

**Senate Bill No. 187**

(By Senators Stollings, Laird, Miller, Palumbo, Prezioso, Wills,  
Yost and Foster)

[Introduced January 16, 2012; referred to the Committee on Health  
and Human Resources; and then to the Committee on Finance.]

**Interim  
Bill**

**FISCAL  
NOTE**

A BILL to amend and reenact §30-4-17 of the Code of West Virginia,  
1931, as amended, relating to activities that may be performed  
by a dental hygienist without a prior exam by a dentist.

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

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

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

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

The practice of dental hygiene includes the following:

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

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

- 1           (3) Taking a dental X-ray;
- 2           (4) Instructing a patient on proper oral hygiene practice;
- 3           (5) Placing sealants on a patient's teeth without a prior  
4 examination by a licensed dentist;
- 5           ~~(5)~~ (6) Performing all delegated procedures of a dental  
6 hygienist specified by rule by the board; and
- 7           ~~(6)~~ (7) Performing all delegated procedures of a dental  
8 assistant specified by rule by the board.

NOTE: The purpose of this bill is allow a dental hygienist to place dental sealants on a patient's teeth without first having to have a dental examination by a licensed dentist.

Strike-throughs indicate language that is to be stricken from the present law and underscoring indicates new language that would be added.

This bill was recommended for passage during the 2012 Regular Session of the Legislature by the Joint Committee on Health.