

**As Passed by the House**

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**Sub. H. B. No. 311**

**Representatives White, McGregor, J., Setzer, Schaffer, Oelslager, Coley,  
Allen, Peterson, Hood, Flowers, Brown, Evans, C., Barrett, Martin, Schneider,  
Reidelbach, Smith, S., DeBose, Aslanides, Beatty, Blessing, Bubp, Buehrer,  
Calvert, Cassell, Collier, Combs, Distel, Domenick, Evans, D., Fessler,  
Hughes, Key, McGregor, R., Miller, Patton, S., Patton, T., Perry, Seitz,  
Woodard, Yuko**

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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 20  
hand piece to remove soft deposits that build up over time on the 21  
crowns of teeth. 22

(2) The polishing is performed only after a dentist has 23  
evaluated the patient and any calculus detected on the teeth to be 24  
polished has been removed by a dentist or dental hygienist. 25

(3) The dentist supervising the assistant supervises not more 26  
than two dental assistants engaging in polishing activities at any 27  
given time. 28

(4) The dental assistant is certified by the dental assisting 29  
national board or the Ohio commission on dental assistant 30  
certification. 31

(5) The dental assistant receives a certificate from the 32  
board authorizing the assistant to engage in the polishing 33  
activities. The board shall issue the certificate if the 34  
individual has successfully completed training in the polishing of 35  
clinical crowns through a program accredited by the commission on 36  
dental accreditation or equivalent training approved by the board. 37  
The training shall include courses in basic dental anatomy and 38  
infection control, followed by a course in coronal polishing that 39  
includes didactic, preclinical, and clinical training; any other 40  
training required by the board; and a skills assessment that 41  
includes successful completion of standardized testing. The board 42  
shall adopt rules pursuant to division (A) of this section 43  
establishing standards for approval of this training. 44

(C) A dental assistant may apply pit and fissure sealants if 45  
all of the following requirements are met: 46

(1) A dentist evaluates the patient and designates the teeth and surfaces that will benefit from the application of sealant on the day the application is to be performed. 47  
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(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 six 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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(5) The dentist supervising the assistant checks and approves the application of all sealants placed by the assistant before the patient leaves the location where the sealant application procedure is performed. 62  
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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. 66  
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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: 75  
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(1) Authorize dental assistants or other qualified personnel 77  
to engage in the practice of dental hygiene as defined by sections 78  
4715.22 and 4715.23 of the Revised Code or to perform the duties 79  
of a dental hygienist, including the removal of calcarious 80  
deposits, dental cement, or accretions on the crowns and roots of 81  
teeth other than as authorized pursuant to this section; 82

(2) Authorize the assignment of any of the following: 83

(a) Diagnosis; 84

(b) Treatment planning and prescription, including 85  
prescription for drugs and medicaments or authorization for 86  
restorative, prosthodontic, or orthodontic appliances; 87

(c) Surgical procedures on hard or soft tissue of the oral 88  
cavity, or any other intraoral procedure that contributes to or 89  
results in an irremediable alteration of the oral anatomy; 90

(d) The making of final impressions from which casts are made 91  
to construct any dental restoration. 92

~~(E)~~(F) No dentist shall assign any dental assistant or other 93  
individual acting in the capacity of qualified personnel to 94  
perform any dental procedure that the assistant or other 95  
individual is not authorized by this section or by board rule to 96  
perform. No dental assistant or other individual acting in the 97  
capacity of qualified personnel shall perform any dental procedure 98  
other than in accordance with this section and any applicable 99  
board rule or any dental procedure that the assistant or other 100  
individual is not authorized by this section or by board rule to 101  
perform. 102

**Section 2.** That existing section 4715.39 of the Revised Code 103  
is hereby repealed. 104