

SENATE BILL NO. 80

INTRODUCED BY S. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REQUIREMENTS FOR THE SUPERVISION OF DENTAL AUXILIARY PERSONNEL; PROVIDING FOR GENERAL SUPERVISION OF DENTAL AUXILIARY PERSONNEL BY DENTISTS; AMENDING SECTION 37-4-408, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-4-408, MCA, is amended to read:

"37-4-408. Auxiliary personnel -- employment, duties, and limitations. (1) A dental auxiliary is a person other than a licensed dental hygienist employed by a licensed dentist. The board may, within the limitations of this chapter, adopt rules that define the qualifications and outline the tasks of any unlicensed auxiliary personnel to be employed by a licensed dentist, except that this section may not be construed to allow the board by rule to permit a licensed dentist to delegate to any auxiliary personnel prophylaxis or any of the duties prohibited to dental hygienists under 37-4-401. The performance of intraoral tasks by all dental auxiliaries, as permitted by board rules, must be, at a minimum, under the ~~direct~~ general supervision of a licensed dentist.

(2) For the purposes of this section, "general supervision" means supervision of a dental procedure performed by a dental auxiliary with the intent and knowledge of a dentist licensed and residing in the state of Montana. The supervising dentist need not be on the premises."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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