



**Beth Bielecki, R.D.H.**  
**Ohio Dental Hygienists' Association**  
**House Health Committee**  
**House Bill 184 Opponent Testimony**  
**September 13, 2017**

Chairman Huffman, Vice Chairwoman Gavarone, Ranking Member Antonio, and members of the committee, I am Beth Bielecki, President of the Ohio Dental Hygienists' Association and I am writing on behalf of my colleagues and to reiterate our Association's objection to certain provisions in House Bill 184.

Allow me to reiterate the portions of the bill with which ODHA has no issue. These sections include those addressing:

- insurance coverage parity requirements, including Medicaid;
- Choose Ohio First Scholarships;
- Dental Loan Repayment Program changes (although the budget will address this before passage of this bill);
- Changes to dental exams and anesthesia permits for dentists;
- Teledentistry permits for dentists and hygienists.

However, as my Association outlined in testimony in June we have serious concerns with this bill in the areas of auxiliary practice specifically related to certified dental assistants and expanded function dental assistants in the bill, lack of any change surrounding a new FDA cleared product (silver diamine fluoride), communication with practitioners and the State Dental Board and no changes related to implementation of teledentistry. In fact, the Ohio State Dental Board is discussing the bill during its Laws and Rules Committee on Wednesday, September 13<sup>th</sup> at the same time as your committee is convening, where many of these issues are going to be raised.

Silver diamine fluoride, as a relatively new product in the U.S. marketplace, has issues related to its use that we believe the committee has not considered. Included among the concerns of this product is:

- the lack of warning/notice to patients prior to application regarding the blackening of the teeth;
- application and relation to the various practice acts of those proposed to apply this solution. This is designated by the FDA as a desensitizing agent and currently certain auxiliaries have limitations on who and how desensitizing agents are applied.
- No consideration in the bill for the science of the product to perform a dental cleaning prior to application.

Additionally, we believe that this is a new and emerging technology and the bill should not be passed and implemented in a rapid manner until many of these issues have been thoroughly vetted.

On Monday, we were provided the amendments proposed for the bill. Below are our thoughts on the amendments:

### **AM 0480-Radiologic procedures**

This amendment would allow an EFDA to perform x-rays if authorized to do so by an authorizing dentist during teledentistry, if they hold a valid dental x-ray machine operator certificate. While this amendment builds on the issue that we pointed out in our opposition testimony, what was neglected to be gleaned from our testimony in the same paragraph was the fact the two states that passed teledentistry bills in 2016 (Tennessee and Missouri) only allow dental hygienists to participate in teledentistry. We oppose the amendment to be consistent with our opposition to allowing EFDAs to work in teledentistry.

### **AM0482-Conforming changes resulting from Main operating budget**

While this looks to be conforming to what is in the budget, in the budget “dental hygiene services” are defined the same, but there is a limitation to (C)(4) of 4715.22 in the budget. **4715.22 (C) (4)** states *“the dental hygienist does not perform, while the supervising dentist is absent from the location, procedures while the patient is anesthetized, definitive root planing, definitive subgingival curettage, or other procedures identified in rules the state dental board adopts.*

In this amendment, as we read it, removes the limitation to (C) (4) and includes all of (C), which includes the duties allowing a hygienist to apply fluoride varnish, apply desensitizers, and discuss general nonmedical nutrition information for the purpose of maintaining good oral health without a dentist present and prior to a dental exam. If the amendment does expand to include these duties, ODHA objects to the amendment. If there is a misinterpretation of the amendment and it is truly procedural, we remove our objection.

### **AM0481 Oral Health Access Supervision Program (OHASP)**

This amendment expands who a hygienist can work for either through employment or under contract in the Oral Health Access Supervision Program to include an entity that employs the authorizing DDS as long as the DDS’ practice is not in violation of 4715.18 (which governs practice names and types).

ODHA has no objection to this amendment, but we question the continued logic to expand a program that has proven to be unsuccessful and ineffective.

We ask you and the sponsors to consider convening an interested parties meeting to discuss many of the issues that our Association raised in late June and delay a vote on the bill until after that time. Your consideration of this request is appreciated. My Association stands ready to discuss these issues.