

SECOND REGULAR SESSION

SENATE BILL NO. 953

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WRIGHT-JONES.

Read 1st time February 16, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4949L.01I

AN ACT

To repeal section 332.011, RSMo, and to enact in lieu thereof two new sections relating to dental assistants and dental hygienists.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 332.011, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 332.011 and 332.095, to read as
3 follows:

332.011. As used in this chapter, the following words and terms mean:

2 (1) "Accredited dental hygiene school", any program which teaches a
3 course in dental hygiene which is accredited by the Commission on Dental
4 Accreditation of the American Dental Association and which shall have a
5 minimum of two academic years of curriculum provided in a college or institution
6 of higher education;

7 (2) "Accredited dental school", any college, university, school, or other
8 institution which teaches dentistry which has been certified by the American
9 Dental Association;

10 (3) "Board", the Missouri dental board;

11 (4) "Certified dental assistant", a dental assistant who is currently
12 certified by the Dental Assisting National Board, Inc.;

13 (5) "Dental assistant", an employee of a duly registered and currently
14 licensed dentist in Missouri, other than either a dental hygienist or a certified
15 dental assistant;

16 (6) "Expanded-functions dental assistant", any dental assistant who has
17 passed a basic dental assisting skills mastery examination or a certified dental
18 assistant, either of whom has successfully completed a board-approved

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 expanded-functions course, passed a competency examination, and [can show
20 proof of competency in a specific expanded function to] **has obtained a permit**
21 **authorizing him or her to perform expanded-functions duties** from the
22 Missouri dental board.

332.095. 1. Dentists delegating expanded-functions duties to
2 **dental assistants or dental hygienists shall do so in accordance with**
3 **rules set forth by the board. No person shall perform expanded-**
4 **functions duties in this state except under his or her own name and**
5 **unless and until the board has issued to him or her a permit to perform**
6 **expanded-functions duties in this state.**

7 **2. Nothing in this section or chapter shall be construed to make**
8 **it unlawful for a registered and currently licensed dentist in this state**
9 **to perform dental services that would be considered expanded-**
10 **functions duties in this state, or to make it unlawful for dental**
11 **assistants, certified dental assistants, or expanded-functions dental**
12 **assistants to perform polishing of teeth.**

13 **3. Expanded-functions permits shall be renewed every five years.**

14 **4. The board may promulgate rules specifying the criteria by which**
15 **expanded-functions permits may be issued and renewed. Expanded-**
16 **functions permits shall be subject to discipline as provided in section**
17 **332.321.**

18 **5. Any rule or portion of a rule, as that term is defined in section**
19 **536.010, that is created under the authority delegated in this section**
20 **shall become effective only if it complies with and is subject to all of**
21 **the provisions of chapter 536 and, if applicable, section 536.028. This**
22 **section and chapter 536 are nonseverable and if any of the powers**
23 **vested with the general assembly pursuant to chapter 536 to review, to**
24 **delay the effective date, or to disapprove and annul a rule are**
25 **subsequently held unconstitutional, then the grant of rulemaking**
26 **authority and any rule proposed or adopted after August 28, 2010, shall**
27 **be invalid and void.**

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