

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Human Services to which was referred Senate Bill
3 No. 20 entitled “An act relating to establishing and regulating dental
4 therapists” respectfully reports that it has considered the same and
5 recommends that the House propose to the Senate that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 S.20

9 An act relating to establishing and regulating dental therapists

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 26 V.S.A. chapter 12 is amended to read:

12 CHAPTER 12. DENTISTS, ~~DENTAL THERAPISTS,~~ DENTAL

13 HYGIENISTS, AND DENTAL ASSISTANTS

14 Subchapter 1. General Provisions

15 § 561. DEFINITIONS

16 As used in this chapter:

17 (1) “Board” means the ~~board of dental examiners~~ Board of Dental
18 Examiners.

19 (2) “Director” means the ~~director of the office of professional regulation~~
20 Director of the Office of Professional Regulation.

21 (3) “Practicing dentistry” means an activity in which a person:

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

- 1 (A) undertakes by any means or method to diagnose or profess to
2 diagnose or to treat or profess to treat or to prescribe for or profess to prescribe
3 for any lesions, diseases, disorders, for deficiencies of the human oral cavity,
4 teeth, gingiva, maxilla, or mandible or adjacent associated structures;
- 5 (B) extracts human teeth or corrects malpositions of the teeth or jaws;
- 6 (C) furnishes, supplies, constructs, reproduces, or repairs prosthetic
7 dentures, bridges, appliances, or other structures to be used or worn as
8 substitutes for natural teeth or adjusts those structures, except on the written
9 prescription of a duly licensed dentist and by the use of impressions or casts
10 made by a duly licensed and practicing dentist;
- 11 (D) administers general dental anesthetics;
- 12 (E) administers local dental anesthetics, except dental hygienists as
13 authorized by ~~board~~ Board rule; or
- 14 (F) engages in any of the practices included in the curricula of
15 recognized dental colleges.
- 16 (4) “Dental therapist” means an individual licensed to practice as a
17 dental therapist under this chapter.
- 18 (5) “Dental hygienist” means an individual licensed to practice as a
19 dental hygienist under this chapter.

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 ~~(5)~~(6) “Dental assistant” means an individual registered to practice as a
2 dental assistant under this chapter.

3 ~~(6)~~(7) “Direct supervision” means supervision by a licensed dentist who
4 is readily available at the dental facility for consultation or intervention.

5 (8) “General supervision” means:

6 (A) the direct or indirect oversight of a dental therapist by a dentist,
7 which need not be on-site; or

8 (B) the direct or indirect oversight of a dental hygienist by a dentist
9 as prescribed by Board rule.

Comment [BAW1]: The term “general supervision” is already used re: DHs in [§ 624](#) of this chapter.

10 § 562. PROHIBITIONS

11 (a) No person may use in connection with a name any words, including
12 “Doctor of Dental Surgery” or “Doctor of Dental Medicine,” or any letters,
13 signs, or figures, including the letters “D.D.S.” or “D.M.D.,” which imply that
14 a person is a licensed dentist when not authorized under this chapter.

15 (b) No person may practice as a dentist, dental therapist, or dental hygienist
16 unless currently licensed to do so under the provisions of this chapter.

17 (c) No person may practice as a dental assistant unless currently registered
18 under the provisions of this chapter.

19 (d) A person who violates this section shall be subject to the penalties
20 provided in 3 V.S.A. § 127.

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 * * *

2 § 565. DISPLAY OF LICENSE OR REGISTRATION

3 Every dentist, dental therapist, dental hygienist, and dental assistant shall
4 display a copy of his or her current license or registration at each place of
5 practice and in such a manner so as to be easily seen and read.

6 * * *

7 Subchapter 2. Board of Dental Examiners

8 § 581. CREATION; QUALIFICATIONS

9 (a) ~~The state board of dental examiners~~ State Board of Dental Examiners is
10 created and shall consist of six licensed dentists in good standing who have
11 practiced in this ~~state~~ State for a period of five years or more and are in active
12 practice; two licensed dental hygienists who have practiced in this ~~state~~ State
13 for a period of at least three years immediately preceding the appointment and
14 are in active practice; one registered dental assistant who has practiced in this
15 ~~state~~ State for a period of at least three years immediately preceding the
16 appointment and is in active practice; and two members of the public who are
17 not associated with the practice of dentistry.

18 (b) Board members shall be appointed by the ~~governor~~ Governor pursuant
19 to 3 V.S.A. §§ 129b and 2004.

Comment [BAW2]: Add DT representation to the Board? If so:
What should be the min. practice qualification?
Make it a future effective date?
Add reference to them in subsection (c)?

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (c) ~~No~~ A member of the board may ~~Board shall not~~ be an officer or serve
2 on a committee of his or her respective state or local professional dental, dental
3 hygiene, or dental assisting organization, ~~nor shall any member of the board be~~
4 on the faculty of a school of dentistry, dental hygiene, or dental assisting.

* * *

6 § 584. UNPROFESSIONAL CONDUCT

7 The ~~board~~ Board may refuse to give an examination or issue a license to
8 practice dentistry, to practice as a dental therapist, or to practice dental hygiene
9 or to register an applicant to be a dental assistant and may suspend or revoke
10 any such license or registration or otherwise discipline an applicant, licensee,
11 or registrant for unprofessional conduct. Unprofessional conduct means the
12 following conduct and the conduct set forth in 3 V.S.A. § 129a by an applicant
13 or person licensed or registered under this chapter:

* * *

15 (1) abandonment of a patient;

16 (2) rendering professional services to a patient if the dentist, dental
17 therapist, dental hygienist, or dental assistant is intoxicated or under the
18 influence of drugs;

19 (3) promotion of the sale of drugs, devices, appliances, goods, or
20 services provided for a patient in a manner to exploit the patient for financial

Comment [BAW3]: Last phrase proposed to be removed via H.562 (OPR Bill), Sec. 16.

Comment [BAW4]: Add reference to DTs in the specific unprofessional conduct provisions.

See also the general unprofessional conduct provisions set forth in [3 V.S.A. § 129a](#) that apply to all OPR licensees.

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 gain or selling, prescribing, giving away, or administering drugs for other than

2 legal and legitimate therapeutic purposes;

3 (4) division of or agreeing to divide with any person for bringing or

4 referring a patient the fees received for providing professional services to the

5 patient;

6 (5) willful misrepresentation in treatments;

7 (6) practicing a profession regulated under this chapter with a dentist,

8 dental therapist, dental hygienist, or dental assistant who is not legally

9 practicing within the ~~state~~ State or aiding or abetting such practice;

10 (7) gross and deceptive overcharging for professional services on single

11 or multiple occasions, including filing of false statements for collection of fees

12 for which services are not rendered;

13 (8) permitting one's name, license, or registration to be used by a

14 person, group, or corporation when not actually in charge of or responsible for

15 the treatment given;

16 (9) practicing dentistry or maintaining a dental office in a manner so as

17 to endanger the health or safety of the public; or

18 (10) holding out to the public as being specially qualified or announcing

19 specialization in any branch of dentistry by using terms such as "specialist in"

20 or "practice limited to" unless:

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (A) the American Dental Association has formally recognized the
2 specialty and an appropriate certifying board for the specialty;

3 (B) the dentist has met the educational requirements and standards set
4 forth by the Commission on Dental Accreditation for the specialty; or

5 (C) the dentist is a diplomate of the specialty certifying board
6 recognized by the American Dental Association.

7 Subchapter 3A. Dental Therapists

8 § 611. LICENSE BY EXAMINATION

9 (a) Qualifications for examination. To be eligible for examination for
10 licensure as a dental therapist, an applicant shall:

11 (1) have attained the age of majority;

12 (2) be a licensed dental hygienist;

13 (3) be a graduate of a dental therapist educational program administered
14 by an institution accredited by the Commission on Dental Accreditation to
15 train dentists, dental therapists, or dental hygienists; and

16 (4) pay the application fee set forth in section 662 of this chapter and an
17 examination fee established by the Board by rule.

18 (b) Completion of examination.

19 (1) An applicant for licensure meeting the qualifications for examination
20 set forth in subsection (a) of this section shall pass a comprehensive,

Comment [BAW5]: Require emergency office procedure course? If so, as a qualification for the exam?

Or, since a DT must be a licensed DH, is it adequate that a DH must have taken such a course for licensure by exam via § 621(4) or licensure by endorsement via § 622(2), and must also take such a course for renewal via § 661(e)?

Comment [BAW6]: According to CODA Director testimony on 3/23/16, CODA accreditation is available (as of Feb. 2015). Therefore, strike Sec. 2 (which states that the CODA accreditation requirement takes effect once it is available).

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 competency-based clinical examination approved by the Board and
2 administered independently of an institution providing dental therapist
3 education. An applicant shall also pass an examination testing the applicant's
4 knowledge of the Vermont ~~laws~~ statutes and rules relating to the practice of
5 dentistry approved by the Board.

6 (2) An applicant who has failed the clinical examination twice is
7 ineligible to retake the clinical examination until further education and training
8 are obtained as established by the Board by rule.

9 (c) The Board may grant a license to an applicant who has met the
10 requirements of this section.

11 § 612. LICENSE BY ENDORSEMENT

12 The Board may grant a license as a dental therapist to an applicant who:

13 (1) is currently licensed in good standing to practice as a dental therapist
14 in any jurisdiction of the United States or Canada that has licensing
15 requirements deemed by the Board to be at least substantially equivalent to
16 those of this State;

17 (2) has met active practice requirements and any other requirements
18 established by the Board by rule; and

19 (3) pays the application fee set forth in section 662 of this chapter.

20 § 613. PRACTICE; SCOPE OF PRACTICE

Comment [BAW7]: Should persons licensed by endorsement be required to take the Vermont-specific exam that normal licensees would be required to take? See § 611(b)(1), above.

Is there a conflict that this type of licensee has to have licensing requirements at least substantially equivalent to VT, if standard VT licensees have to have the VT-specific exam?

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (a) A person who provides oral health care services, including prevention,
2 evaluation, and assessment; education; palliative therapy; and restoration under
3 the general supervision of a dentist within the parameters of a collaborative
4 agreement as provided under section 614 of this subchapter shall be regarded
5 as practicing as a dental therapist within the meaning of this chapter.

6 (b) Services performed by a dental therapist may only be performed in
7 practice settings or areas with a significant volume of low-income, uninsured,
8 or underserved patients, as shall be determined by the Department of Health, or
9 in areas designated by the U.S. Department of Health and Human Services as
10 Health Professional Shortage Areas for dental care. In addition to services
11 permitted by the Board by rule, a dental therapist may perform the following
12 oral health care services:

13 (1) Oral health instruction and disease prevention education, including
14 nutritional counseling and dietary analysis.

15 (2) Periodontal charting, including a periodontal screening examination.

16 (3) Exposing radiographs.

17 (4) Dental prophylaxis.

18 (5) Prescribing, dispensing, and administering analgesics,
19 anti-inflammatories, and antibiotics.

Comment [BAW8]: Agree with this first sentence's geographic limitation?
If so, any change to Sec. 4's sunset of this limitation, currently scheduled for July 1, 2020?

Comment [BAW9]: Should there be a prohibition on prescribing, dispensing, or administering narcotics (if an analgesic can be a narcotic)?

Key: ~~Red strikethrough~~ = language potentially removed from bill
Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

- 1 (6) Applying topical preventive or prophylactic agents, including
- 2 fluoride varnishes, antimicrobial agents, and pit and fissure sealants.
- 3 (7) Pulp vitality testing.
- 4 (8) Applying desensitizing medication or resin.
- 5 (9) Fabricating athletic mouthguards.
- 6 (10) Placement of temporary restorations.
- 7 (11) Fabricating soft occlusal guards.
- 8 (12) Tissue conditioning and soft reline.
- 9 (13) Interim therapeutic restorations.
- 10 (14) Changing periodontal dressings.
- 11 (15) Tooth reimplantation and stabilization.
- 12 (16) Administering local anesthetic.
- 13 (17) Administering nitrous oxide.
- 14 (18) Oral evaluation and assessment of dental disease.
- 15 (19) Formulating an individualized treatment plan, including services
- 16 within the dental therapist's scope of practice and referral for services outside
- 17 the dental therapist's scope of practice.
- 18 (20) Extractions of primary teeth.

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (21) Nonsurgical extractions of periodontally diseased permanent teeth
2 with tooth mobility of +3. A dental therapist shall not extract a tooth if it is
3 unerupted, impacted, fractured, or needs to be sectioned for removal.

4 (22) Emergency palliative treatment of dental pain.

5 (23) Placement and removal of space maintainers.

6 (24) Cavity preparation.

7 (25) Restoring primary and permanent teeth, not including permanent
8 tooth crowns, bridges, or denture fabrication.

9 (26) Placement of temporary crowns.

10 (27) Preparation and placement of preformed crowns.

11 (28) Pulpotomies on primary teeth.

12 (29) Indirect and direct pulp capping on primary and permanent teeth.

13 (30) Suture removal.

14 (31) Brush biopsies.

15 (32) Repairing defective prosthetic devices.

16 (33) Recementing permanent crowns.

17 (34) Mechanical polishing.

18 § 614. COLLABORATIVE AGREEMENT

19 (a) Before a dental therapist may enter into his or her first collaborative
20 agreement, he or she shall:

Key: ~~Red strikethrough~~ = language potentially removed from bill
Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (1) complete 1,000 hours of direct patient care using dental therapy
2 procedures under the direct supervision of a dentist; and

3 (2) receive a certificate of completion signed by that supervising dentist
4 that verifies the dental therapist completed the hours described in
5 subdivision (1) of this subsection.

6 (b) In order to practice as a dental therapist, a dental therapist shall enter
7 into a written collaborative agreement with a dentist. The agreement shall
8 include:

9 (1) practice settings where services may be provided and the populations
10 to be served;

11 (2) any limitations on the services that may be provided by the dental
12 therapist, including the level of supervision required by the supervising dentist;

13 (3) age- and procedure-specific practice protocols, including case
14 selection criteria, assessment guidelines, and imaging frequency;

15 (4) a procedure for creating and maintaining dental records for the
16 patients that are treated by the dental therapist;

17 (5) a plan to manage medical emergencies in each practice setting where
18 the dental therapist provides care;

Key: ~~Red strikethrough~~ = language potentially removed from bill
Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (6) a quality assurance plan for monitoring care provided by the dental
2 therapist, including patient care review, referral follow-up, and a quality
3 assurance chart review;

4 (7) protocols for prescribing, administering, and dispensing medications,
5 including the specific conditions and circumstances under which these
6 medications may be dispensed and administered;

7 (8) criteria relating to the provision of care to patients with specific
8 medical conditions or complex medication histories, including requirements
9 for consultation prior to the initiation of care;

10 (9) supervision criteria of dental assistants and dental hygienists; and

11 (10) a plan for the provision of clinical resources and referrals in
12 situations that are beyond the capabilities of the dental therapist.

13 ~~(c)~~(1) The supervising dentist shall accept responsibility for all services
14 authorized and performed by the dental therapist pursuant to the collaborative
15 agreement.

16 (2) A supervising dentist shall be licensed and practicing in Vermont.

17 (3) A supervising dentist is limited to entering into a collaborative
18 agreement with no more than two dental therapists at any one time.

19 (d)(1) A collaborative agreement shall be signed and maintained by the
20 supervising dentist and the dental therapist.

Comment [BAW10]: Via the SCOV's *In re Porter*, 192 Vt. 601 (2012), SCOV would likely consider "shall accept responsibility" to mean "professionally responsible" rather than "legally liable."

Suggestion: Use the terms "professionally responsible" or "legally liable" (or neither or both) to be consistent with caselaw.

"Professionally responsible" would mean that if DT commits unprofessional conduct, supervising dentist has also vicariously committed unprofessional conduct.

Committee intent? See [3 V.S.A. § 129a\(a\)\(6\)](#) re: improper delegation.

"Legally liable" refers to tort liability, which could apply even if not included here, under common law tort liability.

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (2) A collaborative agreement shall be reviewed, updated, and submitted
2 to the Board on an annual basis or as soon as a change is made to the
3 agreement.

4 § 615. APPLICATION OF OTHER LAWS

5 (a) A dental therapist authorized to practice under this chapter shall not be
6 in violation of section 562 of this chapter as it relates to the unauthorized
7 practice of dentistry if the practice is authorized under this chapter and under
8 the collaborative agreement.

9 (b) A dentist who permits a dental therapist to perform a dental service
10 other than those authorized under this chapter or by the Board by rule or any
11 dental therapist who performs an unauthorized service shall be in violation of
12 section 584 of this chapter.

13 § 616. USE OF DENTAL HYGIENISTS AND DENTAL ASSISTANTS

14 (a) A licensed dental therapist may supervise dental assistants and dental
15 hygienists directly to the extent permitted in the collaborative agreement.

16 (b) At any one practice setting, a licensed dental therapist may have under
17 his or her direct supervision no more than a total of two assistants, hygienists,
18 or combination thereof.

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 § 617. REFERRALS

2 (a) The supervising dentist is responsible for arranging for another dentist
3 or specialist to provide any necessary services needed by a patient that are
4 beyond the scope of practice of the dental therapist and which the supervising
5 dentist is unable to provide.

6 (b) A dental therapist, in accordance with the collaborative agreement, shall
7 refer patients to another qualified dental or health care professional to receive
8 any needed services that exceed the scope of practice of the dental therapist.

9 * * *

10 Subchapter 6. Renewals, Continuing Education, and Fees

11 § 661. RENEWAL OF LICENSE

12 (a) Licenses and registrations shall be renewed every two years on a
13 schedule determined by the ~~office of professional regulation~~ Office of
14 Professional Regulation.

15 **(b)** ~~No continuing education reporting is required at the first biennial~~
16 license renewal date following licensure.

Comment [BAW11]: Note that this applies to all dental professionals.

17 (c) The ~~board~~ Board may waive continuing education requirements for
18 licensees who are on active duty in the ~~armed forces of the United States~~
19 U.S. Armed Forces.

Key: ~~Red strikethrough~~ = language potentially removed from bill
Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 (d) Dentists.

2 * * *

3 (e) Dental therapists. To renew a license, a dental therapist shall meet
4 active practice requirements established by the Board by rule and document
5 completion of no fewer than 20 hours of Board-approved continuing
6 professional education which shall include an emergency office procedures
7 course during the two-year licensing period preceding renewal.

8 (f) Dental hygienists. To renew a license, a dental hygienist shall meet
9 active practice requirements established by the ~~board~~ Board by rule and
10 document completion of no fewer than 18 hours of ~~board-approved~~
11 Board-approved continuing professional education which shall include an
12 emergency office procedures course during the two-year licensing period
13 preceding renewal.

14 ~~(f)~~(g) Dental assistants. To renew a registration, a dental assistant shall
15 meet the requirements established by the ~~board~~ Board by rule.

16 § 662. FEES

17 (a) Applicants and persons regulated under this chapter shall pay the
18 following fees:

19 (1) Application

20 (A) Dentist \$ 225.00

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1	(B) <u>Dental therapist</u>	\$ 185.00
2	(C) Dental hygienist	\$ 150.00
3	(C) (D) Dental assistant	\$ 60.00
4	(2) Biennial renewal	
5	(A) Dentist	\$ 355.00
6	(B) <u>Dental therapist</u>	\$ 225.00
7	(C) Dental hygienist	\$ 125.00
8	(C) (D) Dental assistant	\$ 75.00

9 (b) The licensing fee for a dentist, dental therapist, or dental hygienist or
10 the registration fee for a dental assistant who is otherwise eligible for licensure
11 or registration and whose practice in this ~~state~~ State will be limited to
12 providing pro bono services at a free or reduced-fee clinic or similar setting
13 approved by the ~~board~~ Board shall be waived.

14 * * *

Key: **Red strikethrough** = language potentially removed from bill
Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 ~~Sec. 2. COMMISSION ON DENTAL ACCREDITATION; EFFECTIVE~~
2 ~~_____ DATE~~

Comment [BAW12]: According to CODA Director testimony on 3/23/16, CODA accreditation is available (as of Feb. 2015).

3 ~~The provision set forth in Sec. 1 of this act, in 26 V.S.A. § 611(a)(3)~~
4 ~~(license by examination: graduate), that requires accreditation by the~~
5 ~~Commission on Dental Accreditation, shall take effect once that accreditation~~
6 ~~from the Commission becomes available.~~

7 ~~Sec. 3. BOARD OF DENTAL EXAMINERS; REPORT ON GEOGRAPHIC~~
8 ~~DISTRIBUTION OF DENTAL THERAPISTS~~

Comment [BAW13]: Should Board be required to make this report?

9 ~~No earlier than two years after the effective date of this act but on or before~~
10 ~~January 1, 2020, the Board of Dental Examiners shall report to the Senate~~
11 ~~Committees on Health and Welfare and on Government Operations and the~~
12 ~~House Committees on Health Care and on Government Operations regarding:~~

13 ~~(1) the geographic distribution of licensed dental therapists practicing in~~
14 ~~this State;~~

15 ~~(2) the geographic areas of this State that are underserved by licensed~~
16 ~~dental therapists; and~~

17 ~~(3) the Board's recommended incentives to promote the practice of~~
18 ~~licensed dental therapists in underserved areas of this State, particularly those~~
19 ~~areas that are rural in nature and have high numbers of people living~~
20 ~~in poverty.~~

Key: ~~Red strikethrough~~ = language potentially removed from bill

Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 **Sec. 4.** 26 V.S.A. § 613 is amended to read:

2 § 613. PRACTICE; SCOPE OF PRACTICE

3 * * *

4 (b) ~~Services performed by a dental therapist may only be performed in~~
5 ~~practice settings or areas with a significant volume of low income, uninsured,~~
6 ~~or underserved patients, as shall be determined by the Department of Health, or~~
7 ~~in areas designated by the U.S. Department of Health and Human Services as~~
8 ~~Health Professional Shortage Areas for dental care.~~ In addition to services
9 permitted by the Board by rule, a dental therapist may perform the following
10 oral health care services:

11 * * *

12 **Sec. X. BOARD OF DENTAL EXAMINERS; REQUIRED RULEMAKING**

13 **Prior to the effective date of Sec. 1 of this act, the Board of Dental**
14 **Examiners shall adopt the rules and perform all other acts necessary to**
15 **implement the provisions of that section.**

16 **Sec. 5. EFFECTIVE DATES**

17 This act shall take effect on ~~July 1, 2015~~ **July 1, 2017** except:

18 (1) **Sec. X (Board of Dental Examiners; required rulemaking) shall take**
19 **effect on passage; and**

Comment [BAW14]: This provides the 7/1/20 sunset of the geographic practice limitation.

Any changes made to that limitation in Sec. 1 should be reflected here.

Comment [BAW15]: Rulemaking usually takes approximately eight months. In this bill, the Board would be required to adopt the following rules or otherwise perform these acts:
· § 611(a)(4) rules re: exam fee
· § 611(b)(1) re: approving exams
· § 611(b)(2) rules re: education and training necessary if exam failed twice
· § 612(2) rules re: license by endorsement
· § 613(b) rules (discretionary) re: DT services
· § 661(e) rules re: DT active practice requirements for renewal

Comment [BAW16]:
Overall eff. date okay, considering rulemaking?
Also considering students obtaining the required CODA-accredited education.

Key: ~~Red strikethrough~~ = language potentially removed from bill
Yellow highlighting = language potentially added to bill

DRAFT; NOT YET EDITED; FOR COMMITTEE DISCUSSION

1 ~~(2)~~ for Sec. 4 (amending 26 V.S.A. § 613 (practice; scope of practice)),
2 ~~which~~ shall take effect on July 1, 2020.

Comment [BAW17]: Sec. 4's sunset of § 613's geographic practice limitation okay as is?

3
4
5
6
7
8
9
10
11
12
13

(Committee vote: _____)

Representative _____

FOR THE COMMITTEE

DRAFT