

**SUBJECT:** Creating a permit for dental hygienists to administer fluoride varnish

**COMMITTEE:** Public Health — favorable, without amendment

**VOTE:** 7 ayes — Delisi, Laubenberg, Truitt, Coleman, Dawson, Jackson, Solis  
0 nays  
2 absent — McReynolds, Zedler

**SENATE VOTE:** On final passage, April 14 — 31-0

**WITNESSES:** (*On companion bill, HB 3003 by Zedler:*)  
For — John P. Brown, Texas Oral Health Network, Alicia Grant, Texas Dental Hygienists' Association  
  
Against — None

**BACKGROUND:** Dental hygienists assist dentists and may perform certain delegated duties during a dental visit, including examining the patient's teeth, removing deposits and stains from teeth, taking x-rays, and teaching good oral hygiene. In Texas, dental hygienists' practice are governed by the State Board of Dental Examiners and their scope of practice is established in Occupations Code, ch. 262.  
  
Fluoride varnish is a topical application that has a higher concentration of fluoride than other gels, foams, rinses and pastes, but can be less toxic because a smaller amount of the product is swallowed during application.

**DIGEST:** SB 726 would amend Occupations Code, ch. 262, to permit dental hygienists to administer without supervision fluoride varnish with a limited permit. The State Board of Dental Examiners would establish the requirements to obtain a permit by November 1, 2005.  
  
The bill would take effect September 1, 2005.

**SUPPORTERS** SB 726 would allow dental hygienists to administer fluoride varnish

**SAY:** without supervision and under circumstances where a dentist may not be present, such as free oral hygiene clinics. It would not permit dental hygienists to act as dentists in any way, and the public would be protected by the requirements established by the State Board of Dental Examiners.

**OPPONENTS  
SAY:** There are very few other circumstances when dental hygienists are permitted to work without supervision of a dentist, and all of them require follow-up by a dentist. Either SB 726 or the rules promulgated by the State Board of Dental Examiners to implement the permit should require oversight by a dentist.

**NOTES:** The companion bill, HB 3003 by Zedler was left pending in the Public Health Committee.