



## **Texas Dental Hygienists' Association (TDHA ) Governmental Affairs Council Overview of 2017 Legislative Session**

July 2017

The 2017 Session of the Texas Legislature ended on May 29, 2017. There were two bills proposed during the Session which were of particular interest and significance to dental hygienists in Texas. The Sunset bill (SB 313/HB 2990) which provides for the continuation of the Texas State Board of Dental Examiners (TSBDE) and the local anesthesia bill (SB 430 /HB 1201) which would have allowed dental hygienists to administer local anesthesia.

The Sunset bill passed both houses and has been signed into law by the Governor. This bill is lengthy and contains many changes for dentists, particularly where sedation anesthesia is concerned. It also reduces the size of TSBDE to 11 (6 dentists, 3 hygienists and 2 public members). **This is a big win for hygienists since it increases by one, the number of hygienists on the Board.** TDHA was in favor of this change since all advisory committees, such as the Dental Hygiene Advisory Committee, were also eliminated by this bill. TDHA has worked to secure qualified dental hygiene candidates for pending appointments to the State Board and the newly-created Dental Review Committee. We want to continue to have strong, articulate hygienists in these important positions. The deadline for the Governor to complete his Board appointments is December 1, 2017.

The Sunset bill also removed from statute the certification (and formal training) requirement for dental assistants placing pit and fissure sealants and performing coronal polishing. The final bill language states that dental assistants must be registered to take x-rays and monitor nitrous oxide administration. The Board “**may** adopt and enforce rules requiring a dental assistant to register with the Board to perform other dental acts as necessary to protect the public health and safety”. These other dental acts could include sealants and coronal polishing. We are interpreting this language to mean that the Board may require that assistants take a course for sealants and polishing and be able to show proof of the course if audited, similar to what hygienists currently must do for lasers. We anticipate that educational requirements for these two procedures will be developed and spelled out in Board rule. New rules must be created by March 1, 2018.

TDHA’s local anesthesia bill died in the Senate when the Lt. Governor refused to recognize our bill sponsor, Senator Jose Rodriguez, so the Senator could present the bill on the floor. This was especially frustrating since the bill had easily passed the Senate Health and Human Services Committee and had the votes to pass the Senate. On the House side, we had a good hearing in the House Public Health Committee, but our House bill sponsor, Representative Senfronia Thompson, decided to wait to have the bill voted out of committee until it had passed the Senate. And, this never happened.

During the Session we had a strong grassroots' response from hygienists and dentists. We had over 150 dentists who were supporting the bill and sent emails and made phone calls. At one point, the Lt. Governor's office blocked emails because they were receiving so many emails about this bill. **TDHA appreciates all the help and support!** Unfortunately, it was not enough to counter the influence, power and money of the opposition.

For the future, TDHA and the hygienists of Texas will have to decide if they want to continue to pursue local anesthesia legislation. The cost is significant in terms of money and human resources. Regrettably, Texas politics and the actions of strong special-interest groups continue to negatively impact the passage of legislation that would raise the standard of dental care in Texas.

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