

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 176

As Amended by Senate Committee on
Public Health and Welfare

Brief*

SB 176, if enacted, would amend a statute that concerns the licensing and regulation of dental hygienists to extend the circumstances in which certain dental hygienists who have qualified for an extended care permit may practice without being under the direct or general supervision of a licensed dentist and at the office of such licensed dentist. The bill also creates a new statute that sets out requirements to be met by a hygienist who has not been in active practice for three years to qualify for an extended care permit.

Under current law, dental hygienists who have qualified for an extended care permit issued by the Dental Board may provide specified services for specified persons located in specific settings if the hygienist has an extended care permit, shows proof of professional liability insurance, is sponsored by a licensed dentist, provides only those services authorized by law, and meets other statutory requirements. The bill expands the settings in which services may be provided to include children receiving services in residential or nonresidential centers for therapeutic services; children in families receiving family preservation services; children in the custody of the Secretary of Social and Rehabilitation Services or the Commissioner of the Juvenile Justice Authority and in out-of-home placement in foster care homes; children being served by runaway youth programs and homeless shelters; children from birth to five and children in public and nonpublic schools regardless of the time of year; and children participating in youth organizations who meet the requirements of Medicaid, HealthWave, free or reduced lunch programs, or Indian Health Services. Authority to provide services is also extended to include persons who are clients, patients, or inmates of federally qualified health centers, federally qualified health center look-alikes, and community health centers if the centers qualify for specific federal funding.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The bill also changes the requirements to be met to qualify for an expanded care permit; authorizes certain hygienists having an extended care permit to apply topical anesthetic; expands the settings in which services may be provided to persons who are 65 and older or developmentally disabled by a hygienist who holds an extended care permit II as well as meeting other requirements; authorizes the application by qualified hygienists of topically applied local anaesthesia under the general supervision of a licensed dentist; and authorizes licensed dental hygienists to carry out fluoride applications in a school or community-based setting.

A new statute that would be created by the bill sets out requirements to be met by a dental hygienist who has not been in active practice for the past three years to qualify for an extended care permit.

Background

SB 176 was introduced at the request of a coalition of persons who had worked to develop changes in the law allowing certain dental hygienists to provide certain services outside the dental office and under the sponsorship of a licensed dentist. Written or oral testimony in support of the bill was presented by representatives of the Kansas Dental Hygienists Association, the Kansas Dental Association, the Kansas Dental Board, Oral Health Kansas, Kansas Association for the Medically Underserved, Kansas Area Agencies on Aging, Kansas Action for Children, Kansas Department on Aging, the Children's Alliance, the St. Francis Academy, and the Juvenile Justice Authority. Several dental hygienists also testified in support of the bill. The Senate Committee amendments were proposed by conferees.

The fiscal note on SB 176 indicates the Kansas Dental Board believes there would be additional costs in the form of staff time to process permits, but estimates the cost would be minimal.