

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

246V0588

HOUSE HEALTH AND HUMAN SERVICES

ENGROSSED NO. **SB 172** - 03/06/2014

Introduced by: Senators Jones (Chuck), Bradford, Brown, Curd, Frerichs, Holien, Jensen, Kirkeby, Krebs, Lederman, Lucas, Maher, Monroe, Novstrup (Al), Omdahl, Peters, Rampelberg, Sutton, Tidemann, and Tieszen and Representatives Gosch, Bartling, Campbell, Carson, Conzet, Cronin, Duvall, Ecklund, Erickson, Feickert, Gibson, Greenfield, Haggar (Don), Hawks, Heinert, Hickey, Hoffman, Killer, Kirschman, Kopp, Latterell, May, Mickelson, Nelson, Olson (Betty), Peterson, Qualm, Ring, Romkema, Rounds, Russell, Schoenfish, Schrempp, Sly, Soli, Steele, Tulson, Verchio, Werner, Westra, Wick, and Wink

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to services performed
2 by dental hygienists.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 36-6A-40 be amended to read as follows:

5 36-6A-40. Any licensed dentist, public institution, or school authority may use the services
6 of a licensed dental hygienist. Such licensed dental hygienist may perform those services which
7 are educational, diagnostic, therapeutic, or preventive in nature and are authorized by the Board
8 of Dentistry, including those additional procedures authorized by subdivision 36-6A-14(10).
9 Such services may not include the establishment of a final diagnosis or treatment plan for a
10 dental patient. Such services shall be performed under supervision of a licensed dentist.

11 As an employee of a public institution or school authority, functioning without the



1 supervision of a licensed dentist, a licensed dental hygienist may only provide educational
2 services.

3 A dental hygienist may perform preventive and therapeutic services under general
4 supervision if all individuals treated are patients of record of a licensed dentist and all care
5 rendered by the hygienist is completed under the definition of patient of record. A dental
6 hygienist may perform preventive and therapeutic services under collaborative supervision if
7 the requirements of § 36-6A-40.1 are met. However, no dental hygienist may perform
8 preventive and therapeutic services under collaborative supervision for more than thirteen
9 months for any person who has not had a complete evaluation by ~~the supervising a dentist,~~
10 unless employed by Delta Dental Plan of South Dakota, a nonprofit dental service corporation
11 organized under chapter 58-39, providing services through written agreement with the Indian
12 Health Service or a federally recognized tribe in South Dakota. The exemption for a dental
13 hygienist employed by Delta Dental Plan of South Dakota providing services through written
14 agreement with the Indian Health Service or a federally recognized tribe in South Dakota
15 expires on June 30, 2016.