

1 **ENROLLED**

2 COMMITTEE SUBSTITUTE

3 FOR

4 **H. B. 4077**

5 (By Delegates Perdue, Hatfield, Lawrence, Marshall, Moyer,
6 Poore, Staggers, Ferns, Ellington, J. Miller and Rowan)

7 [Passed March 10, 2012; in effect ninety days from passage.]

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10 AN ACT to amend §30-4-17 of the code of West Virginia, 1931, as
11 amended, relating to activities that may be performed by a
12 dental hygienist without a prior exam by a dentist; requiring
13 a Public Health Practice permit; providing for the sealants to
14 be placed pursuant to a collaborative agreement with a
15 supervising dentist; and requiring a referral for a dental
16 examination within six months.

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18 *Be it enacted by the Legislature of West Virginia:*

19 That §30-4-17 of the Code of West Virginia, 1931, as amended,
20 be amended and reenacted to read as follows:

21 **ARTICLE 4. WEST VIRGINIA DENTAL PRACTICE ACT.**

22 **§30-4-17. Scope of practice; dental hygienist.**

23 The practice of dental hygiene includes the following:

24 (1) Performing a complete prophylaxis, including the removal
25 of any deposit, accretion or stain from the surface of a tooth or
26 a restoration;

1 (2) Applying a medicinal agent to a tooth for a prophylactic
2 purpose;

3 (3) Taking a dental X-ray;

4 (4) Instructing a patient on proper oral hygiene practice;

5 (5) Placing sealants on a patient's teeth without a prior
6 examination by a licensed dentist: *Provided*, That for this
7 subdivision, the dental hygienist has a Public Health Practice
8 permit issued by the West Virginia Board of Dental Examiners, and
9 subject to a collaborative agreement with a supervising dentist and
10 the patient is referred for a dental examination within six months
11 of sealant application.

12 (6) Performing all delegated procedures of a dental hygienist
13 specified by rule by the board; and

14 (7) Performing all delegated procedures of a dental assistant
15 specified by rule by the board.