**A** **BILL**

TO AMEND SECTION 40‑15‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRACTICE OF DENTAL HYGIENE, SO AS TO REVISE THE TREATMENTS THAT HYGIENISTS MAY PROVIDE IN VARIOUS SETTINGS AND THE DEGREE OF SUPERVISION, IF ANY, REQUIRED FOR THEIR PERFORMANCE OF THESE TREATMENTS, AND TO PROVIDE DENTAL HYGIENISTS ARE ELIGIBLE FOR DIRECT REIMBURSEMENT FOR TREATMENTS PROVIDED IN SETTINGS OUTSIDE A PRIVATE PRACTICE DENTAL OFFICE; AND TO REPEAL SECTION 40‑15‑102 RELATING TO SUPERVISION RESTRICTIONS ON DENTAL TREATMENT PROVIDED BY DENTAL HYGIENISTS IN SCHOOLS OR NURSING HOMES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑15‑80 of the 1976 Code is amended to read:

“Section 40‑15‑80. (A) ~~Any~~ A person is considered to ~~be practicing~~ practice dental hygiene ~~who~~ when he engages in ~~those~~ clinical procedures primarily concerned with the performance of preventive dental services not constituting the practice of dentistry, including:

(1) removing all hard and soft deposits and stains from the surfaces of human teeth~~,~~;

(2) root planing~~,~~;

(3) performing clinical examination of teeth and surrounding tissues~~, and~~;

(4) charting of oral conditions for diagnosis by a dentist~~,~~; and (5) performing ~~such~~ other procedures ~~as may be~~ delegated by regulations of the board.

(B) ~~In school settings, licensed dental hygienists may apply topical fluoride and may perform the application of sealants and oral prophylaxis under general supervision, with written permission of the student’s parent or guardian.~~

~~(C)~~ ~~In hospitals, nursing homes, long term care facilities, rural and community clinics, health facilities operated by federal, state, county, or local governments, hospices, education institutions accredited by the Commission on Dental Accreditation that give instruction in dental hygiene, and in bona fide charitable institutions, licensed dental hygienists may apply topical fluoride and perform the application of sealants and oral prophylaxis under general supervision. Treatment may not occur in these settings unless medical emergency care is available within the facility.~~ Without supervision, a licensed dental hygienist who has written permission from the parent or guardian of a student may provide the student reversible primary preventative dental care and application of a topical fluoride, dental sealant, and oral prophylaxis in a school setting.

(C)(1) Without supervision, a licensed dental hygienist may provide reversible primary preventative dental care and application of a topical fluoride, dental sealant, and oral prophylaxis in a:

(a) hospital;

(b) long‑term care facility;

(c) rural and community clinic;

(d) medical office;

(e) health facility operated by the federal government, a state government, or a local government;

(f) hospice;

(g) education institution accredited by the Commission on Dental Accreditation to provide instruction in dental hygiene; and

(h) bona fide charitable institution.

(2) A licensed dental hygienist may not provide as a service pursuant to item (1), unless emergency medical care is available within the facility.

(D) Licensed dental hygienists may provide oral hygiene instruction and counseling, perform oral screenings, and provide nutrition and dietary counseling without prior authorization.

(E) Upon certification by the board and when under the ~~direct~~ general supervision of a practicing dentist, a licensed dental hygienist may administer local infiltration anesthesia.

(F) This section is not intended to establish independent dental hygiene practice.

(G) A dental hygienist is eligible to receive direct reimbursement for a service provided in a setting that is not a private practice dental office.

(~~G~~H) No person other than a licensed dentist or dental hygienist may use the title ‘dental hygienist’, present ~~themselves~~ himself as being a dental hygienist, or perform oral prophylaxis. This does not preclude an expanded duty dental assistant from polishing restorations and supra‑gingival tooth structure. A dental ~~hygienists practicing~~ hygienist who practices under general supervision ~~must~~ or without supervision shall maintain professional liability insurance.”

SECTION 2. Section 40‑15‑102 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑