

**As Passed by the Senate**

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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  
Senators Hagan, Clancy, Austria, Gardner, Niehaus, Spada**

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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. 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 American 36  
dental association commission on dental accreditation or 37  
equivalent training approved by the board. The training shall 38  
include courses in basic dental anatomy and infection control, 39  
followed by a course in coronal polishing that includes didactic, 40  
preclinical, and clinical training; any other training required by 41  
the board; and a skills assessment that includes successful 42  
completion of standardized testing. The board shall adopt rules 43  
pursuant to division (A) of this section establishing standards 44  
for approval of this training. 45

(C) A dental assistant may apply pit and fissure sealants if 46  
all of the following requirements are met: 47

(1) A dentist evaluates the patient and designates the teeth 48  
and surfaces that will benefit from the application of sealant on 49  
the day the application is to be performed. 50

(2) The dental assistant is certified by the dental assisting 51  
national board or the Ohio commission on dental assistant 52  
certification. 53

(3) The dental assistant has successfully completed a course 54  
in the application of sealants consisting of at least two hours of 55  
didactic instruction and six hours of clinical instruction through 56  
a program provided by an institution accredited by the American 57  
dental association commission on dental accreditation or a program 58  
provided by a sponsor of continuing education approved by the 59  
board. 60

(4) The dentist supervising the assistant has observed the 61  
assistant successfully apply at least six sealants. 62

(5) The dentist supervising the assistant checks and approves 63  
the application of all sealants placed by the assistant before the 64  
patient leaves the location where the sealant application 65  
procedure is performed. 66

(D) Subject to this section and the applicable rules of the 67  
board, licensed dentists may assign to dental assistants and other 68  
qualified personnel dental procedures that do not require the 69  
professional competence or skill of the licensed dentist, a dental 70  
hygienist, or an expanded function dental auxiliary as this 71  
section or the board by rule authorizes dental assistants and 72  
other qualified personnel to perform. The performance of dental 73  
procedures by dental assistants and other qualified personnel 74  
shall be under direct supervision and full responsibility of the 75  
licensed dentist. 76

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

(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;

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

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

(a) Diagnosis;

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

(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;

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

~~(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 107  
individual is not authorized by this section or by board rule to 108  
perform. 109

**Section 2.** That existing section 4715.39 of the Revised Code 110  
is hereby repealed. 111