

LAWS OF DELAWARE
VOLUME 84
CHAPTER 132
152nd GENERAL ASSEMBLY
FORMERLY
HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 83

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ORAL HEALTH SCREENINGS.

WHEREAS, all Head Start Programs and Delaware Department of Education funded Early Childhood Assistance Programs (ECAPs) currently require yearly oral screening and referrals, as warranted, for all enrolled children in accordance with national best practices; and

WHEREAS, the American Academy of Pediatric Dentistry recommends preventative oral health programs and services to reduce oral health disparities by preventing, identifying, and treating oral health issues early; and

WHEREAS, early identification of oral health problems, preventive dental measures and assistance with accessing care significantly reduces dental expenditure and improves student readiness to learn; and

WHEREAS, the Delaware Department of Health and Social Services' January 2020 Burden of Oral Diseases Report demonstrated the significant long-term benefits of oral health screening and preventive measures.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4123. Oral health screening.

(a) For purposes of this section, "oral health screening" means the screening done by a dental hygienist or dentist.

(b) Each school district and charter school must provide an oral health screening to each student enrolled in kindergarten by the last student attendance day of each school year.

(c) The school shall record the results of the oral health screenings within the student's electronic health record.

(d) If a student fails an oral health screening, the school must notify the student's parent, guardian, or relative caregiver.

(e) The Bureau of Oral Health and Dental Services must inform a parent or guardian of each student's oral health status by sending home, with the student, a copy of the dental screening results and must refer students who need a dental referral or restorative care to a dentist.

(f) The requirements of this section are contingent on the ongoing funding and implementation of the Delaware Smile Check Program under the Department of Health and Social Services or other comparable program of sufficient capacity to provide free oral health screenings to all enrolled kindergarten students.

Section 2. This Act takes effect for the 2024-2025 school year.

Approved August 3, 2023