



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 230

H.P. 183

House of Representatives, February 1, 2011

**An Act To Allow Independent Practice Dental Hygienists To Work
within Their Scope of Practice**

(EMERGENCY)

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

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

HEATHER J.R. PRIEST
Clerk

Presented by Representative SIROCKI of Scarborough.
Cosponsored by Representatives: ESPLING of New Gloucester, O'CONNOR of Berwick,
OLSEN of Phippsburg, SANBORN of Gorham, SANDERSON of Chelsea, STUCKEY of
Portland, WINTLE of Garland.

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,** this legislation expands the functions of independent practice dental
4 hygienists and it is important that the legislation take effect as soon as possible due to
5 Maine's economy and the need for dental care; and

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

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

11 **Sec. 1. 32 MRSA §1094-Q, sub-§1, ¶N,** as enacted by PL 2007, c. 620, Pt. B,
12 §1, is amended to read:

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

15 **Sec. 2. 32 MRSA §1094-Q, sub-§1, ¶O,** as enacted by PL 2007, c. 620, Pt. B,
16 §1, is amended to read:

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

21 **Sec. 3. 32 MRSA §1094-Q, sub-§1, ¶P** is enacted to read:

22 P. Perform x-rays within the scope of that person's practice.

23 An independent practice dental hygienist may own x-ray equipment within that
24 person's scope of practice.

25 **Emergency clause.** In view of the emergency cited in the preamble, this
26 legislation takes effect when approved.

27 **SUMMARY**

28 This bill expands the permitted functions of an independent practice dental hygienist
29 by allowing an independent practice dental hygienist to perform x-rays and to own x-ray
30 equipment.