

FIRST REGULAR SESSION

HOUSE BILL NO. 142

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BRINGER.

Pre-filed December 29, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0669L.011

AN ACT

To repeal section 332.093, RSMo, and to enact in lieu thereof one new section relating to dental assistants.

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

Section A. Section 332.093, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 332.093, to read as follows:

332.093. Any person "practices as a dental assistant" within the meaning of this chapter who provides patient services in cooperation with and under the direct supervision of a currently registered and licensed dentist **or hygienist** in Missouri. A currently registered and licensed dentist may delegate to a dental assistant, certified dental assistant or expanded functions dental assistant, under their direct supervision, such reversible acts that would be considered the practice of dentistry as defined in section 332.071 provided such delegation is done [pursuant to] **under** the terms and conditions of a rule adopted by the Missouri dental board [pursuant to] **under** section 332.031[; except that,]. No such rule may allow delegation of acts that conflict with the practice of dental hygiene as defined in section 332.091, [with the exception] **except** that polishing of teeth may be delegated to a dental assistant, certified dental assistant or expanded-functions dental assistant, **and in counties of the third classification the removal of hard and soft deposits may be delegated to a dental assistant, certified dental assistant, or expanded-functions dental assistant with at least three years of clinical experience that has satisfactorily completed an appropriate course of education containing a minimum of seventy-two combined didactic and clinical clock hours approved by the board. The board**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 shall have the authority to develop rules regulating the use of dental assistants, certified
17 dental assistants, or expanded-functions dental assistants to remove hard and soft deposits.
18 Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is
19 created under the authority delegated in this section shall become effective only if it
20 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
21 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
22 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
23 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
24 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
25 adopted after August 28, 2005, shall be invalid and void.