

As Introduced

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**Representatives White, McGregor, Setzer, Schaffer, Oelslager, Coley, Allen,
Peterson, Hood, Flowers, Brown, C. Evans**

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A B I L L

To amend section 4715.39 of the Revised Code to allow 1
a dental assistant to apply pit and fissure 2
sealants under certain circumstances. 3

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

Section 1. That section 4715.39 of the Revised Code be 4
amended to read as follows: 5

Sec. 4715.39. (A) The state dental board may define the 6
duties that may be performed by dental assistants and other 7
individuals designated by the board as qualified personnel. If 8
defined, the duties shall be defined in rules adopted in 9
accordance with Chapter 119. of the Revised Code. The rules may 10
include training and practice standards for dental assistants and 11
other qualified personnel. The standards may include examination 12
and issuance of a certificate. If the board issues a certificate, 13
the recipient shall display the certificate in a conspicuous 14
location in any office in which the recipient is employed to 15
perform the duties authorized by the certificate. 16

(B) A dental assistant may polish the clinical crowns of 17
teeth if all of the following requirements are met: 18

(1) The dental assistant's polishing activities are limited 19

to the use of a rubber cup attached to a slow-speed rotary dental
hand piece to remove soft deposits that build up over time on the
crowns of teeth.

(2) The polishing is performed only after a dentist has
evaluated the patient and any calculus detected on the teeth to be
polished has been removed by a dentist or dental hygienist.

(3) The dentist supervising the assistant supervises not more
than two dental assistants engaging in polishing activities at any
given time.

(4) The dental assistant is certified by the dental assisting
national board or the Ohio commission on dental assistant
certification.

(5) The dental assistant receives a certificate from the
board authorizing the assistant to engage in the polishing
activities. The board shall issue the certificate if the
individual has successfully completed training in the polishing of
clinical crowns through a program accredited by the commission on
dental accreditation or equivalent training approved by the board.
The training shall include courses in basic dental anatomy and
infection control, followed by a course in coronal polishing that
includes didactic, preclinical, and clinical training; any other
training required by the board; and a skills assessment that
includes successful completion of standardized testing. The board
shall adopt rules pursuant to division (A) of this section
establishing standards for approval of this training.

(C) A dental assistant may apply pit and fissure sealants if
all of the following requirements are met:

(1) The application of sealant is performed only after a
dentist has evaluated the patient and designated the teeth and
surfaces that will benefit from the application.

(2) The dental assistant is certified by the dental assisting national board or the Ohio commission on dental assistant certification. 50
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(3) The dental assistant has successfully completed a course in the application of sealants consisting of at least two hours of didactic instruction and two hours of clinical instruction through a program provided by an institution accredited by the American dental association commission on dental accreditation or a program provided by a sponsor of continuing education approved by the board. 53
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(4) The dentist supervising the assistant has observed the assistant successfully apply at least six sealants. 60
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(D) Subject to this section and the applicable rules of the board, licensed dentists may assign to dental assistants and other qualified personnel dental procedures that do not require the professional competence or skill of the licensed dentist or dental hygienist as this section or the board by rule authorizes dental assistants and other qualified personnel to perform. The performance of dental procedures by dental assistants and other qualified personnel shall be under direct supervision and full responsibility of the licensed dentist. 62
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~~(D)~~(E) Nothing in this section shall be construed by rule of the state dental board or otherwise to do the following: 71
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(1) Authorize dental assistants or other qualified personnel to engage in the practice of dental hygiene as defined by sections 4715.22 and 4715.23 of the Revised Code or to perform the duties of a dental hygienist, including the removal of calcarious deposits, dental cement, or accretions on the crowns and roots of teeth other than as authorized pursuant to this section; 73
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(2) Authorize the assignment of any of the following: 79

(a) Diagnosis;	80
(b) Treatment planning and prescription, including prescription for drugs and medicaments or authorization for restorative, prosthodontic, or orthodontic appliances;	81 82 83
(c) Surgical procedures on hard or soft tissue of the oral cavity, or any other intraoral procedure that contributes to or results in an irremediable alteration of the oral anatomy;	84 85 86
(d) The making of final impressions from which casts are made to construct any dental restoration.	87 88
(E) (F) No dentist shall assign any dental assistant or other individual acting in the capacity of qualified personnel to perform any dental procedure that the assistant or other individual is not authorized by this section or by board rule to perform. No dental assistant or other individual acting in the capacity of qualified personnel shall perform any dental procedure 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.	89 90 91 92 93 94 95 96 97 98
Section 2. That existing section 4715.39 of the Revised Code is hereby repealed.	99 100