

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 918

S.P. 319

In Senate, March 12, 2015

**An Act To Allow Licensed Independent Practice Dental Hygienists
To Expose and Process Radiographs under Protocols Developed by
the Board of Dental Examiners**

(EMERGENCY)

Reported by Senator VOLK of Cumberland for the Joint Standing Committee on Labor,
Commerce, Research and Economic Development pursuant to Joint Order, S.P. 306.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** pursuant to Resolve 2011, chapters 67 and 153, independent practice
4 dental hygienists in certain underserved areas of the State are allowed to expose and
5 process radiographs; and

6 **Whereas,** this authorization is set to expire on March 15, 2015; and

7 **Whereas,** this legislation, which continues the authorization and expands its
8 application to the entire State, needs to take effect prior to March 15, 2015 to avoid an
9 interruption in the services; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
11 the meaning of the Constitution of Maine and require the following legislation as
12 immediately necessary for the preservation of the public peace, health and safety; now,
13 therefore,

14 **Be it enacted by the People of the State of Maine as follows:**

15 **Sec. 1. 32 MRSA §1094-Q, sub-§1, ¶¶N and O,** as enacted by PL 2007, c. 620,
16 Pt. B, §1, are amended to read:

17 N. Place temporary restorations in compliance with the protocol adopted by the
18 board; ~~and~~

19 O. Apply topical antimicrobials, excluding antibiotics, including fluoride, for the
20 purposes of bacterial reduction, caries control and desensitization in the oral cavity.
21 The independent practice dental hygienist shall follow current manufacturer's
22 instructions in the use of these medicaments; and

23 **Sec. 2. 32 MRSA §1094-Q, sub-§1, ¶P** is enacted to read:

24 P. Expose and process radiographs, including but not limited to vertical and
25 horizontal bitewing films, periapical films, panoramic images and full-mouth series,
26 under protocols developed by the board as long as the independent practice dental
27 hygienist has a written agreement with a licensed dentist providing that the dentist
28 will be available to interpret all dental radiographs within 21 days from the date the
29 radiograph is taken and that the dentist will sign a radiographic review and findings
30 form.

31 **Sec. 3. 32 MRSA §1100-J, sub-§3, ¶¶C and D,** as amended by PL 1993, c.
32 600, Pt. A, §96, are further amended to read:

33 C. A person serving in the United States Armed Forces or public health service or
34 employed by the Veterans' Administration or other federal agency while performing
35 official duties, if the duties are limited to that service or employment; ~~or~~

36 D. Those persons having a current license to perform radiologic technology pursuant
37 to section 9854 and who are practicing dental radiography under the general
38 supervision of a dentist or physician; or



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LD

LR 1962(01)

An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners

Fiscal Note for Original Bill

Committee: Labor, Commerce, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Board of Dental Examiners, affiliated with the Department of Professional and Financial Regulation, associated with the rulemaking process can be absorbed within existing budgeted resources.