

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2012



ENROLLED

COMMITTEE SUBSTITUTE

FOR

House Bill No. 4077

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



Passed March 10, 2012

To Take Effect Ninety Days From Passage

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H. B. 4077

(BY DELEGATES PERDUE, HATFIELD, LAWRENCE, MARSHALL,
MOYE, POORE, STAGGERS, FERNS, ELLINGTON,
J. MILLER AND ROWAN)

[Passed March 10, 2012; to take effect ninety days from passage.]

AN ACT to amend §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; requiring a Public Health Practice permit; providing for the sealants to be placed pursuant to a collaborative agreement with a supervising dentist; and requiring a referral for a dental examination within six months.

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.

1 The practice of dental hygiene includes the following:

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

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

7 (3) Taking a dental X-ray;

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

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

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

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

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman, House Committee

Chairman, Senate Committee

Originating in the House.

To take effect ninety days from passage.

Clerk of the House of Delegates

Clerk of the Senate

Speaker of the House of Delegates

President of the Senate

The within _____ this the _____
day of _____, 2012.

Governor