

No. 1984-9

AN ACT

HB 1154

Amending the act of May 1, 1933 (P.L.216, No.76), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," further defining the practice of dentistry.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 2 of the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, amended May 13, 1959 (P.L.316, No.59) and July 12, 1972 (P.L.866, No.196), is amended to read:

Section 2. Definitions.—A person engages in the "Practice of Dentistry," within the meaning of this act, who diagnoses, treats, operates on, or prescribes for any disease, pain or injury, or regulates any deformity or physical condition, of the human teeth, jaws, or associated structures, or conducts a physical evaluation, or administers anesthetic agents, *or uses ionizing radiation in the course of dental practice*, or who fits, constructs, and inserts any artificial appliance, plate, or denture for the human teeth or jaws, or who holds himself or herself out as being able or legally authorized to do so. The term "Practice of Dentistry" does not include:

(a) The healing arts by duly licensed practitioners.

(b) The extracting of teeth or relieving pain by a licensed physician or surgeon in emergencies, or the making of applications for such purposes.

[(c) The taking of X-ray pictures of the human teeth, jaws or adjacent structures.]

(d) The calling into this Commonwealth of a duly licensed practitioner of dentistry of any other state or country, for consultation with respect to any case under treatment, or for demonstrating before any duly authorized dental society, in this Commonwealth, or for the purpose of teaching in any dental school approved by the board in the Commonwealth.

(e) The practice of dentistry by bona fide students of dentistry in clinical departments and laboratories of approved dental colleges.

(f) The practice of dentistry in a dental clinic operated not for profit and under the direct supervision of a licensed and registered dentist during a period of internship, not to exceed two (2) years, by persons having acquired the preliminary and professional education required for licensure to practice dentistry in this Commonwealth, after notification to the board.

A "Dental Hygienist" is one who is legally licensed as such by the said dental council and examining board to perform those educational, preventive, and therapeutic services and procedures that licensed dental hygienists

are educated to perform. Licensed dentists may assign to their employed dental hygienists intra-oral procedures which the hygienists have been educated to perform and which require their professional competence and skill but which do not require the professional competence and skill of the employer-dentist. Such assignments shall be under the supervision of a licensed dentist. Such performance of intra-oral procedures by licensed dental hygienists shall be in the office of a dentist or public or private institution such as schools, hospitals, orphanages, and sanatoria or State health cars. The foregoing shall not be construed as authorizing the assignment of diagnosing, treatment planning and writing prescriptions for drugs or writing authorizations for restorative, prosthetic, or orthodontic appliances. The board shall issue rules setting forth the necessary education and defining the procedures that may be performed by dental hygienists licensed under this act including those procedures that may be performed under direct and general supervision.

The word "board," as used in this act, means the State Dental Council and Examining Board.

Section 2. This act shall take effect in 30 days.

APPROVED—The 9th day of February, A. D. 1984.

DICK THORNBURGH