



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

**Bill:** Sub. H.B. 190 of the 128th G.A.

**Date:** May 14, 2010

**Status:** As Passed by the Senate

**Sponsor:** Rep. Fende

**Local Impact Statement Procedure Required:** No — No local cost

**Contents:** Modifies certain licensing procedures for dentists and dental hygienists and establishes the Oral Health Access Supervision Program for the provision of dental hygiene services

### State Fiscal Highlights

STATE FUND	FY 2010	FY 2011 – FUTURE YEARS
<b>Occupational Licensing Fund (Fund 4K90)</b>		
Revenues	Potential gain from application fees	Potential gain from application and renewal fees
Expenditures	Potential increase for program start-up and administration	Potential increase to administer the program and produce the annual report

Note: The state fiscal year is July 1 through June 30. For example, FY 2010 is July 1, 2009 – June 30, 2010.

- The State Dental Board will likely experience an increase in administrative costs to develop, implement, and oversee the Oral Health Access Supervision Program; to publish an on-line directory of program participants; and to produce an annual report. Any costs will be offset by additional fee revenue generated from the \$20 application and biennial renewal fee for the program.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

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## **Detailed Fiscal Analysis**

### **Oral Access Health Supervision Program**

The bill creates the Oral Health Access Supervision Program to be developed, implemented, and monitored by the State Dental Board. Dentists and dental hygienists who desire to participate in the program and meet certain requirements must apply to the Board for permits. A dentist who holds a current, valid "oral health access supervision permit" may authorize a dental hygienist who holds a valid "permit to practice under the oral health access supervision of a dentist" to perform dental hygiene services, under certain conditions, when no dentist is physically present. The Board may request that program participants provide a list of locations where services are being provided under the program. The Board may also suspend or revoke a permit issued under the program if the permit holder fails to comply with the laws that govern the program. The Board is required to adopt rules to administer the program. The program is to begin six months after the bill's effective date.

The bill also requires the Board to publish on its web site a directory of dentists and dental hygienists who participate in the program and submit an annual report to the Governor and General Assembly on the program. The report is to include the number of dentists, dental hygienists, and patients participating in the program, as well as the number and location of facilities where services are provided under the program.

The Board will likely experience an increase in administrative costs to adopt rules and to implement and oversee the program. The Board will also incur costs to publish the web-based directory of program participants and facility locations and to produce the required annual report. The Board's costs will be offset by additional fee revenue as the bill requires each program participant to pay a \$20 application and biennial renewal fee. The magnitude of the increase in costs and revenue will depend on the number of dentists and dental hygienists who apply to participate in the program.

### **Authorization to administer local anesthesia**

Current law allows a dental hygienist, under the direct supervision of a dentist, to administer local anesthesia provided the dental hygienist has successfully completed a Board approved course in the administration of local anesthesia and successfully passed a Board approved state or regional written examination. The bill, under certain conditions, also allows dental hygienists authorized by another state's licensing authority to administer local anesthesia. The Board may experience a negligible increase in costs to verify a dental hygienists' authorization by another state.

## **Various other licensing and administrative changes**

The bill makes various changes to the Board's licensing and administrative procedures. Most notably, the bill removes a provision of existing law that requires automatic suspension of a dentist for failure to renew registration and instead allows the Board to take disciplinary action in accordance with current law, requires dental hygienists whose licenses have been suspended for failure to renew registration to apply to the Board for licensure reinstatement, and allows for the temporary retirement of dental hygienists. The Board may experience a negligible increase in costs to implement these provisions of the bill.

## **School-based fluoride mouth rinse program**

The bill allows the Director of Health to establish a school-based fluoride mouth rinse program, which would allow trained school employees or volunteers to administer, with parental consent, fluoride mouth rinse to students. According to a representative from the Department of Health, such a program is currently being operated by the Department; therefore, this provision will have no fiscal impact.

*HB0190SP / cm*