

**As Reported by the Senate Health, Human Services and Aging
Committee**

126th General Assembly

Regular Session

2005-2006

Sub. H. B. No. 143

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Senator Gardner

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A B I L L

To amend sections 4715.02, 4715.30, 4715.39, 4715.51, 1
4715.52, 4715.53, 4715.57, and 4715.99, to enact 2
sections 4715.231, 4715.61, 4715.62, 4715.63, 3
4715.64, 4715.65, and 4715.66, and to repeal 4
sections 4715.54, 4715.55, and 4715.58 of the 5
Revised Code to allow a dental hygienist under the 6
supervision of a dentist to administer local 7
anesthesia to a patient, to make changes to the 8
law governing dental x-ray machine operators, to 9
provide for the registration of expanded function 10
dental auxiliaries, and to make changes in the 11
composition of the State Dental Board. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4715.02, 4715.30, 4715.39, 4715.51, 13

4715.52, 4715.53, 4715.57, and 4715.99 be amended and sections 14
4715.231, 4715.61, 4715.62, 4715.63, 3715.64, 4715.65, and 4715.66 15
of the Revised Code be enacted to read as follows: 16

Sec. 4715.02. The governor, with the advice and consent of 17
the senate, shall appoint a state dental board consisting of 18
thirteen persons, nine of whom shall be graduates of a reputable 19
dental college, citizens of the United States, and shall have been 20
in the legal and reputable practice of dentistry in the state at 21
least five years next preceding their appointment; three of whom 22
shall be graduates of a reputable school of dental hygiene, 23
citizens of the United States, and shall have been in the legal 24
and reputable practice of dental hygiene in the state at least 25
five years next preceding their appointment; and one of whom shall 26
be a member of the public at large who is not associated with or 27
financially interested in the practice of dentistry. 28

Of the nine members who are in the practice of dentistry, 29
~~there shall be not more than two on the board at any time who are~~ 30
shall be persons recognized as specialists pursuant to rules 31
adopted by the board. ~~Of~~ The specialist members shall be appointed 32
in such a manner that the same specialty is not represented by 33
both members at the same time. When a vacancy occurs in a position 34
held by a specialist member, the governor shall make all 35
reasonable efforts to fill the vacancy with a person who 36
represents a specialty that is different from the specialty that 37
was represented by the member who vacated the position. 38

Of the three members who are in the practice of dental 39
hygiene, not more than one may be a person employed as a full-time 40
teacher of dental hygiene students. ~~Representation~~ 41

Representation of the various geographical areas of the state 42
shall be considered in making appointments for members who are in 43

the practice of dentistry and for members who are in the practice 44
of dental hygiene. 45

Terms of office shall be for four years, commencing on the 46
seventh day of April and ending on the sixth day of April. Each 47
member shall hold office from the date of the member's appointment 48
until the end of the term for which the member was appointed. Any 49
member appointed to fill a vacancy occurring prior to the 50
expiration of the term for which the member's predecessor was 51
appointed shall hold office for the remainder of such term. Any 52
member shall continue in office subsequent to the expiration date 53
of the member's term until the member's successor takes office, or 54
until a period of sixty days has elapsed, whichever occurs first. 55
No person so appointed shall serve to exceed two terms. 56

The Ohio dental association may submit to the governor the 57
names of five nominees for each position to be filled by a dentist 58
and from the names so submitted or from others, at the governor's 59
discretion, the governor shall make such appointments; provided 60
that all such appointees shall possess the required 61
qualifications. The Ohio dental hygienists association, inc., may 62
submit to the governor the names of five nominees for each 63
position to be filled by a dental hygienist and from the names so 64
submitted or from others, at the governor's discretion, the 65
governor shall make such appointments; provided that all such 66
appointees shall possess the required qualifications. No person 67
shall be appointed to the state dental board who is employed by or 68
practices in a corporation holding a certificate of authority 69
under Chapter 1751. of the Revised Code with a person who is a 70
member of the board. 71

No member of the board shall administer to a student in this 72
state or to a graduate of a dental college located in this state 73
an examination on behalf of any of the following: the central 74
regional dental testing service, inc., northeast regional board of 75

dental examiners, inc., southern regional testing agency, inc., or
western regional examining board.

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Sec. 4715.231. (A) As used in this section, "direct supervision" means a dentist licensed under this chapter is present, for purposes of consultation and direction, at the location where a dental hygienist performs the administration of local anesthesia to a patient. "Direct supervision" does not mean that the dentist must observe the administration of local anesthesia to a patient.

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(B) Under the direct supervision of a dentist, a dental hygienist may administer intraoral block and infiltration local anesthesia to a patient if the dental hygienist is in compliance with division (D) of this section and has done both of the following:

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(1) Successfully completed a course in the administration of local anesthesia approved by the board and offered by a dental or dental hygiene program that is accredited by the commission on dental accreditation of the American dental association;

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(2) Within eighteen months of completion of the anesthesia course, successfully passed a state or regional written examination on local anesthesia approved by the board.

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(C) To be approved by the board, a local anesthesia administration course must contain not less than fifteen hours of didactic instruction and not less than fourteen hours of clinical experience and include instruction on each of the following subjects:

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(1) Theory of pain control;

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(2) Selection of pain control modalities;

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(3) Anatomy;

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<u>(4) Neurophysiology;</u>	105
<u>(5) Pharmacology of local anesthetics;</u>	106
<u>(6) Pharmacology of vasoconstrictors;</u>	107
<u>(7) Psychological aspects of pain control;</u>	108
<u>(8) Systemic complications;</u>	109
<u>(9) Techniques of maxillary and mandibular anesthesia taught by a dentist or other qualified instructor;</u>	110 111
<u>(10) Infection control;</u>	112
<u>(11) Local anesthesia medical emergencies.</u>	113
<u>(D) A dental hygienist may administer local anesthesia only if the dental hygienist has obtained current certification to perform basic cardiac life-support procedures as required by section 4715.251 of the Revised Code.</u>	114 115 116 117
Sec. 4715.30. (A) The holder of a certificate or license issued under this chapter is subject to disciplinary action by the state dental board for any of the following reasons:	118 119 120
(1) Employing or cooperating in fraud or material deception in applying for or obtaining a license or certificate;	121 122
(2) Obtaining or attempting to obtain money or anything of value by intentional misrepresentation or material deception in the course of practice;	123 124 125
(3) Advertising services in a false or misleading manner or violating the board's rules governing time, place, and manner of advertising;	126 127 128
(4) Conviction of a misdemeanor committed in the course of practice or of any felony;	129 130
(5) Engaging in lewd or immoral conduct in connection with the provision of dental services;	131 132

(6) Selling, prescribing, giving away, or administering drugs	133
for other than legal and legitimate therapeutic purposes, or	134
conviction of violating any law of this state or the federal	135
government regulating the possession, distribution, or use of any	136
drug;	137
(7) Providing or allowing dental hygienists, <u>expanded</u>	138
<u>function dental auxiliaries</u> , or other practitioners of auxiliary	139
dental occupations working under the certificate or license	140
holder's supervision, or a dentist holding a temporary limited	141
continuing education license under division (C) of section 4715.16	142
of the Revised Code working under the certificate or license	143
holder's direct supervision, to provide dental care that departs	144
from or fails to conform to accepted standards for the profession,	145
whether or not injury to a patient results;	146
(8) Inability to practice under accepted standards of the	147
profession because of physical or mental disability, dependence on	148
alcohol or other drugs, or excessive use of alcohol or other	149
drugs;	150
(9) Violation of any provision of this chapter or any rule	151
adopted thereunder;	152
(10) Failure to use universal blood and body fluid	153
precautions established by rules adopted under section 4715.03 of	154
the Revised Code;	155
(11) Waiving the payment of all or any part of a deductible	156
or copayment that a patient, pursuant to a health insurance or	157
health care policy, contract, or plan that covers dental services,	158
would otherwise be required to pay if the waiver is used as an	159
enticement to a patient or group of patients to receive health	160
care services from that provider.	161
(12) Advertising that the certificate or license holder will	162
waive the payment of all or any part of a deductible or copayment	163

that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers dental services, would otherwise be required to pay.

(B) A manager, proprietor, operator, or conductor of a dental facility shall be subject to disciplinary action if any dentist, dental hygienist, expanded function dental auxiliary, or qualified personnel providing services in the facility is found to have committed a violation listed in division (A) of this section and the manager, proprietor, operator, or conductor knew of the violation and permitted it to occur on a recurring basis.

(C) Subject to Chapter 119. of the Revised Code, the board may take one or more of the following disciplinary actions if one or more of the grounds for discipline listed in divisions (A) and (B) of this section exist:

(1) Censure the license or certificate holder;

(2) Place the license or certificate on probationary status for such period of time the board determines necessary and require the holder to:

(a) Report regularly to the board upon the matters which are the basis of probation;

(b) Limit practice to those areas specified by the board;

(c) Continue or renew professional education until a satisfactory degree of knowledge or clinical competency has been attained in specified areas.

(3) Suspend the certificate or license;

(4) Revoke the certificate or license.

Where the board places a holder of a license or certificate on probationary status pursuant to division (C)(2) of this section, the board may subsequently suspend or revoke the license or certificate if it determines that the holder has not met the

requirements of the probation or continues to engage in activities 194
that constitute grounds for discipline pursuant to division (A) or 195
(B) of this section. 196

Any order suspending a license or certificate shall state the 197
conditions under which the license or certificate will be 198
restored, which may include a conditional restoration during which 199
time the holder is in a probationary status pursuant to division 200
(C)(2) of this section. The board shall restore the license or 201
certificate unconditionally when such conditions are met. 202

(D) If the physical or mental condition of a license or 203
certificate holder is at issue in a disciplinary proceeding, the 204
board may order the license or certificate holder to submit to 205
reasonable examinations by an individual designated or approved by 206
the board and at the board's expense. The physical examination may 207
be conducted by any individual authorized by the Revised Code to 208
do so, including a physician assistant, a clinical nurse 209
specialist, a certified nurse practitioner, or a certified 210
nurse-midwife. Any written documentation of the physical 211
examination shall be completed by the individual who conducted the 212
examination. 213

Failure to comply with an order for an examination shall be 214
grounds for summary suspension of a license or certificate under 215
division (E) of this section. 216

(E) If the board has reason to believe that the holder 217
represents a clear and immediate danger to the public health and 218
safety if the holder is allowed to continue to practice, or if the 219
holder has failed to comply with an order under division (D) of 220
this section, the board may apply to the court of common pleas of 221
the county in which the holder resides for an order temporarily 222
suspending the holder's license or certificate, without a prior 223
hearing being afforded by the board, until the board conducts an 224

adjudication hearing pursuant to Chapter 119. of the Revised Code. 225
If the court temporarily suspends a holder's license or 226
certificate, the board shall give written notice of the suspension 227
personally or by certified mail to the license or certificate 228
holder. Such notice shall include specific facts and reasons for 229
finding a clear and immediate danger to the public health and 230
safety and shall inform the license or certificate holder of the 231
right to a hearing pursuant to Chapter 119. of the Revised Code. 232

(F) Any holder of a certificate or license issued under this 233
chapter who has pleaded guilty to, has been convicted of, or has 234
had a judicial finding of eligibility for intervention in lieu of 235
conviction entered against the holder in this state for aggravated 236
murder, murder, voluntary manslaughter, felonious assault, 237
kidnapping, rape, sexual battery, gross sexual imposition, 238
aggravated arson, aggravated robbery, or aggravated burglary, or 239
who has pleaded guilty to, has been convicted of, or has had a 240
judicial finding of eligibility for treatment or intervention in 241
lieu of conviction entered against the holder in another 242
jurisdiction for any substantially equivalent criminal offense, is 243
automatically suspended from practice under this chapter in this 244
state and any certificate or license issued to the holder under 245
this chapter is automatically suspended, as of the date of the 246
guilty plea, conviction, or judicial finding, whether the 247
proceedings are brought in this state or another jurisdiction. 248
Continued practice by an individual after the suspension of the 249
individual's certificate or license under this division shall be 250
considered practicing without a certificate or license. The board 251
shall notify the suspended individual of the suspension of the 252
individual's certificate or license under this division by 253
certified mail or in person in accordance with section 119.07 of 254
the Revised Code. If an individual whose certificate or license is 255
suspended under this division fails to make a timely request for 256

an adjudicatory hearing, the board shall enter a final order 257
revoking the individual's certificate or license. 258

(G) Notwithstanding divisions (A)(11) and (12) of this 259
section, sanctions shall not be imposed against any licensee who 260
waives deductibles and copayments: 261

(1) In compliance with the health benefit plan that expressly 262
allows such a practice. Waiver of the deductibles or ~~copays~~ 263
copayments shall be made only with the full knowledge and consent 264
of the plan purchaser, payer, and third-party administrator. Such 265
consent shall be made available to the board upon request. 266

(2) For professional services rendered to any other person 267
licensed pursuant to this chapter to the extent allowed by this 268
chapter and the rules of the board. 269

Sec. 4715.39. (A) The state dental board may define the 270
duties that may be performed by dental assistants and other 271
individuals designated by the board as qualified personnel. If 272
defined, the duties shall be defined in rules adopted in 273
accordance with Chapter 119. of the Revised Code. The rules may 274
include training and practice standards for dental assistants and 275
other qualified personnel. The standards may include examination 276
and issuance of a certificate. If the board issues a certificate, 277
the recipient shall display the certificate in a conspicuous 278
location in any office in which the recipient is employed to 279
perform the duties authorized by the certificate. 280

(B) A dental assistant may polish the clinical crowns of 281
teeth if all of the following requirements are met: 282

(1) The dental assistant's polishing activities are limited 283
to the use of a rubber cup attached to a slow-speed rotary dental 284
hand piece to remove soft deposits that build up over time on the 285
crowns of teeth. 286

(2) The polishing is performed only after a dentist has	287
evaluated the patient and any calculus detected on the teeth to be	288
polished has been removed by a dentist or dental hygienist.	289
(3) The dentist supervising the assistant supervises not more	290
than two dental assistants engaging in polishing activities at any	291
given time.	292
(4) The dental assistant is certified by the dental assisting	293
national board or the Ohio commission on dental assistant	294
certification.	295
(5) The dental assistant receives a certificate from the	296
board authorizing the assistant to engage in the polishing	297
activities. The board shall issue the certificate if the	298
individual has successfully completed training in the polishing of	299
clinical crowns through a program accredited by the commission on	300
dental accreditation or equivalent training approved by the board.	301
The training shall include courses in basic dental anatomy and	302
infection control, followed by a course in coronal polishing that	303
includes didactic, preclinical, and clinical training; any other	304
training required by the board; and a skills assessment that	305
includes successful completion of standardized testing. The board	306
shall adopt rules pursuant to division (A) of this section	307
establishing standards for approval of this training.	308
(C) Subject to this section and the applicable rules of the	309
board, licensed dentists may assign to dental assistants and other	310
qualified personnel dental procedures that do not require the	311
professional competence or skill of the licensed dentist or , <u>a</u>	312
<u>dental hygienist, or an expanded function dental auxiliary</u> as this	313
section or the board by rule authorizes dental assistants and	314
other qualified personnel to perform. The performance of dental	315
procedures by dental assistants and other qualified personnel	316
shall be under direct supervision and full responsibility of the	317

licensed dentist. 318

(D) Nothing in this section shall be construed by rule of the 319
state dental board or otherwise to do the following: 320

(1) Authorize dental assistants or other qualified personnel 321
to engage in the practice of dental hygiene as defined by sections 322
4715.22 and 4715.23 of the Revised Code or to perform the duties 323
of a dental hygienist, including the removal of calcarious 324
deposits, dental cement, or accretions on the crowns and roots of 325
teeth other than as authorized pursuant to this section; 326

(2) Authorize dental assistants or other qualified personnel 327
to engage in the practice of an expanded function dental auxiliary 328
as specified in section 4715.64 of the Revised Code or to perform 329
the duties of an expanded function dental auxiliary other than as 330
authorized pursuant to this section. 331

(3) Authorize the assignment of any of the following: 332

(a) Diagnosis; 333

(b) Treatment planning and prescription, including 334
prescription for drugs and medicaments or authorization for 335
restorative, prosthodontic, or orthodontic appliances; 336

(c) Surgical procedures on hard or soft tissue of the oral 337
cavity, or any other intraoral procedure that contributes to or 338
results in an irremediable alteration of the oral anatomy; 339

(d) The making of final impressions from which casts are made 340
to construct any dental restoration. 341

(E) No dentist shall assign any dental assistant or other 342
individual acting in the capacity of qualified personnel to 343
perform any dental procedure that the assistant or other 344
individual is not authorized by this section or by board rule to 345
perform. No dental assistant or other individual acting in the 346
capacity of qualified personnel shall perform any dental procedure 347

other than in accordance with this section and any applicable
board rule or any dental procedure that the assistant or other
individual is not authorized by this section or by board rule to
perform.

Sec. 4715.51. As used in sections 4715.52 to ~~4715.58~~ 4715.57
of the Revised Code, "dental x-ray machine operator" means an
individual who, under the direct supervision of a dentist,
performs standard, diagnostic, radiologic procedures for the
purpose of contributing to the provision of dental care to a
dental patient. As used in this section, "standard, diagnostic,
radiologic procedures" means those procedures involved in using
dental equipment that emits ionizing radiation, as defined in
section 4773.01 of the Revised Code.

Sec. 4715.52. (A) Except as provided in division (B) of this
section, no person shall practice or hold ~~himself~~ that person out
as a dental x-ray machine operator without a valid ~~license~~
certificate issued under section 4715.53 of the Revised Code.

(B) Division (A) of this section does not apply to any of the
following:

(1) Dentists or dental hygienists licensed under this
chapter;

(2) As specified in 42 C.F.R. 75, radiologic personnel
employed by the federal government or serving in a branch of the
armed forces of the United States;

(3) Students engaging in any of the activities performed by
dental x-ray machine operators as an integral part of a program of
study leading to receipt of a license or certificate issued under
this chapter, a license issued under Chapter 4734.7 or Chapter
4773. of the Revised Code~~7~~, or a certificate issued under Chapter
4731. of the Revised Code.

Sec. 4715.53. (A) Each individual seeking a ~~license~~ certificate to practice as a dental x-ray machine operator shall apply to the state dental board on a form the board shall prescribe and provide. The application shall be accompanied by ~~the license an~~ application fee ~~established in rules adopted under section 4715.58 of the Revised Code~~ of twenty-five dollars.

(B) The board shall review all applications received and issue a dental x-ray machine operator ~~license~~ certificate to each applicant who ~~meets the following requirements~~ submits evidence satisfactory to the board of one of the following:

(1) ~~Is age eighteen or older.~~

(2) ~~Is of good moral character.~~

(3) ~~Except as provided in division (C) of this section, passes the examination administered under section 4715.54 of the Revised Code;~~

(4) ~~Complies with any other licensing standards established in rules adopted under section 4715.58 of the Revised Code.~~

(C) ~~An applicant is not required to take a licensing examination if any of the following apply:~~

(1) ~~He~~ The applicant holds certification from the dental assisting national board or the Ohio commission on dental assistant certification.

(2) ~~He~~ holds a conditional license issued under section 4715.55 of the Revised Code and has completed the continuing education requirements established in rules adopted under section 4715.58 of the Revised Code.

(3) ~~He~~ The applicant holds a license, certificate, permit, registration, or other credential issued by another state that the board determines uses standards for dental x-ray machine operators

that are at least equal to those established under this chapter. 407

~~(D)~~(3) The applicant has successfully completed an 408
educational program consisting of at least seven hours of 409
instruction in dental x-ray machine operation that meets either of 410
the following requirements: 411

(a) Has been approved by the board in accordance with section 412
4715.57 of the Revised Code; 413

(b) Is conducted by an institution accredited by the American 414
dental association commission on dental accreditation. 415

(C) A license certificate issued under this section expires 416
two years after it is issued and may be renewed if the license 417
certificate holder completes the continuing education requirements 418
specified in rules adopted by the board under section 4715.58 of 419
the Revised Code. Applications for license renewal shall be 420
accompanied by the renewal fee established in rules adopted under 421
section 4715.58 of the Revised Code. Renewals does both of the 422
following: 423

(1) Certifies to the board that the certificate holder has 424
completed at least two hours of instruction in dental x-ray 425
machine operation approved by the board in accordance with section 426
4715.57 of the Revised Code during the two-year period preceding 427
the date the renewal application is received by the board. 428

(2) Submits a renewal fee of twenty-five dollars to the 429
board. 430

Renewals shall be made in accordance with the standard 431
renewal procedure established under Chapter 4745. of the Revised 432
Code. 433

~~(E) The board shall refuse to issue or renew and may suspend~~ 434
~~or revoke a dental x ray machine operator license if the applicant~~ 435
~~or license holder does not comply with the applicable requirements~~ 436

~~of this chapter or rules adopted under it.~~

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Sec. 4715.57. (A) Each person seeking ~~accreditation~~ approval for an educational program ~~or approval for a continuing education program~~ in dental x-ray machine operation shall apply to the state dental board on a form the board shall prescribe and provide. The application shall be accompanied by the ~~accreditation or approval~~ fee established in rules adopted under division (C) of this section 4715.58 of the Revised Code.

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(B) The board shall ~~accredit~~ approve educational programs ~~and approve continuing education programs~~ that meet the standards established in rules adopted under division (C) of this section 4715.58 of the Revised Code. The ~~accreditation or approval~~ shall be valid until surrendered by the program or suspended or revoked by the board. A program's ~~accreditation or approval~~ may be suspended or revoked if the program does not comply with applicable requirements of this chapter or rules adopted under it.

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(C) The board shall adopt rules to implement and administer this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code and shall be no less stringent than any applicable standards specified in 42 C.F.R. 75. The rules shall do at least both of the following:

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(1) Establish the fee that must accompany each application for approval of an educational program;

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(2) Establish standards that an educational program must meet to be approved by the board.

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Sec. 4715.61. (A) Except as provided in division (B) of this section, no person shall practice as an expanded function dental auxiliary without being registered under this chapter as an expanded function dental auxiliary.

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(B) Division (A) of this section does not apply to any of the 466
following: 467

(1) A dentist licensed under this chapter; 468

(2) A dental student who engages in any activities performed 469
by expanded function dental auxiliaries as an integral part of a 470
program of study leading to the receipt of a license to practice 471
as a dentist under this chapter; 472

(3) An expanded function dental auxiliary student when the 473
student participates in an educational or training activity of an 474
accredited educational institution or a training program that does 475
both of the following: 476

(a) Provides the education or training necessary to practice 477
as an expanded function dental auxiliary; 478

(b) Ensures that a dentist licensed under this chapter, or a 479
dentist who holds a limited teaching license issued under this 480
chapter, is physically present in the facility where the expanded 481
function dental auxiliary performs clinical dental procedures on 482
patients. 483

Sec. 4715.62. (A) Each individual seeking to register with 484
the state dental board as an expanded function dental auxiliary 485
shall file with the secretary of the board a written application 486
for registration, under oath, on a form the board shall prescribe 487
and provide. An applicant shall include with the completed 488
application all of the following: 489

(1) An application fee of twenty dollars; 490

(2) Proof satisfactory to the board that the applicant has 491
successfully completed, at an educational institution accredited 492
by the commission on dental accreditation of the American dental 493
association or the higher learning commission of the north central 494
association of colleges and schools, the education or training 495

specified by the board in rules adopted under section 4715.66 of 496
the Revised Code as the education or training that is necessary to 497
obtain registration under this chapter to practice as an expanded 498
function dental auxiliary, as evidenced by a diploma or other 499
certificate of graduation or completion that has been signed by an 500
appropriate official of the accredited institution that provided 501
education or training; 502

(3) Proof satisfactory to the board that the applicant has 503
passed an examination that meets the standards established by the 504
board in rules adopted under section 4715.66 of the Revised Code 505
to be accepted by the board as an examination of competency to 506
practice as an expanded function dental auxiliary; 507

(4) Proof that the applicant holds current certification to 508
perform basic life-support procedures, evidenced by documentation 509
showing the successful completion of a basic life-support training 510
course certified by either the American red cross or the American 511
heart association. 512

(B) If an applicant complies with division (A) of this 513
section, the board shall register the applicant as an expanded 514
function dental auxiliary. 515

Sec. 4715.63. (A) Registration under section 4715.62 of the 516
Revised Code expires on the thirty-first day of December of the 517
year following the year in which the registration occurs. An 518
individual may renew a registration for subsequent two-year 519
periods by submitting both of the following to the secretary of 520
the state dental board each time the individual seeks to renew a 521
registration: 522

(1) A completed application for renewal, under oath, on a 523
form the board shall prescribe and provide; 524

(2) A renewal fee of twenty dollars. 525

(B) If an individual complies with division (A) of this section and is not in violation of any section of this chapter or rule adopted under it, the board shall renew the individual's registration for a two-year period that expires on the thirty-first day of December of the year following the year in which the registration was renewed. 526
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(C) Registration renewals shall be made in accordance with the standard renewal procedure established under Chapter 4745. of the Revised Code. 532
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Sec. 4715.64. (A) The practice of an expanded function dental auxiliary shall consist of the following: 535
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(1) The procedures involved in the placement of restorative materials limited to amalgam restorative materials and non-metallic restorative materials, including direct-bonded restorative materials; 537
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(2) The procedures involved in the placement of sealants; 541

(3) Any additional procedures authorized by the state dental board in rules adopted under section 4715.66 of the Revised Code. 542
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(B) An expanded function dental auxiliary shall practice under the direct supervision, order, control, and full responsibility of a dentist licensed under this chapter. At no time shall more than two expanded function dental auxiliaries be practicing as expanded function dental auxiliaries under the direct supervision of the same dentist. An expanded function dental auxiliary shall not practice as an expanded function dental auxiliary when the supervising dentist is not physically present at the location where the expanded function dental auxiliary is practicing. 544
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(C) Nothing in this section shall be construed by rule of the board or otherwise to authorize an expanded function dental 554
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auxiliary to engage in the practice of dental hygiene as defined 556
by sections 4715.22 and 4715.23 of the Revised Code. 557

Sec. 4715.65. The secretary of the state dental board shall 558
keep a record of all persons registered under this chapter as 559
expanded function dental auxiliaries. For each expanded function 560
dental auxiliary, the record shall identify the location where the 561
person primarily practices and the person's one or more 562
supervising dentists. 563

Sec. 4715.66. (A) The state dental board shall adopt rules as 564
the board considers necessary to implement and administer sections 565
4715.61 to 4715.64 of the Revised Code. The rules shall be adopted 566
in accordance with Chapter 119. of the Revised Code. 567

(B) In adopting rules under this section, all of the 568
following apply: 569

(1) The board shall adopt rules specifying the education or 570
training necessary for an individual to register as an expanded 571
function dental auxiliary under this chapter. 572

(2) The board shall adopt rules specifying the standards that 573
must be met for an examination to be accepted by the board as an 574
examination of competency to practice as an expanded function 575
dental auxiliary. In specifying the standards, the board shall 576
provide that an examination will be accepted only if the entity 577
that administered the examination required an individual to be one 578
of the following as a condition of admission to the examination: 579

(a) An unlicensed dentist who has graduated from an 580
accredited dental college, as specified in section 4715.10 of the 581
Revised Code, and does not have a dental license under suspension 582
or revocation by the board; 583

(b) A dental student who is enrolled in an accredited dental 584

college, as specified in section 4715.10 of the Revised Code, and 585
is considered by the dean of the college to be in good standing as 586
a dental student; 587

(c) A graduate of a dental college located outside of the 588
United States; 589

(d) A dental assistant who is certified by the dental 590
assisting national board or the Ohio commission on dental 591
assistant certification; 592

(e) A dental hygienist licensed under this chapter whose 593
license is in good standing; 594

(f) An unlicensed dental hygienist who has graduated from an 595
accredited dental hygiene school, as specified in section 4715.21 596
of the Revised Code, and does not have a dental hygienist license 597
under suspension or revocation by the board. 598

(3) The board may adopt rules specifying procedures an 599
expanded function dental auxiliary may perform that are in 600
addition to the procedures specified in divisions (A)(1) and (2) 601
of section 4715.64 of the Revised Code. 602

Sec. 4715.99. (A) Whoever violates section 4715.17 of the 603
Revised Code is guilty of a minor misdemeanor on a first offense 604
and a misdemeanor of the fourth degree on each subsequent offense. 605

(B) Whoever violates section 4715.18 of the Revised Code is 606
guilty of a misdemeanor of the fourth degree. 607

(C) Whoever violates section 4715.09, 4715.19, 4715.20, 608
4715.29, 4715.32, 4715.39, ~~or~~ 4715.52, or 4715.61 of the Revised 609
Code is guilty of a misdemeanor of the first degree on a first 610
offense and a felony of the fifth degree on each subsequent 611
offense. 612

(D) Whoever violates any provision of ~~sections 4715.01 to~~ 613

~~4715.39 of the Revised Code~~ this chapter for which no specific 614
penalty has been prescribed is guilty of a misdemeanor of the 615
fourth degree on a first offense and a misdemeanor of the second 616
degree on each subsequent offense. 617

Section 2. That existing sections 4715.02, 4715.30, 4715.39, 618
4715.51, 4715.52, 4715.53, 4715.57, and 4715.99, and sections 619
4715.54, 4715.55, and 4715.58 of the Revised Code are hereby 620
repealed. 621

Section 3. Section 4715.61 of the Revised Code shall take 622
effect one year after the effective date of this act. 623