

**PROPOSED AMENDMENTS HOUSE BILL No. 2631**

Revised 2-13-2012

AN ACT concerning dental care; amending K.S.A. 2011 Supp. 65-1456 and 75-6102 and repealing the existing sections.

**Section 1. .... (f) p. 3 lines 2-5:**

.... grade 12 regardless of the time of year and children participating in youth organizations, so long as such children [~~birth to five, in public or nonpublic schools or participating in youth organizations also meet the requirements of medicaid, healthwave, or free or reduced lunch programs or Indian health services~~] **who are dentally underserved, as defined by rules and regulations of the Kansas dental board, are targeted**; at any state correctional institution, local health department or indigent health care clinic, as defined in K.S.A. 65-1466, and amendments thereto, and at any federally qualified health center, federally qualified health center look-alike or a community health center that receives funding from section 330 of the health center consolidation act, on a person, inmate, client or patient thereof and on other persons as may be defined by the board....

**Section 1. .... (g) p. 4 line 9:**

.... (1) The dental hygienist has received an "extended care permit II" from the Kansas dental board specifying that the dental hygienist has: (A) performed [~~1,800~~] **1,600** hours of dental hygiene care or has been an instructor at an accredited dental hygiene program for two academic years within the past three years; and (B) completed six hours of training on the care of special needs patients or other training as may be accepted by the board; ....

**Section 1. .... (g) p. 4 line 38:**

(8) the dental hygienist completes a minimum of [~~six~~] **three** hours of education in the area of special needs care within the board's continuing dental education requirements for relicensure.

**Section 1. .... (h) p. 5 lines 8-11:**

....children in families which are receiving family preservation services, on all children in the custody of the secretary of social and rehabilitation services or the commissioner of juvenile justice authority and in an out-of home placement residing in foster care homes, on children being served by runaway youth programs and homeless shelters; and on children birth to five and children in public and nonpublic schools kindergarten through grade 12 regardless of the time of year and children participating in youth organizations, so long as such children [~~birth to five, in public or nonpublic schools or participating in youth organizations also meet the requirements of medicaid, healthwave or Indian health services or have not been seen by a dentist during the previous 12 months for a dental exam~~] **who are dentally underserved, as defined by rules and regulations of the Kansas dental board, are targeted;** at any state correctional institution, local health department or indigent health care clinic, as defined in K.S.A. 65-1466, and amendments thereto, and at any federally qualified health center, federally qualified health center lookalike or a community health center that receives funding from section 330 of the health center consolidation act, on a person, inmate, client or patient; on persons with developmental disabilities and on persons who are 65 years and older who live in a residential center, an adult care home, subsidized housing, hospital long-term care unit, state institution or are served in a community senior service center, elderly nutrition program or at the home of a homebound person who qualifies for the federal home and community based service (HCBS) waiver on a resident of a facility, client or patient thereof....

**Section 1. .... (h)(4) and (5) p. 6 lines 12-21:**

....application of fluoride; (D) dental hygiene instruction; (E) assessment of the patient's apparent need for further evaluation by a dentist to diagnose the presence of dental caries and other abnormalities; (F) identification and removal of decay using hand instrumentation and placing a temporary filling, including glass ionomer and other palliative materials; (G) adjustment of dentures, placing soft reline in dentures, checking partial dentures for sore spots and placing permanent identification labeling in dentures; (H) smoothing of a sharp tooth with a slow speed dental handpiece; (I) use of local anesthetic, including topical, infiltration and block anesthesia, when appropriate to assist with procedures where medical services are available in a nursing home, health clinic or any other settings[~~-H~~] **if the dental hygienist has completed a course on local**

*anesthesia and nitrous oxide as required in this act; (J) extraction of deciduous teeth that are partially exfoliated with class 4 mobility; and (K) [~~prescription of fluoride, chlorhexidine, antibiotics and antifungal as directed by a standing order from a sponsoring dentist; and (L)~~] other duties as may be delegated verbally or in writing by the sponsoring dentist consistent with this act;*  
*(5) the dental hygienist advises the patient and legal guardian that the services are **temporary or preventive** in nature and do not constitute comprehensive dental diagnosis and care; ....*

**Sec. 4. .... (e)(4) p. 10 line 25:**

.... (4) the secretary of health and environment to provide dentistry services defined by K.S.A. 65-1422 *et seq.*, and amendments thereto, or dental hygienist services defined by K.S.A. 65-1456, and amendments thereto, that are targeted, but are not limited to medically indigent persons, and are provided on a gratuitous basis: (A) At a location sponsored by a not-for-profit organization that is not the dentist or dental hygienist office location; or (B) at the office location of a dentist or dental hygienist provided the care be delivered as part of a program organized by a notfor-profit organization and approved by the secretary of health and environment; or (C) **as part of** a charitable program organized by the dentist that has been approved by the secretary of health and environment upon a showing that the dentist seeks to treat medically indigent patients on a gratuitous basis[~~Except~~], **except** that such dentistry services and dental hygienist services shall not include "oral and maxillofacial surgery" as defined by Kansas administrative regulation 71-2-2, or use sedation or general anesthesia that result in "deep sedation" or "general anesthesia" as defined by Kansas administrative regulation 71-5-1. ....