

**SUBSTITUTE FOR
HOUSE BILL NO. 4675**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16611 (MCL 333.16611), as amended by 2002 PA
423.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 16611. (1) An individual shall not engage in the
2 practice of dentistry, the practice as a dental hygienist, or the
3 practice as a dental assistant unless he or she is licensed or
4 otherwise authorized by this article.
- 5 (2) Deep scaling, root planing, and the removal of calcareous
6 deposits may only be performed by an individual licensed or
7 otherwise authorized by this article as a dental hygienist or a
8 dentist.
- 9 (3) The department shall not issue a dental hygienist's
10 license to an individual unless the individual has graduated from

1 a school or college for dental hygienists whose dental hygiene
2 program is accredited by the commission on dental accreditation
3 of the American dental association and approved by the
4 department. The school or college must be accredited by a
5 regional accrediting agency for colleges, universities, or
6 institutions of higher education that is recognized by the United
7 States department of education and approved by the department and
8 must conduct a curriculum consisting of not less than 2 academic
9 years for dental hygiene graduation with courses at the
10 appropriate level to enable matriculation into a more advanced
11 academic degree program.

12 (4) Upon delegation by a dentist under section 16215 and
13 under the direct supervision of a dentist, a dental hygienist may
14 administer intraoral block and infiltration anesthesia ~~to a~~
15 ~~patient who is 18 years of age or older~~ **or nitrous oxide**
16 **analgesia, or both,** if the following criteria are met:

17 (a) The dental hygienist has successfully completed a course
18 in the administration of local anesthesia **or nitrous oxide**
19 **analgesia, or both as applicable,** offered by a dental or dental
20 hygiene program accredited by the commission on dental
21 accreditation of the American dental association and approved by
22 the department. A course described in this subdivision **involving**
23 **local anesthesia administration** must contain a minimum of 15
24 hours didactic instruction and 14 hours of clinical experience.
25 **A course described in this subdivision involving nitrous oxide**
26 **analgesia administration must contain a minimum of 4 hours of**
27 **didactic instruction and 4 hours of clinical experience.** The

1 courses of instruction shall include content in all of the
2 following:

3 (i) In the case of local anesthesia, the following:

4 (A) ~~-(i)-~~ Theory of pain control.

5 (B) ~~-(ii)-~~ Selection of pain control modalities.

6 (C) ~~-(iii)-~~ Anatomy.

7 (D) ~~-(iv)-~~ Neurophysiology.

8 (E) ~~-(v)-~~ Pharmacology of local anesthetics.

9 (F) ~~-(vi)-~~ Pharmacology of vasoconstrictors.

10 (G) ~~-(vii)-~~ Psychological aspects of pain control.

11 (H) ~~-(viii)-~~ Systemic complications.

12 (I) ~~-(ix)-~~ Techniques of maxillary anesthesia.

13 (J) ~~-(x)-~~ Techniques of mandibular anesthesia.

14 (K) ~~-(xi)-~~ Infection control.

15 (L) ~~-(xii)-~~ Local anesthesia medical emergencies.

16 (ii) In the case of nitrous oxide analgesia, the following:

17 (A) Nitrous oxide analgesia medical emergency techniques.

18 (B) Pharmacology of nitrous oxide.

19 (C) Nitrous oxide techniques.

20 (D) If such a course is available, selection of pain control
21 modalities.

22 (b) The dental hygienist has successfully completed a state
23 or regional board-administered written examination on ~~local~~
24 ~~anesthesia~~ either or both of the following within 18 months of
25 completion of the course work required under subdivision (a): —

26 (i) Local anesthesia.

27 (ii) Nitrous oxide analgesia, if such an examination is

1 available and approved by the department.

2 (c) The dental hygienist maintains and can show evidence of
3 current certification in basic or advanced cardiac life support
4 in compliance with R 338.11701 of the Michigan administrative
5 code.

6 (5) Application for certification in the administration of
7 local anesthesia **and nitrous oxide** under subsection (4) is at the
8 discretion of each individual dental hygienist **and the**
9 **certification shall be issued or documented by the department or**
10 **its designee.**

11 (6) Monitoring and assisting the administration of nitrous
12 oxide analgesia is at the discretion of each individual
13 registered dental assistant who fulfills the applicable
14 conditions imposed in subsection (7).

15 (7) Upon delegation by a dentist under section 16215 and
16 under the direct supervision of a dentist, a registered dental
17 assistant may assist and monitor the administration of nitrous
18 oxide analgesia by the dentist or dental hygienist if the
19 registered dental assistant has successfully completed a course
20 in the assisting and monitoring of the administration of nitrous
21 oxide analgesia offered by a dental or dental assisting program
22 accredited by the commission on dental accreditation of the
23 American dental association and approved by the department. The
24 course must contain a minimum of 5 hours of didactic instruction
25 and include content in all of the following:

26 (a) Nitrous oxide analgesia medical emergencies techniques.

27 (b) Pharmacology of nitrous oxide.

(c) Nitrous oxide techniques.

(8) The ability of a dental hygienist to administer nitrous oxide analgesia under this section is limited to circumstances in which the dental hygienist may inspire to not more than 50% nitrous oxide.

(9) In the assisting by a registered dental assistant otherwise qualified under this section in the administration of nitrous oxide analgesia, the nitrous oxide levels must be preset by the dentist or dental hygienist and shall not be adjusted by the registered dental assistant except in the case of an emergency, in which circumstances the registered dental assistant may turn off the nitrous oxide and administer 100% oxygen.

(10) Notwithstanding anything to the contrary in this section, in the case of a patient under 18 years of age who is currently taking another sedative, the dentist shall always personally administer the nitrous oxide analgesia.

(11) ~~-(6)-~~ As used in this section: ~~—, "direct~~

(a) "Assisting" means setting up equipment and placing the face mask. Assisting does not include titrating and turning on or off equipment.

(b) "Direct supervision" means that a dentist complies with all of the following:

(i) ~~-(a)-~~ Designates a patient of record upon whom the procedures are to be performed and describes the procedures to be performed.

(ii) ~~-(b)-~~ Examines the patient before prescribing the procedures to be performed and upon completion of the

1 procedures.

2 **(iii) ~~—(e)—~~** Is physically present in the office at the time
3 the procedures are being performed.

4 **(c) "Monitoring" means observing levels, admonishing, and**
5 **reporting to the dentist or dental hygienist.**