

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 4077**

4 (By Delegates Perdue, Hatfield, Lawrence, Marshall, Moyer,  
5 Poore, Staggers, Ferns, Ellington, J. Miller and Rowan)

6 (Originating in the Committee on Finance)

7 [February 24, 2012]

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10 A BILL to amend §30-4-17 of the Code of West Virginia, 1931, as  
11 amended, relating to activities that may be performed by a  
12 dental hygienist without a prior exam by a dentist.

13 *Be it enacted by the Legislature of West Virginia:*

14 That §30-4-17 of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 4. WEST VIRGINIA DENTAL PRACTICE ACT.**

17 **§30-4-17. Scope of practice; dental hygienist.**

18 The practice of dental hygiene includes the following:

19 (1) Performing a complete prophylaxis, including the removal  
20 of any deposit, accretion or stain from the surface of a tooth or  
21 a restoration;

22 (2) Applying a medicinal agent to a tooth for a prophylactic  
23 purpose;

24 (3) Taking a dental X-ray;

25 (4) Instructing a patient on proper oral hygiene practice;

26 (5) Placing sealants on a patient's teeth without a prior

1 examination by a licensed dentist: Provided, That for this  
2 subdivision, the dental hygienist has a Public Health Practice  
3 permit issued by the West Virginia Board of Dental Examiners, and  
4 under a collaborative agreement with a supervising dentist and the  
5 patient is referred for a dental examination within six months of  
6 sealant application.

7       ~~(5)~~ (6) Performing all delegated procedures of a dental  
8 hygienist specified by rule by the board; and

9       ~~(6)~~ (7) Performing all delegated procedures of a dental  
10 assistant specified by rule by the board.