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BILL



ANALYSIS

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Senate Bill 544 (as introduced 5-18-96)
Sponsor: Senator Dan L. DeGrow
Committee: Health Policy and Senior Citizens

Date Completed: 11-18-96

CONTENT

The bill would amend the Public Health Code to create the Michigan Board of Dental Hygiene in the Department of Consumer and Industry Services; and revise the membership of the Board of Dentistry.

The bill provides that the Board of Dental Hygiene would consist of nine voting members, including five dental hygienists and four public members. Unless amended or rescinded by the Board of Dental Hygiene, rules promulgated on or before the effective date of the bill by the Board of Dentistry pertaining to the "practice of dental hygiene" would remain in force. After the bill's effective date, the Board of Dental Hygiene would have to enforce the rules. As is currently specified in the Code, the "practice of dental hygiene" would mean practice at the assignment of a dentist in that specific area of dentistry based on specialized knowledge, formal education, and skill with particular emphasis on preventive services and oral health education. Further, as is currently prescribed in the Code, a dentist would not have to be physically present in the office or the treatment room at the time a dental hygienist performed procedures that the dentist had designated to be performed.

The Board could not issue a license to an individual unless that individual was a graduate of a dental hygiene program with a minimum of two academic years of curriculum provided in a college or institution of higher education. The program would have to be accredited by a national agency recognized by the Council on Postsecondary Accreditation or the U.S. Department of Education, and be approved by the Board.

A dental hygienist's license issued by the Board of Dentistry would be valid until its expiration date. A licensee would have to apply for renewal of the license with the Board of Dental Hygiene. The Board of Dental Hygiene would have to renew the license if the applicant met all of the conditions for renewal.

The bill provides that a dental hygienist could not knowingly fail to comply with the infection control standards established by the Occupational Safety and Health Administration or the Michigan Occupational Safety and Health Administration and approved by the Board. A dental hygienist could not refuse, withhold from, deny, or discriminate against an individual with regard to providing professional services the licensee was licensed and qualified to render because the individual was HIV infected or HBV (Hepatitis B) infected.

Currently, the Board of Dentistry consists of 13 members, including two dental hygienists. The bill would eliminate from the Board of Dentistry the dental hygienists, and increase the public members on the Board from two to four. The terms of the dental hygienist members on the Board on the effective date of the bill would expire on that date.

Currently, the Code allows a board or task force to promulgate rules necessary or appropriate to fulfill its functions. The bill would prohibit a board or task force from promulgating rules that expanded, constricted, or otherwise modified the scope of practice definition for the health profession governed by that board or task force.

MCL 333.16131 et al.

Legislative Analyst: G. Towne

FISCAL IMPACT

This bill would create a new and separate nine-person licensing board for dental hygienists. All licensing board members are entitled to a per diem for their travel and expenditures; therefore, the creation of this new Board would increase the current per diem payments for the Department of Consumer and Industry Services by \$450 for each day the Board met. Should the Board meet six times a year, similar to the Board of Dentistry, then the annual cost to the Department would be \$2,700.

Fiscal Analyst: M. Tyszkiewicz

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