

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

**126th General Assembly
Regular Session
2005-2006**

Sub. H. B. No. 311

**Representatives White, McGregor, J., Setzer, Schaffer, Oelslager, Coley,
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Senators Hagan, Clancy**

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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 77
the state dental board or otherwise to do the following: 78

(1) Authorize dental assistants or other qualified personnel 79
to engage in the practice of dental hygiene as defined by sections 80
4715.22 and 4715.23 of the Revised Code or to perform the duties 81
of a dental hygienist, including the removal of calcarious 82
deposits, dental cement, or accretions on the crowns and roots of 83
teeth other than as authorized pursuant to this section; 84

(2) Authorize dental assistants or other qualified personnel 85
to engage in the practice of an expanded function dental auxiliary 86
as specified in section 4715.64 of the Revised Code or to perform 87
the duties of an expanded function dental auxiliary other than as 88
authorized pursuant to this section. 89

(3) Authorize the assignment of any of the following: 90

(a) Diagnosis; 91

(b) Treatment planning and prescription, including 92
prescription for drugs and medicaments or authorization for 93
restorative, prosthodontic, or orthodontic appliances; 94

(c) Surgical procedures on hard or soft tissue of the oral 95
cavity, or any other intraoral procedure that contributes to or 96
results in an irremediable alteration of the oral anatomy; 97

(d) The making of final impressions from which casts are made 98
to construct any dental restoration. 99

~~(E)~~(F) No dentist shall assign any dental assistant or other 100
individual acting in the capacity of qualified personnel to 101
perform any dental procedure that the assistant or other 102
individual is not authorized by this section or by board rule to 103
perform. No dental assistant or other individual acting in the 104
capacity of qualified personnel shall perform any dental procedure 105

other than in accordance with this section and any applicable	106
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