

Business Office
900 SE Jackson, Room 564-S
Topeka, KS 66612
Telephone (785) 296-6400
FAX (785) 296-3116

KANSAS

KATHLEEN SEBELIUS, GOVERNOR

Kansas Dental Board

March 10, 2004

The Honorable Jim Morrison, Chairperson
House Committee on Health and Human Services
The Capitol, Room 171-W
Topeka, KS 66612

Dear Representative Morison:

SUBJECT: SB 425

Thank you very much for scheduling SB 425 to be heard in your committee on Monday, March 15, 2004. This is an important bill to the Kansas Dental Board, and we are looking forward to a thorough and helpful review.

Regrettably, I must be traveling out of the city on the 15th, but the attorney for the Board, Mr. Randall Forbes, will appear and testify on behalf of the Board in support of the bill. In addition, I have prepared the following testimony, which I hope you will provide to the members of the committee and enter into the record.

Testimony

Senate Bill 425 revises Chapter 65, Section 1444 of Kansas Statutes Amended on the subject of sedation and anesthesia. The Kansas Dental Board strongly supports this legislation and urges its passage.

The effective control of anxiety and pain has been an integral part of dental practice since the early development of the profession. Without effective anxiety and pain control, numerous dental procedures are virtually impossible and many patients do not seek needed dental treatment. The range of options available to dentists for sedation and anesthesia, as to both pharmacological products and techniques, have changed over the years, and the Kansas Dental Board is responding to the heightened interest and concern in this development by asking that their authority to regulate this aspect of the practice of dentistry be strengthened.

Senate Bill 425 would empower the Kansas Dental Board to do several things:

1. Expand and strengthen its authority through rules and regulations to establish different requirements and qualifications to administer different types of sedation or anesthesia. This is in response to the dynamic environment of change in the number and types of drugs and methodologies available.
2. Provide authorization to make rules and regulations that establish renewal procedures for permits allowing sedation and anesthesia and the requirements necessary to maintain proficiency. This will ensure that dentists will remain current and proficient in their understanding and administration of modern sedation and anesthesia medicines and techniques.
3. Provides for periodic inspections to determine whether dentists are in compliance with the law and supporting rules and regulations.
4. Leaves undisturbed the provisions of K.S.A. 65-1444 that allow a dental assistant to assist in administering nitrous oxide or oxygen based on documented education and training.

Most of the concerns of the Kansas Dental Board in the area of sedation and anesthesia will be addressed through the regulatory process based on the authority contained in this bill. K.A.R. 71-5-1 addresses sedative and general anesthesia but will be substantially revised as a companion step to the passage of this bill.

Please note that the effective date of this bill is July 1, 2005. This date is recommended deliberately so as to accommodate the thorough development of an effective regulatory package to take effect at the same time.

SB 425 was amended by the Senate Committee on Public Health and Welfare with the addition of Section 2 requiring that dentists maintain professional liability insurance. The Kansas Dental Board has no objection to addition of this section.

Thank you for your leadership and your support.

Sincerely,

Larry A. Williamson
Executive Director