

Act No. 423
Public Acts of 2002
Approved by the Governor
June 5, 2002
Filed with the Secretary of State
June 5, 2002
EFFECTIVE DATE: June 5, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

**Introduced by Senators Shugars, Hammerstrom, Byrum, Emerson, Garcia, Hoffman, Sanborn, Gougeon,
Goschka, McCotter, North, McManus, Stille, DeBeaussaert and Bennett**

ENROLLED SENATE BILL No. 1009

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 16611 (MCL 333.16611).

The People of the State of Michigan enact:

Sec. 16611. (1) An individual shall not engage in the practice of dentistry, the practice as a dental hygienist, or the practice as a dental assistant unless he or she is licensed or otherwise authorized by this article.

(2) Deep scaling, root planing, and the removal of calcareous deposits may only be performed by an individual licensed or otherwise authorized by this article as a dental hygienist or a dentist.

(3) The department shall not issue a dental hygienist's license to an individual unless the individual has graduated from a school or college for dental hygienists whose dental hygiene program is accredited by the commission on dental accreditation of the American dental association and approved by the department. The school or college must be accredited by a regional accrediting agency for colleges, universities, or institutions of higher education that is recognized by the United States department of education and approved by the department and must conduct a curriculum consisting of not less than 2 academic years for dental hygiene graduation with courses at the appropriate level to enable matriculation into a more advanced academic degree program.

(4) Upon delegation by a dentist under section 16215 and under the direct supervision of a dentist, a dental hygienist may administer intraoral block and infiltration anesthesia to a patient who is 18 years of age or older if the following criteria are met:

(a) The dental hygienist has successfully completed a course in the administration of local anesthesia offered by a dental or dental hygiene program accredited by the commission on dental accreditation of the American dental association and approved by the department. A course described in this subdivision must contain a minimum of 15 hours didactic instruction and 14 hours of clinical experience. The courses of instruction shall include content in all of the following:

- (i) Theory of pain control.
- (ii) Selection of pain control modalities.
- (iii) Anatomy.
- (iv) Neurophysiology.
- (v) Pharmacology of local anesthetics.
- (vi) Pharmacology of vasoconstrictors.
- (vii) Psychological aspects of pain control.
- (viii) Systemic complications.
- (ix) Techniques of maxillary anesthesia.
- (x) Techniques of mandibular anesthesia.
- (xi) Infection control.
- (xii) Local anesthesia medical emergencies.

(b) The dental hygienist has successfully completed a state or regional board-administered written examination on local anesthesia within 18 months of completion of the course work required under subdivision (a).

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

(5) Application for certification in the administration of local anesthesia under subsection (4) is at the discretion of each individual dental hygienist.

(6) As used in this section, "direct supervision" means that a dentist complies with all of the following:

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

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

(c) Is physically present in the office at the time the procedures are being performed.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

.....
Governor.