



SPONSOR: Sen. Pinkney & Rep. Harris
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DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

SENATE BILL NO. 283
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTAL HYGIENE.

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

Section 1. Amend § 1101, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 1101. Definitions.

For purposes of this chapter:

(5) "Dental hygiene assessment" means the identification of an individual's health behaviors, attitudes, and oral health care status and needs for which a dental hygienist is educationally qualified and licensed to provide as defined by the Board.

(14) "Oral prophylaxis" means the supra- and subgingival removal of biofilm, dental calculus, and extrinsic stains from tooth and prosthetic structures to preserve oral health and prevent disease, along with the provision of patient education to promote effective oral hygiene practices and overall oral health.

~~(14)~~(16)a. "Practice of dental hygiene" means the removal of calculus deposits, plaque and stains from all surfaces of the teeth, and making instrumental examinations of the oral cavity, and assembling all necessary information for use by the dentist in diagnosis and treatment planning, and the performance of such prophylactic or preventive measures in the case of teeth, including the application of chemicals to the teeth and periodontal tissues, designed and approved for the prevention of dental caries or periodontal disease, as the Board may authorize.

b. The "practice of dental hygiene" also includes all of the following:

~~the administration of~~ 1. Administering local anesthesia under the direct supervision of a licensed dentist and in accordance with requirements and standards that the Board shall establish by regulation. ~~The "practice of dental hygiene" does not include any other operation on the teeth or tissues of the mouth.~~

2. Prescribing, administering, and dispensing topical agents as follows:

A. Administering and dispensing topical agents under the standing order of a dentist providing general supervision.

B. Prescribing, administering, and dispensing fluoride under the standing order of a dentist providing general supervision.

3. Applying sealants without the need for an examination by a dentist beforehand, provided the patient will be seen by a dentist within 12 months of receiving treatment.

4. Engaging in dental hygiene assessment and planning treatment within the scope of the authority of a dental hygienist as defined by the Board based on education and experience.

5. Providing direct access to prophylaxis without the need for an examination by a dentist beforehand, provided the patient will be seen by a dentist within 12 months of receiving treatment.

6. Exercising direct supervision of dental assistants as prescribed by regulations that the Board shall adopt.

c. The “practice of dental hygiene” does not include any other operation on the teeth or tissues of the mouth.

(20) “Topical agents” means non-systemic agents, including topical oral antimicrobial agents, fluoride, and desensitizing agents applied intraorally for the prevention and management of oral disease, for which a dental hygienist is educationally qualified and licensed to provide as defined by the Board.

Section 2. This Act takes effect immediately and is to be implemented the earlier of the following:

(1) 1 year from the date of the Act’s enactment.

(2) Notice by the Board of Dentistry and Dental Hygiene published in the Register of Regulations that the final regulations to implement this Act have been promulgated.