

STATE OF MAINE

—

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—

H.P. 74 - L.D. 91

**An Act To Allow Dental Hygienists To Prescribe Fluoride Dentifrice and
Antibacterial Rinse**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §1094-Q, sub-§1, ¶O, as amended by PL 2015, c. 2, §1, is further amended to read:

O. Apply topical antimicrobials, excluding antibiotics, including fluoride, for the purposes of bacterial reduction, caries control and desensitization in the oral cavity. The independent practice dental hygienist shall follow current manufacturer's instructions in the use of these medicaments; ~~and~~

Sec. 2. 32 MRSA §1094-Q, sub-§1, ¶P, as enacted by PL 2015, c. 2, §2, is amended to read:

P. Expose and process radiographs, including but not limited to vertical and horizontal bitewing films, periapical films, panoramic images and full-mouth series, under protocols developed by the board as long as the independent practice dental hygienist has a written agreement with a licensed dentist providing that the dentist will be available to interpret all dental radiographs within 21 days from the date the radiograph is taken and that the dentist will sign a radiographic review and findings form; ~~and~~

Sec. 3. 32 MRSA §1094-Q, sub-§1, ¶¶Q and R are enacted to read:

Q. Prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride; and

R. Prescribe, dispense or administer chlorhexidine gluconate oral rinse.

Sec. 4. 32 MRSA §1094-HH, sub-§§8 and 9, as enacted by PL 2013, c. 575, §7, are amended to read:

8. Radiographs. Administer radiographs; ~~and~~

9. Other related services and functions. Perform other related services and functions authorized by the supervising dentist and for which the dental hygiene therapist is trained;

Sec. 5. 32 MRSA §1094-HH, sub-§§10 and 11 are enacted to read:

10. Dentifrice; oral rinse. Prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride; and

11. Chlorhexidine gluconate. Prescribe, dispense or administer chlorhexidine gluconate oral rinse.

Sec. 6. 32 MRSA §1098-E, as enacted by PL 2005, c. 198, §1, is amended to read:

§1098-E. Temporary filling procedures; prescription authority

A dental hygienist with public health supervision status, as defined by rules adopted by the Board of Dental Examiners, may perform temporary filling procedures without a dentist present under protocols developed by the Board of Dental Examiners. A dental hygienist with public health supervision status may prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride, as well as chlorhexidine gluconate oral rinse. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 7. 32 MRSA §1098-F is enacted to read:

§1098-F. Prescription authority

A dental hygienist licensed under this subchapter may prescribe, dispense or administer anticavity toothpastes or topical gels with 1.1% or less sodium fluoride and oral rinses with 0.05%, 0.2%, 0.44% or 0.5% sodium fluoride, as well as chlorhexidine gluconate oral rinse.

Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Office of MaineCare Services 0129

Initiative: Provides funding for a change to the point-of-sale application that pays for prescriptions at a pharmacy and oversight of vendor change management.

GENERAL FUND	2015-16	2016-17
All Other	\$6,750	\$0
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GENERAL FUND TOTAL	\$6,750	\$0
FEDERAL EXPENDITURES FUND	2015-16	2016-17
All Other	\$20,250	\$0
FEDERAL EXPENDITURES FUND TOTAL	<u>\$20,250</u>	<u>\$0</u>