices or offices operated or staffed by
2 naturopathic physicians, nurse practitioners, physician assistants or midwives.

3 (e) Patients whose income is less than the federal poverty level.

4 (f) Other populations that the Oregon Board of Dentistry determines are underserved or lack
5 access to dental hygiene services.

6 (2) Unless different criteria for referral of a patient or resident to a dentist are included in an
7 agreement described in subsection (3) of this section, at least once each calendar year, an expanded
8 practice dental hygienist shall refer each patient or resident to a dentist who is available to treat
9 the patient or resident.

10 (3) An expanded practice dental hygienist may render the services described in paragraphs (a)
11 to [(d)] (e) of this subsection to the patients described in subsection (1) of this section if the ex-
12 panded practice dental hygienist has entered into an agreement in a format approved by the board
13 with a dentist licensed under ORS chapter 679. The agreement must set forth the agreed-upon scope
14 of the dental hygienist's practice with regard to:

15 (a) Administering local anesthesia;

16 (b) Administering temporary restorations **with or** without excavation;

17 (c) Prescribing prophylactic antibiotics and nonsteroidal anti-inflammatory drugs specified in the
18 agreement; [and]

19 **(d) Performing interim therapeutic restorations; and**

20 [(d)] (e) Referral parameters.

21 (4) This section does not authorize an expanded practice dental hygienist to administer nitrous
22 oxide except under the indirect supervision of a dentist licensed under ORS chapter 679.

23 (5) An expanded practice dental hygienist may assess the need for and appropriateness of
24 sealants, apply sealants and write prescriptions for all applications of fluoride in which fluoride is
25 applied or supplied to patients.

26 (6) An expanded practice dental hygienist must also procure all other permits or certificates
27 required by the board under ORS 679.250.

28 **(7) As used in this section, "interim therapeutic restoration" means a direct provisional**
29 **restoration placed to temporarily stabilize a tooth until a dentist diagnoses the need for**
30 **further definitive treatment, and that:**

31 **(a) Consists of the removal of soft material from the tooth using only hand instrumen-**
32 **tation and subsequent placement of an adhesive restorative material; and**

33 **(b) Does not require the administration of local anesthesia.**

34 **SECTION 2. The amendments to ORS 680.205 by section 1 of this 2020 Act apply to**
35 **agreements entered into or renewed on or after the operative date specified in section 3 of**
36 **this 2020 Act.**

37 **SECTION 3. (1) The amendments to ORS 680.205 by section 1 of this 2020 Act become**
38 **operative on January 2, 2021.**

39 **(2) The Oregon Board of Dentistry may take any action before the operative date speci-**
40 **fied in subsection (1) of this section that is necessary to enable the board to exercise, on or**
41 **after the operative date specified in subsection (1) of this section, all of the duties, functions**
42 **and powers conferred on the board by the amendments to ORS 680.205 by section 1 of this**
43 **2020 Act.**

44 **SECTION 4. This 2020 Act takes effect on the 91st day after the date on which the 2020**
45 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

