

AN ACT

relating to the authority of a dental hygienist to provide services in certain facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 262.1515, Occupations Code, is amended to read as follows:

Sec. 262.1515. DELEGATION OF DUTIES TO DENTAL HYGIENIST PRACTICING IN CERTAIN [~~LONG-TERM CARE~~] FACILITIES [~~AND SCHOOL-BASED HEALTH CENTERS~~].

SECTION 2. Subsections (a), (c), and (e), Section 262.1515, Occupations Code, are amended to read as follows:

(a) A licensed dentist may delegate a service, task, or procedure, pursuant to this section, to a dental hygienist, without complying with Section 262.151(a)(2) if:

(1) the dental hygienist has at least two years' experience in the practice of dental hygiene; and

(2) the service, task, or procedure is performed in one of the following locations:

(A) a nursing facility as defined in Section 242.301, Health and Safety Code; [~~or~~]

(B) a school-based health center established under Subchapter B, Chapter 38, Education Code; or

(C) a community health center as defined by Section 136.002, Human Resources Code.

S.B. No. 97

1 (c) A dental hygienist may only [~~not~~] perform [~~a second set~~  
2 ~~of~~] delegated tasks or procedures with respect to a patient for six  
3 months unless [~~until~~] the patient has been examined by a dentist in  
4 compliance with Section 262.151(a)(2).

5 (e) The [~~nursing~~] facility under Subsection (a)(2) [~~or~~  
6 ~~school-based health center~~] shall note each delegated service,  
7 task, or procedure performed by the dental hygienist under this  
8 section in the patient's medical records.

9 SECTION 3. Section 262.152, Occupations Code, is amended to  
10 read as follows:

11 Sec. 262.152. PERFORMANCE OF DELEGATED DUTIES. Except as  
12 provided by Section 262.1515, a [A] dental hygienist shall practice  
13 dental hygiene:

14 (1) in the dental office of a supervising dentist  
15 licensed by the board; or

16 (2) in an alternate setting, including a nursing home,  
17 the patient's home, a school, a hospital, a state institution, a  
18 public health clinic, or another institution, under the supervision  
19 of a supervising dentist.

20 SECTION 4. This Act takes effect September 1, 2009.

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7:11

S.B. No. 97

David Newkirk  
President of the Senate

Jim Strawn  
Speaker of the House

I hereby certify that S.B. No. 97 passed the Senate on  
May 5, 2009, by the following vote: Yeas 31, Nays 0.

Lacey Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 97 passed the House on  
May 19, 2009, by the following vote: Yeas 144, Nays 1, one  
present not voting.

Robert Hamer  
Chief Clerk of the House

Approved:

30 MAY '09  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4 PM O'CLOCK

MAY 30 2009  
Hope Radtke  
Secretary of State