

CHAPTER 80

H.B. No. 1229

An Act relating to the duties of a dental hygienist.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1, Chapter 475, Acts of the 52nd Legislature, Regular Session, 1951 (Article 4551e, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. **DEFINITIONS.** The term "dental hygiene," and the practice thereof as used in this Act shall mean and is hereby defined as (a) the removal of accumulated matter, tartar, deposits, accretions or stains, except mottled enamel stains, from the natural and restored surfaces of exposed human teeth, and restorations therefor in the human mouth, *the smoothing of the roughened root surfaces*, and the polishing of said surfaces; (b) the making of topical application of drugs to the surface tissues of the human mouth and to the exposed surface of human teeth; (c) the making of Dental X-rays; and (d) such other services and procedures as may be prescribed by the Texas State Board of Dental Examiners in its Rules and Regulations; provided, however, that such services, tasks, or procedures defined as dental hygiene are performed in compliance with Section 3 of this Article.

The term "dental hygienist," as used in this Act shall mean and is hereby defined as a person who practices "dental hygiene," who possesses the qualifications prescribed by the laws of this State, and who possesses a valid license and current receipt by the Texas State Board of Dental Examiners to so practice.

SECTION 2. Section 3(a), Chapter 475, Acts of the 52nd Legislature, Regular Session, 1951 (Article 4551e, Vernon's Texas Civil Statutes), is amended to read as follows:

(a) The Texas State Board of Dental Examiners may by rule permit a licensed dentist to delegate the performance of a service, task, or procedure to a licensed hygienist under the direct or general supervision of the dentist; provided, however, that the licensed hygienist shall not be permitted to diagnose a dental disease or ailment, prescribe any treatment or a regimen thereof, prescribe, order, or dispense medication, or perform any procedure which is irreversible or which involves the intentional cutting of the soft or hard tissue by any means. Nothing herein shall be construed to prevent a dentist from authorizing a dental hygienist employed by said dentist to instruct and educate a patient in good oral hygiene technique or to provide a medication as ordered by said dentist to said patient. *This Act does not prohibit the incidental removal of cementum by a dental hygienist during the smoothing of roughened root surfaces.*

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 4, 1985, by the following vote: Yeas 125, Nays 0; passed by the Senate on April 22, 1985, by the following vote: Yeas 28, Nays 0.

Approved: May 7, 1985

Effective: Immediately