
Introduced by Senator Perata

February 20, 2002

An act to amend Section 1770 of the Business and Professions Code, relating to dentistry.

LEGISLATIVE COUNSEL'S DIGEST

SB 1589, as introduced, Perata. Dentistry: dental hygienists.

Existing law requires the Board of Dental Examiners of the State of California to license registered dental hygienists. Existing law authorizes a registered dental hygienist in alternative practice to practice as an employee of a dentist or of another registered dental hygienist in alternative practice. Existing law provides that is a crime for a person without a license to represent that he or she is a registered dental hygienist in alternative practice.

This bill would authorize a registered dental hygienist in alternative practice to be an employee of specified clinics.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1770 of the Business and Professions
2 Code is amended to read:
3 1770. (a) A registered dental hygienist in alternative practice
4 may practice, pursuant to Section 1768, as an employee of a dentist
5 or of another registered dental hygienist in alternative practice, or
6 as an independent contractor, or as a sole proprietor of an
7 alternative dental hygiene practice, *or as an employee of a primary*
8 *care clinic exempt from licensure pursuant to subdivision (c) of*

1 *Section 1206 of the Health and Safety Code, or as an employee of*
2 *a clinic owned or operated by a public hospital or health system,*
3 *or as an employee of a clinic owned and operated by a hospital that*
4 *maintains the primary contract with a county government to fill the*
5 *county's role under Section 17000 of the Welfare and Institutions*
6 *Code.*

7 (b) A registered dental hygienist in alternative practice may
8 perform the duties authorized pursuant to Section 1768 in the
9 following settings:

- 10 (1) Residences of the homebound.
- 11 (2) Schools.
- 12 (3) Residential facilities and other institutions.
- 13 (4) Dental health professional shortage areas, as certified by the
14 Office of Statewide Health Planning and Development in
15 accordance with existing office guidelines.

16 (c) A registered dental hygienist in alternative practice shall not
17 do any of the following:

18 (1) Infer, purport, advertise, or imply that he or she is in any
19 way able to provide dental services or make any type of dental
20 health diagnosis beyond evaluating a patient's dental hygiene
21 status, providing a dental hygiene treatment plan, and providing
22 the associated dental hygiene services.

23 (2) Hire a registered dental hygienist to provide direct patient
24 services other than a registered dental hygienist in alternative
25 practice.

26 (d) A registered dental hygienist in alternative practice may
27 submit or allow to be submitted any insurance or third-party claims
28 for patient services performed as authorized pursuant to this
29 article.

30 (e) A registered dental hygienist in alternative practice may
31 hire other registered dental hygienists in alternative practice to
32 assist in his or her practice.

33 (f) A registered dental hygienist in alternative practice may hire
34 and supervise dental assistants performing functions specified in
35 subdivision (b) of Section 1751.

36 (g) A registered dental hygienist in alternative practice shall
37 provide to the board documentation of an existing relationship
38 with at least one dentist for referral, consultation, and emergency
39 services.



1 (h) A registered dental hygienist in alternative practice may
2 perform dental hygiene services for a patient who presents to the
3 registered hygienist in alternative practice a written prescription
4 for dental hygiene services issued by a dentist or physician and
5 surgeon licensed to practice in this state who has performed a
6 physical examination and a diagnosis of the patient prior to a
7 prescription being provided. The prescription shall be valid for a
8 time period based on the dentist's or physician and surgeon's
9 professional judgment, but not to exceed 15 months from the date
10 that it was issued.

O

