

REFERENCE TITLE: dental hygienists; scope of practice

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2473**

Introduced by  
Representative Montenegro

AN ACT

AMENDING SECTIONS 32-1281 AND 32-1291.01, ARIZONA REVISED STATUTES;  
RELATING TO THE STATE BOARD OF DENTAL EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1281, Arizona Revised Statutes, is amended to  
3 read:

4 32-1281. Practicing as dental hygienist; supervision  
5 requirements; definitions

6 A. A person is deemed to be practicing as a dental hygienist if the  
7 person does any of the acts or performs any of the operations included in  
8 the general practice of dental hygienists, dental hygiene and all related  
9 and associated duties.

10 B. A licensed dental hygienist may perform the following:

- 11 1. Prophylaxis.
- 12 2. Scaling.
- 13 3. Closed subgingival curettage.
- 14 4. Root planing.
- 15 5. Administering local anesthetics and nitrous oxide.
- 16 6. Inspecting the oral cavity and surrounding structures for the  
17 purposes of gathering clinical data to facilitate a diagnosis.
- 18 7. Periodontal screening or assessment.
- 19 8. Recording clinical findings.
- 20 9. Compiling case histories.
- 21 10. Exposing and processing dental radiographs.

22 11. DENTAL HYGIENE ASSESSMENT AND DENTAL HYGIENE TREATMENT PLANNING  
23 AS COMPONENTS OF A DIAGNOSIS AND TREATMENT PLAN DEVELOPED BY A DENTIST.

24 ~~11.~~ 12. All functions authorized and deemed appropriate for dental  
25 assistants.

26 ~~12.~~ 13. Except as provided in paragraph ~~13~~ 14 of this subsection,  
27 those restorative functions permissible for an expanded function dental  
28 assistant if qualified pursuant to section 32-1291.01.

29 ~~13.~~ 14. Placing interim therapeutic restorations after  
30 successfully completing a course at an institution accredited by the  
31 commission on dental accreditation of the American dental association.

32 C. The board by rule shall prescribe the circumstances under which  
33 a licensed dental hygienist may:

- 34 1. Apply preventive and therapeutic agents to the hard and soft  
35 tissues.
- 36 2. Use emerging scientific technology and prescribe the necessary  
37 training, experience and supervision to operate newly developed scientific  
38 technology. A dentist who supervises a dental hygienist whose duties  
39 include the use of emerging scientific technology must have training on  
40 using the emerging technology that is equal to or greater than the  
41 training the dental hygienist is required to obtain.
- 42 3. Perform other procedures not specifically authorized by this  
43 section.

1 D. Except as provided in subsections E, F and I of this section, a  
2 dental hygienist shall practice under the general supervision of a dentist  
3 who is licensed pursuant to this chapter.

4 E. A dental hygienist may practice under the general supervision of  
5 a physician who is licensed pursuant to chapter 13 or 17 of this title in  
6 an inpatient hospital setting.

7 F. A dental hygienist may perform the following procedures on  
8 meeting the following criteria and under the following conditions:

9 1. Administering local anesthetics under the direct supervision of  
10 a dentist who is licensed pursuant to this chapter after:

11 (a) The dental hygienist successfully completes a course in  
12 administering local anesthetics that includes didactic and clinical  
13 components in both block and infiltration techniques offered by a dental  
14 or dental hygiene program accredited by the commission on dental  
15 accreditation of the American dental association.

16 (b) The dental hygienist successfully completes an examination in  
17 local anesthesia given by the western regional examining board or a  
18 written and clinical examination of another state or regional examination  
19 that is substantially equivalent to the requirements of this state, as  
20 determined by the board.

21 (c) The board issues to the dental hygienist a local anesthesia  
22 certificate on receipt of proof that the requirements of subdivisions (a)  
23 and (b) of this paragraph have been met.

24 2. Administering local anesthetics under general supervision to a  
25 patient of record if all of the following are true:

26 (a) The dental hygienist holds a local anesthesia certificate  
27 issued by the board.

28 (b) The patient is at least eighteen years of age.

29 (c) The patient has been examined by a dentist who is licensed  
30 pursuant to this chapter within the previous twelve months.

31 (d) There has been no change in the patient's medical history since  
32 the last examination. If there has been a change in the patient's medical  
33 history within that time, the dental hygienist must consult with the  
34 dentist before administering local anesthetics.

35 (e) The supervising dentist who performed the examination has  
36 approved the patient for being administered local anesthetics by the  
37 dental hygienist under general supervision and has documented this  
38 approval in the patient's record.

39 3. Administering nitrous oxide analgesia under the direct  
40 supervision of a dentist who is licensed pursuant to this chapter after:

41 (a) The dental hygienist successfully completes a course in  
42 administering nitrous oxide analgesia that includes didactic and clinical  
43 components offered by a dental or dental hygiene program accredited by the  
44 commission on dental accreditation of the American dental association.

1 (b) The board issues to the dental hygienist a nitrous oxide  
2 analgesia certificate on receipt of proof that the requirements of  
3 subdivision (a) of this paragraph have been met.

4 G. The board may issue local anesthesia and nitrous oxide analgesia  
5 certificates to a licensed dental hygienist on receipt of evidence  
6 satisfactory to the board that the dental hygienist holds a valid  
7 certificate or credential in good standing in the respective procedure  
8 issued by a licensing board of another jurisdiction of the United States.

9 H. A dental hygienist may perform dental hygiene procedures in the  
10 following settings:

11 1. On a patient of record of a dentist within that dentist's  
12 office.

13 2. Except as prescribed in section 32-1289.01, in a health care  
14 facility, long-term care facility, public health agency or institution,  
15 public or private school or homebound setting on patients who have been  
16 examined by a dentist within the previous year.

17 3. In an inpatient hospital setting pursuant to subsection E of  
18 this section.

19 I. A dental hygienist may provide dental hygiene services under an  
20 affiliated practice relationship with a dentist as prescribed in section  
21 32-1289.01.

22 J. For the purposes of this article:

23 1. "Assessment" means a limited, clinical inspection that is  
24 performed to identify possible signs of oral or systemic disease,  
25 malformation or injury and the potential need for referral for diagnosis  
26 and treatment, and may include collecting clinical information to  
27 facilitate an examination, diagnosis and treatment plan by a dentist.

28 2. "DENTAL HYGIENE ASSESSMENT" MEANS IDENTIFYING AN EXISTING OR  
29 POTENTIAL ORAL HEALTH PROBLEM THAT DENTAL HYGIENISTS ARE EDUCATIONALLY  
30 QUALIFIED AND LICENSED TO TREAT.

31 3. "DENTAL HYGIENE TREATMENT PLANNING" MEANS PERFORMING A  
32 PRIORITIZED SEQUENCE OF DENTAL HYGIENE INTERVENTIONS THAT IS PREDICATED ON  
33 THE DENTAL HYGIENE ASSESSMENT AND THAT IS LIMITED TO THOSE SERVICES  
34 INCLUDED IN THE SCOPE OF PRACTICE FOR DENTAL HYGIENISTS.

35 ~~2.~~ 4. "Direct supervision" means that the dentist is present in  
36 the office while the dental hygienist is treating a patient and is  
37 available for consultation regarding procedures that the dentist  
38 authorizes and for which the dentist is responsible.

39 ~~3.~~ 5. "General supervision" means:

40 (a) That the dentist is available for consultation, whether or not  
41 the dentist is in the dentist's office, over procedures that the dentist  
42 has authorized and for which the dentist remains responsible.

43 (b) With respect to an inpatient hospital setting, that a physician  
44 who is licensed pursuant to chapter 13 or 17 of this title is available

1 for consultation, whether or not the physician is physically present at  
2 the hospital.

3 ~~4.~~ 6. "Interim therapeutic restoration" means a provisional  
4 restoration that is placed to stabilize a primary or permanent tooth and  
5 that consists of removing soft material from the tooth using only hand  
6 instrumentation, without using rotary instrumentation, and subsequently  
7 placing an adhesive restorative material.

8 ~~5.~~ 7. "Screening" means determining an individual's need to be  
9 seen by a dentist for diagnosis and does not include an examination,  
10 diagnosis or treatment planning.

11 Sec. 2. Section 32-1291.01, Arizona Revised Statutes, is amended to  
12 read:

13 32-1291.01. Expanded function dental assistants; training and  
14 examination requirements; duties

15 A. A dental assistant may perform expanded functions after meeting  
16 one of the following:

17 1. Successfully completing a board-approved expanded function  
18 dental assistant training program at an institution accredited by the  
19 American dental association commission on dental accreditation and on  
20 successfully completing examinations in dental assistant expanded  
21 functions approved by the board.

22 2. Providing both:

23 (a) Evidence of currently holding or having held within the  
24 preceding ten years a license, registration, permit or certificate in  
25 expanded functions in restorative procedures issued by another state or  
26 jurisdiction in the United States.

27 (b) Proof acceptable to the board of clinical experience in the  
28 expanded functions listed in subsection B of this section.

29 B. Expanded functions include the placement, contouring and  
30 finishing of direct restorations or the placement and cementation of  
31 prefabricated crowns following the preparation of the tooth by a licensed  
32 dentist. The restorative materials used shall be determined by the  
33 dentist.

34 C. An expanded function dental assistant may place interim  
35 therapeutic restorations under the general supervision and direction of a  
36 licensed dentist following a consultation conducted through teledentistry.

37 D. An expanded function dental assistant may apply sealants and  
38 fluoride varnish under the general supervision and direction of a licensed  
39 dentist.

40 E. A licensed dental hygienist may engage in expanded functions  
41 pursuant to section 32-1281, subsection B, paragraph ~~12~~ 13 following a  
42 course of study and examination equivalent to that required for an  
43 expanded function dental assistant as specified by the board.