

# SENATE, No. 2203

## AN ACT TO INCREASE ACCESS TO ORAL HEALTHCARE

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Chapter 112, Section 43A of the General Laws is hereby amended by inserting at  
2 the end of the section the following:

3 “Public health dental hygienist”, a registered dental hygienist with at least one year of full time  
4 clinical experience who is practicing full or part-time in public health settings pursuant to the  
5 provisions in Section 51.

6 SECTION 2. Chapter 112, Section 51 of the General Laws is hereby amended by inserting  
7 after the second paragraph the following:

8 A registered dental hygienist practicing as a public health dental hygienist may  
9 perform in public health settings, acts or services on teeth and related structures that are  
10 prophylactic, preventive, and educational in nature, including but not limited to: screenings and  
11 referral; oral health education; dental charting; scaling and prophylaxis; pit and fissure sealants;  
12 atraumatic restorative therapy; topical fluorides and other preventive measures; topical  
13 anesthetics; radiographs; temporary/sedative restorations; and root planing. Public health

14 settings shall include, but not be limited to, the following: residences of the homebound;  
15 schools; nursing homes and long term care facilities; clinics, hospitals, medical facilities,  
16 community health centers and mobile and portable dental health programs licensed or certified  
17 by the Massachusetts Department of Public Health; Head Start programs; and other facilities or  
18 programs deemed appropriate by the Massachusetts Department of Public Health. Public  
19 Health dental hygienists shall be required to enter into a collaborative agreement with a local or  
20 state government agency or institution, or with a licensed dentist who states that he or she will  
21 be able to provide the appropriate level of communication and consultation with the dental  
22 hygienist to ensure patient health and safety. Dental hygienists operating in a public health  
23 setting must refer any patients with possible oral abnormalities to a dentist or health program for  
24 an examination, diagnosis and/or treatment. Public health dental hygienists shall be directly  
25 reimbursed by Medicaid as well as any other insurance or third party program for services  
26 administered in a public health setting. The designation of public health dental hygienist does  
27 not authorize a dental hygienist to operate independent of a dentist, with the exception of a  
28 dental hygienist working for a local or state government agency or institution, or practicing in a  
29 mobile or portable prevention program licensed or certified by the Massachusetts Department of  
30 Public Health. In such prevention programs, public health dental hygienists may apply sealants,  
31 topical fluorides, scaling and prophylaxis, a traumatic restorative therapy, root planing and other  
32 preventive measures, including screenings and oral health education without the supervision or  
33 direction of a dentist.

34 SECTION 3. Chapter 112 of the General Laws is hereby amended by inserting Section 51:

35 No dentist pursuant to the provisions in Section 45 shall refuse a patient solely on the basis that  
36 services for said patients are reimbursed by Medicaid. Dentists who deny dental services to  
37 MassHealth patients solely because of MassHealth status shall be subject to disciplinary action  
38 by the Massachusetts Board of Registration in Dentistry.