

CHAPTER 379a
DENTAL HYGIENISTS

Sec. 20-126h. License. No person shall engage in the practice of dental hygiene unless he has obtained a dental or dental hygiene license issued by the department of public health.

Sec. 20-126i. Application for license. (a) Each application for a license to practice dental hygiene shall be in writing and signed by the applicant and accompanied by satisfactory proof that such person has received a diploma or certificate of graduation from a dental hygiene program with a minimum of two academic years of curriculum provided in a college or institution of higher education the program of which is accredited by the Commission on Dental Accreditation or such other national professional accrediting body as may be recognized by the United States Department of Education, and a fee of one hundred fifty dollars.

(b) Notwithstanding the provisions of subsection (a) of this section, each application for a license to practice dental hygiene from an applicant who holds a diploma from a foreign dental school shall be in writing and signed by the applicant and accompanied by satisfactory proof that such person has (1) graduated from a dental school located outside the United States and received the degree of doctor of dental medicine or surgery, or its equivalent; (2) passed the written and practical examinations required in section 20-126j; and (3) enrolled in a dental hygiene program in this state that is accredited by the Commission on Dental Accreditation or its successor organization and successfully completed not less than one year of clinical training in a community health center affiliated with and under the supervision of such dental hygiene program.

Sec. 20-126j. Examination of applicants. Except as provided in section 20-126k, each applicant for a license to practice dental hygiene shall be examined through written and practical examinations by the department of public health, as to his professional knowledge and skill before such license is granted. All examinations shall be given at least once per year and at other times prescribed by the department. Such examination shall be conducted in the English language. The commissioner of public health may accept and approve, in lieu of the written examination required in this section, the results of a written examination given by the Joint Commission on National Dental Examinations or comparable national examinations subject to such conditions as said commissioner may prescribe; and said commissioner may accept and approve, in lieu of the practical examination required in this section, the results of practical examinations given by regional testing agencies subject to such conditions as the department of public health may prescribe. Passing scores shall be prescribed by the department of public health. Said department shall grant licenses to such applicants as are qualified.

Sec. 20-126k. Licensure without examination. The department of public health may, without examination, issue a license to any dental hygienist who has provided evidence of professional education not less than that required in this state and who is licensed in some other state or territory, if such other state or territory has requirements of admission determined by the department to be similar to or higher than the requirements of this state, upon certification from the board of examiners or like board of the state or territory in which such dental hygienist was a practitioner certifying to his competency and upon payment of a fee of one hundred fifty dollars to said department. No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint.

Sec. 20-126l. Definitions. Scope of practice. Limitations. Continuing education.

(a) As used in this section:

(1) "General supervision of a licensed dentist" means supervision that authorizes dental hygiene procedures to be performed with the knowledge of said licensed dentist, whether or not the dentist is on the premises when such procedures are being performed;

(2) "Public health facility" means an institution, as defined in section 19a-490, a community health center, a group home or a school, a school, a preschool operated by a local or regional board of education or a head start program; and

(a) The "practice of dental hygiene" means the performance of educational, preventive and therapeutic services including: Complete prophylaxis; the removal of calcereous deposits, accretions and stains from the supragingival and subgingival surfaces of the teeth by scaling, root planing and polishing; the application of pit and fissure sealants and topical solutions to exposed portions of the teeth; dental hygiene examinations and the charting of oral conditions; dental hygiene assessment, treatment planning and evaluation; the administration of local anesthesia in accordance with the provisions of subsection (d) of this section; and collaboration in the implementation of the oral health care regimen.

(b) No person shall engage in the practice of dental hygiene unless such person (1) has a dental hygiene license issued by the Department of Public Health and (A) is practicing under the general supervision of a licensed dentist, or (B) has been practicing as licensed dental hygienist for at least two years, is practicing in a public health facility and complies with the requirements of subsection (e) of this section, or (2) has a dental license.

(c) A dental hygienist licensed under sections 20-126h to 20-126w, inclusive, shall be known as a "dental hygienist" and no other person shall assume such title or use the abbreviation "R.D.H." or any other words, letters or figures which indicate that the person using such words, letters or figures is a licensed dental hygienist. Any person who employs or permits any other person except a licensed dental hygienist to practice dental hygiene shall be subject to the penalties provided in section 20-126t.

(d) A licensed dental hygienist may administer local anesthesia, limited to infiltration and mandibular blocks, under the indirect supervision of a licensed dentist, provided the dental hygienist can demonstrate successful completion of a course of instruction containing basic and current concepts of local anesthesia and pain control in a program accredited by the Commission on Dental Accreditation, or its successor organization, that includes: (1) Twenty hours of didactic training, including, but not limited to, the psychology of pain management; a review of anatomy, physiology, pharmacology of anesthetic agents, emergency precautions and management, and client management; instruction on the safe and effective administration of anesthetic agents; and (2) eight hours of clinical training which includes the direct observation of the performance of procedures. For purposes of this subsection, "indirect supervision" means a licensed dentist authorizes and prescribes the use of local anesthesia for a patient and remains in the dental office or other location where the services are being performed by the dental hygienist.

(e) A licensed dental hygienist shall in no event perform the following dental services: (1) Diagnosis for dental procedures or dental treatment; (2) the cutting or removal of any hard or soft tissue or suturing; (3) the prescribing of drugs or medication which require the written or oral order of a licensed dentist or physician; (4) the administration of parenteral, inhalation or general anesthetic agents in connection with any dental operative procedure; (5) the taking of any impression of the teeth or jaws or the relationship of the teeth or jaws for the purpose of fabricating any appliance or prosthesis; (6) the placing, finishing and adjustment of temporary or final restorations, capping materials and cement bases.

(f) Each dental hygienist practicing in a public health facility shall (1) refer for treatment any patient with needs outside the dental hygienist's scope of practice, and (2) coordinate such referral for treatment to dentists licensed pursuant to chapter 379.

(g) All licensed dental hygienists applying for license renewal shall be required to participate in continuing education programs. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 to: (1) Define basic requirements for continuing education programs, (2) delineate qualifying programs, (3) establish a system of control and reporting, and (4) provide for waiver of the continuing education requirement by the commissioner for good cause.

Sec. 20-126m. Display of license. The license for the current year shall be displayed conspicuously in the office, place of business or place of employment of each licensee. Each licensed dental hygienist shall forthwith notify the department of any change of address or employment subsequent to his licensure.

Sec. 20-126n. License renewal. Licenses issued under sections 20-126h to 20-126w, inclusive, shall be renewed annually in accordance with the provisions of section 19a-88.

Sec. 20-126o. Disciplinary action by the department. (a) The department of public health may take any of the actions set forth in section 19a-17 of the 2008 supplement to the general statutes for any of the following causes: (1) The presentation to the department of any diploma, license or certificate illegally or fraudulently obtained, or obtained from an institution that is not accredited or from an unrecognized or irregular institution or state board, or obtained by the practice of any fraud or deception; (2) illegal conduct; (3) negligent, incompetent or wrongful conduct in professional activities; (4) conviction of the violation of any of the provisions of sections 20-126h to 20-126w, inclusive, by any court of criminal jurisdiction; (5) the violation of any of the provisions of said sections or of the regulations adopted hereunder or the refusal to comply with any of said provisions or regulations; (6) the aiding or abetting in the practice of dental hygiene of a person not licensed to practice dental hygiene in this state; (7) engaging in fraud or material deception in the course of professional activities; (8) the effects of physical or mental illness, emotional disorder or loss of motor skill, including but not limited to, deterioration through the aging process, upon the license holder; (9) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; or failure to provide information to the Department of Public Health required to complete a health care provider profile, as set forth in section 20-13j, as amended by public act 08-109. A violation of any of the provisions of sections 20-126h to 20-126w, inclusive, by any unlicensed employee in the practice of dental hygiene, with the knowledge of his employer, shall be deemed a violation thereof by his employer. The commissioner of public health may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. Said commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to said section 19a-17 of the 2008 supplement to the general statutes.

(b) For purposes of subdivision (7) of subsection (a) of this section, fraud or material deception shall include, but not be limited to, the following practices: (1) Submission of a claim form to a third party intentionally reporting incorrect treatment dates for the purpose of assisting a patient in obtaining benefits under a dental plan, which benefits would otherwise be disallowed; (2) increasing a fee to a patient for a service in excess of the fee charged solely because the patient has dental insurance; (3) intentionally describing a dental hygiene procedure incorrectly on a third-party claim form in order to receive a greater payment or reimbursement or intentionally misrepresenting a dental hygiene procedure not otherwise eligible for payment or reimbursement on such claim form for the purpose of receiving payment or reimbursement; and (4) intentionally accepting payment from a third party as payment in full for patient services rendered when (A) the patient has been excused from payment of any applicable deductible by the license holder and (B) such license holder fails to notify the third party of such action.

Sec. 20-126p. Change of residence out of state. Any licensed dental hygienist changing his residence or place of business to another state shall, upon application to the department of public health, receive a certificate which shall state that he is a licensed dental hygienist and such certificate shall be given without payment of any fee.

Sec. 20-126q. False representations. No person shall falsely claim to hold a certificate of registration, license, diploma or degree granted by a society, school or by the department of public health, or, with intent to deceive the public, pretend to be a graduate of any dental hygiene program or college, or append the letters "R.D.H." to his name, without having the degree indicated by such letters conferred upon him by diploma from a college, a school, a board of examiners, or other agency empowered to confer the same.

Sec. 20-126r. Appeal. Any licensee aggrieved by the action of the department of public health in suspending or revoking any license under the provisions of sections 20-126h to 20-126w, inclusive, may appeal therefrom as provided in section 4-183. Appeals brought under this section shall be privileged with respect to the order of trial assignment.

Sec. 20-126s. Payment for dental hygiene care of patients in chronic and convalescent hospitals and convalescent homes. Payment for dental hygiene care rendered to patients in chronic and convalescent hospitals or convalescent homes shall be made directly to the dental hygienist rendering such care. The commissioner of social services shall not be required to recognize the cost of employing or

contracting with a dental hygienist in the rates established for convalescent homes pursuant to section 17b-340.

Sec. 20-126t. Penalties. Any person who violates any provision of sections 20-126h to 20-126w, inclusive, shall be fined not more than five hundred dollars or imprisoned not more than five years or both. Any person who continues to practice dental hygiene or engage as a dental hygienist, after his license or authority to so do has been suspended or revoked and while such disability continues, shall be fined not more than five hundred dollars or imprisoned not more than five years or both. For purposes of this section each instance of patient contact or consultation which is in violation of any provision of this section shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 20-126u. Regulations. The commissioner of public health may adopt regulations, in accordance with chapter 54, to implement the provisions of sections 20-126h to 20-126w, inclusive.

Sec. 20-126w. Construction of chapter. Nothing in sections 20-126h to 20-126v, inclusive, shall be construed to (1) allow a dental hygienist to practice beyond the parameters of the general supervision of a licensed dentist, as defined in section 20-1261, as amended by this act, or (2) prevent a licensed dentist from providing dental hygiene services.

Sec. 20-126x. Professional liability insurance required, when. Amount of insurance. Reporting requirements. (a) Each person licensed to practice dental hygiene under the provisions of this chapter who provides direct patient care services shall maintain professional liability insurance or other indemnity against liability for professional malpractice. The amount of insurance that each such person shall carry as insurance or indemnity against claims for injury or death for professional malpractice shall not be less than five hundred thousand dollars for one person, per occurrence, with an aggregate of not less than one million five hundred thousand dollars.

(b) Each insurance company that issues professional liability insurance, as defined in subdivisions (1), (6), (7), (8) and (9) of subsection (b) of section 38a-393 of the general statutes, shall, on and after January 1, 1997, render to the Commissioner of Public health a true record of the names, according to classification, of cancellations of and refusals to renew professional liability insurance policies and the reasons for such cancellations or refusal to renew said policies for the year ending on the thirty-first day of December next preceding.

**Regulations of Connecticut State Agencies
Continuing Education Requirements for Annual License
Renewal by Dental Hygienists**

Sec. 20-111-1. Definitions

For the purpose of these regulations, the following definitions apply.

- (a) "Department" means the Department of Health Services.
- (b) "Licensee" means a dental hygienist licensed pursuant to Connecticut General Statutes, Section 20-111.
- (c) "License renewal due date" means the last day of the month of the licensee's birth.
- (d) "Registration period" means the one-year period during which a license which has been renewed in accordance with Connecticut General Statutes, Section 19a-88, is current and valid and which one year period terminates on the license renewal due date.
- (e) "Continuing education monitoring period" means a period beginning in an odd-numbered year and consisting of two consecutive registration periods.
- (f) "Active practice" means the treatment in Connecticut of one or more patients by a licensee during any given registration period.
- (g) "Provider" means the individual, organization, educational institution or other entity conducting the continuing education activity. Providers include but are not limited to: educational institutions accredited by the American Dental Association; the American Dental Association and its component organizations; the National Dental Association and its component organizations; the American Dental Hygienists Association and its component organizations; the National Dental Hygienists Association and its component organizations; the Academy of General Dentistry and its component organizations; the American Red Cross and the American Heart Association when sponsoring programs in cardiopulmonary resuscitation or cardiac life support; and the Veterans Administration and Armed Forces when conducting programs at United States governmental facilities.
- (h) "Participant" means a licensee who completes a continuing education activity.
- (i) "Contact hour" means a minimum of 50 minutes of continuing education activity.
- (j) "Face-to-face instruction" means direct, live instruction which a participant physically attends, either individually or as part of a group of participants.
- (k) "Certificate of completion" means a document issued to a participant by a provider which certifies that said participant has successfully completed a continuing education activity. Such certificate shall include: participant's name; provider's name; title or subject area of the activity; date(s) and location of attendance; and number of contact hours completed.

Sec. 20-111-2. Number of credits required

- (a) Each licensee shall complete a minimum of 16 credit hours of continuing education during each continuing education monitoring period.
- (b) A licensee shall not carry over continuing education credit hours to a subsequent continuing education monitoring period.

Sec. 20-111-3. Criteria for continuing education

Continuing education activities will satisfy the requirements of these regulations, provided:

- 1) the activity involves face-to-face instruction;
- 2) the provider implements a mechanism to monitor and document physical attendance at such face-to-face instruction;
- 3) the provider retains written records for a period of three years including but not limited to: content description; instructor; date(s) of course; location of course; list of participants; and number of contact hours;
- 4) the provider implements a mechanism to evaluate participants' attainment of educational objectives and participants' assessment of the educational activity;
- 5) the provider issues a certificate of completion; such certificate may not be issued by the provider prior to the licensee's actual completion of the activity;
- 6) the activity focuses on content specified in Section 4 of these regulations.

Sec. 20-111-4. Content areas for continuing education

Subject matter for continuing education will reflect the professional needs of the licensee in order to meet the health care needs of the public. Accordingly, only those continuing education activities which provide significant theoretical or practical content directly related to clinical or scientific aspects of dental hygiene will meet the requirements of these regulations. Activities consisting of the following subject matter will not qualify as continuing education activities: organization and design of a dental office, practice development, marketing, investments or financial management, personnel management, or personal health, growth or development when content is designed for personal use as opposed to patient care or patient instruction.

Sec. 20-111-5. Award of credit hours

- (a) Continuing education credit hours will be awarded as follows:
- (1) courses, institutes, seminars, programs, clinics, and scientific meetings: 1 credit hour for each contact hour of attendance.
 - (2) Multiday convention-type meetings at the state, regional, or national level: 2 credit hours for attendance.
 - (3) Full-time post-graduate enrollment in an advanced educational program accredited by the American Dental Association: 16 credit hours in continuing education monitoring period in which enrolled.
 - (4) Successful completion of the National Board Dental Hygiene Examination or the North East Regional Board of Dental Examiners Examination in Dental Hygiene, if taken five years or more after graduation from an educational institution teaching dental hygiene which is approved by the dental commission with the consent of the commissioner; 16 credit hours in continuing education monitoring period in which completed.
 - (5) Original presentation by licensee of a paper, essay, or formal lecture in dental hygiene to a recognized group of fellow professionals at a scientific meeting: 3 credit hours for the first presentation only.
 - (6) Original scientific paper published by licensee in a scientific professional journal which accepts papers only on the basis of independent review by experts: 6 credit hours for the first publication only.
 - (7) Original presentation of scientific, educational, or clinical exhibit at a professional meeting: 2 credit hours.
- (b) Eight credit hours will be the maximum continuing education credits granted for any one day's participation in the activities specified in Subsection (a), above.
- (c) The licensee shall successfully complete a continuing education activity for award of any continuing education credit.
- (d) Activities which will not qualify for award of credit hours include professional organizational business meetings; speeches delivered at luncheons or banquets; reading of books, articles, or professional journals; home study courses, correspondence courses, audio-visual materials, and other mechanisms of self-instruction.

Sec. 20-111-6. Record retention by licensees

- (a) Each licensee shall obtain a certificate of completion, for those activities properly completed, from the provider of continuing education activities. Each licensee shall maintain, for continued competency activities specified in Subsection (a) (3) through (a) (7) of Section 5 of these regulations, written documentation of completion. The licensee shall retain certificates of completion and other required documentation for a minimum of two years after the end of the continuing education monitoring period during which the licensee completed the activity.
- (b) The Department shall audit such licensee records as it deems necessary. The licensee shall submit certificates of completion and other required documentation to the Department only upon the Department's request. The licensee shall submit such records to the Department within 45 days of the Department's request for an audit. It will not be necessary for the licensee to submit such documentation in order to renew the license.
- (c) A licensee who fails to comply with the continuing education requirements of these regulations may be subject to disciplinary action, pursuant to Connecticut General Statutes, Section 20-114.

Sec. 20-111-7. Exemption from continuing education requirements

- (a) A licensee who is not engaged in active practice during a given continuing education monitoring period shall be exempt from continuing education requirements on submission of a notarized application on a form provided by the Department. The application must contain the statement that the licensee shall

not engage in active practice until the licensee has shown proof of completion of requirements specified in Section 20-111-8 of these regulations.

- (b) A licensee applying for license renewal for the first time shall be exempt from continuing education requirements.

Sec. 20-111-8. Requirements for return to active practice following exemption from continuing education requirements

A licensee who has been exempt, pursuant to Subsection (a) of Section 20-111-7 of these regulations, shall submit the following documents upon return to active practice:

- (a) a notarized application on a form provided by the Department; and
- (b) evidence, acceptable to the Department, of:
- 1) practice of dental hygiene in another state or territory of the United States, or the District of Columbia, for at least one year immediately preceding the application; or
 - 2) successful completion of the National Board Dental Hygiene Examination or the North East Regional Board of Dental Examiners Examination in Dental Hygiene during the year immediately preceding the application; or
 - 3) completion of 8 credit hours of continuing education within six months after returning to active practice, to be applied to the continuing education monitoring period during which the licensee was exempt from such continuing education requirements.

Sec. 20-111-9. Reinstatement of lapsed licenses

Any licensee whose license has become void and who applies to the Department for reinstatement may apply for licensure under the terms of Sections 19a-14-1 to 19a-14-5, inclusive, of the Regulations of Connecticut State Agencies.

Sec. 20-111-10. Effective date of continuing education requirements

These requirements will be effective for registration periods commencing on and after January 1, 1989.