

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1201

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DATE	D-PG	OFFICIAL STATUS
04/14/2011	1344	Introduction and first reading Referred to Health and Human Services
04/18/2011	1393	Author stricken Sparks

A bill for an act  
relating to health; changing provisions in dental practice; amending Minnesota  
Statutes 2010, sections 150A.05, subdivision 1b; 150A.105, subdivisions 2,  
8; 150A.106.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2010, section 150A.05, subdivision 1b, is amended to  
read:

Subd. 1b. **Practice of dental therapy.** A person shall be deemed to be practicing as  
a dental therapist within the meaning of this chapter who:

(1) works under the supervision of a Minnesota-licensed dentist under a collaborative  
management agreement as specified under section 150A.105;

(2) practices in settings that serve low-income, ~~uninsured~~, and underserved  
patients or are located in dental health professional shortage areas and who maintains an  
underserved patient base of at least 50 percent as defined by section 150A.105, subdivision  
8, paragraph (b), clause (6), items (i) to (iii); and

(3) provides oral health care services, including preventive, oral ~~evaluation and~~  
assessment, educational, palliative, therapeutic, and restorative services as authorized  
under sections 150A.105 and 150A.106 and within the context of a collaborative  
management agreement.

Sec. 2. Minnesota Statutes 2010, section 150A.105, subdivision 2, is amended to read:

Subd. 2. **Limited practice settings.** A dental therapist licensed under this chapter  
is limited to primarily practicing in settings that serve low-income, ~~uninsured~~, and  
underserved patients or in a dental health professional shortage area. A dental therapist

licensed under this chapter must maintain an underserved patient base of at least 50 percent as defined by subdivision 8, paragraph (b), clause (6), items (i) to (iii).

Sec. 3. Minnesota Statutes 2010, section 150A.105, subdivision 8, is amended to read:

Subd. 8. **Definitions.** (a) For the purposes of this section, the following definitions apply.

(b) "Practice settings that serve the low-income and underserved" mean any of the following:

(1) critical access dental provider settings as designated by the commissioner of human services under section 256B.76, subdivision 4;

(2) dental hygiene collaborative practice settings identified in section 150A.10, subdivision 1a, paragraph (e), and including medical facilities, assisted living facilities, federally qualified health centers, and organizations eligible to receive a community clinic grant under section 145.9268, subdivision 1;

(3) military and veterans administration hospitals, clinics, and care settings;

(4) a patient's residence or home when the patient is home-bound or receiving or eligible to receive home care services or home and community-based waived services, regardless of the patient's income;

(5) oral health educational institutions; ~~or~~ and

(6) any other clinic or practice setting, including mobile dental units, in which at least 50 percent of the total patient base of the dental therapist or advanced dental therapist consists of patients who:

(i) are enrolled in a Minnesota health care program;

(ii) have a medical disability or chronic condition that creates a significant barrier to receiving dental care;

(iii) do not have dental health coverage, either through a public health care program or private insurance, and have an annual gross family income equal to or less than 200 percent of the federal poverty guidelines; or

(iv) do not have dental health coverage, either through a state public health care program or private insurance, and whose family gross income is equal to or less than 200 percent of the federal poverty guidelines.

(c) "Dental health professional shortage area" means an area that meets the criteria established by the secretary of the United States Department of Health and Human Services and is designated as such under United States Code, title 42, section 254e.

Sec. 4. Minnesota Statutes 2010, section 150A.106, is amended to read:

**150A.106 ADVANCED DENTAL THERAPIST.**

Subdivision 1. **General.** In order to be certified by the board to practice as an advanced dental therapist, a person must:

- (1) complete a dental therapy education program;
- (2) pass an examination to demonstrate competency under the dental therapy scope of practice;
- (3) be licensed as a dental therapist;
- (4) complete 2,000 hours of dental therapy clinical practice under direct or indirect supervision;
- (5) graduate from ~~a master's~~ an advanced dental therapy education program;
- (6) pass a board-approved certification examination to demonstrate competency under the advanced scope of practice; and
- (7) submit an application for certification as prescribed by the board.

Subd. 2. **Scope of practice.** (a) An advanced dental therapist certified by the board under this section may perform the following services and procedures pursuant to the written collaborative management agreement:

(1) an oral ~~evaluation and~~ assessment of dental disease ~~and to be used in the~~ formulation of an individualized treatment plan authorized prepared by the collaborating dentist;

(2) the services and procedures described under section 150A.105, subdivision 4, paragraphs (c) and (d); and

(3) nonsurgical extractions of permanent teeth as limited in subdivision 3, paragraph (b).

(b) The services and procedures described under this subdivision may be performed under general supervision.

Subd. 3. **Practice limitation.** (a) An advanced practice dental therapist shall not perform any service or procedure described in subdivision 2 ~~except as authorized~~ until an examination and diagnosis have been completed, an individual treatment plan prepared, and informed consent has been obtained in advance by the collaborating dentist.

(b) An advanced dental therapist may perform nonsurgical extractions of periodontally diseased permanent teeth with tooth mobility of +3 to +4 under general supervision if authorized in advance by the collaborating dentist. The advanced dental therapist shall not extract a tooth for any patient if the tooth is unerupted, impacted, fractured, or needs to be sectioned for removal.

4.1 (c) The collaborating dentist is responsible for directly providing or arranging for  
4.2 another dentist or specialist to provide any necessary advanced services needed by the  
4.3 patient.

4.4 (d) An advanced dental therapist in accordance with the collaborative management  
4.5 agreement must refer patients to another qualified dental or health care professional to  
4.6 receive any needed services that exceed the scope of practice of the advanced dental  
4.7 therapist.

4.8 (e) In addition to the collaborative management agreement requirements described in  
4.9 section 150A.105, a collaborative management agreement entered into with an advanced  
4.10 dental therapist must include specific written protocols to govern situations in which  
4.11 the advanced dental therapist encounters a patient who requires treatment that exceeds  
4.12 the authorized scope of practice of the advanced dental therapist. The collaborating  
4.13 dentist must ensure that a dentist is available to the advanced dental therapist for timely  
4.14 consultation to diagnose, develop an individualized treatment plan, and obtain informed  
4.15 consent during treatment ~~if needed~~ and must either provide or arrange with another dentist  
4.16 or specialist to provide the necessary treatment to any patient who requires more treatment  
4.17 than the advanced dental therapist is authorized to provide.

4.18 Subd. 4. **Medications.** (a) An advanced dental therapist may ~~provide~~, dispense, and  
4.19 administer the following drugs within the parameters of the collaborative management  
4.20 agreement, within the scope of practice of the advanced dental therapist practitioner,  
4.21 and with the authorization of the collaborating dentist: analgesics, anti-inflammatories,  
4.22 and antibiotics.

4.23 (b) The authority to ~~provide~~, dispense, and administer shall extend only to the  
4.24 categories of drugs identified in this subdivision, and may be further limited by the  
4.25 collaborative management agreement.

4.26 (c) The authority to dispense includes the authority to dispense sample drugs within  
4.27 the categories identified in this subdivision if dispensing is permitted by the collaborative  
4.28 management agreement.

4.29 (d) Notwithstanding paragraph (a), an advanced dental therapist is prohibited from  
4.30 providing, dispensing, or administering a narcotic drug as defined in section 152.01,  
4.31 subdivision 10.