

COMMITTEE SUBSTITUTE

FOR

H. B. 4077

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

(Originating in the Committee on Finance)
[February 24, 2012]

A BILL 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.

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 under 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 ~~(5)~~ (6) Performing all delegated procedures of a dental
17 hygienist specified by rule by the board; and

18 ~~(6)~~ (7) Performing all delegated procedures of a dental
19 assistant specified by rule by the board.