

Fiscal Analysis: This bill will allow a dental assistant I (DAI) or dental assistant II (DAII) to obtain certification as a preventative dental assistant.

Department of Planning and Budget
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State Fiscal Impact Statement

Under current regulations, only DALLs are required to register with the Board of Dentistry (the Board). This legislation would allow DAIs, who are currently unregulated by the Board, to engage with the Board when applying for certification as a preventative dental assistant. The Department of Health Professions (DHP) reports that 58 DALLs are currently registered with the Board; however, 2024 data from the Bureau of Labor Statistics estimates that there may be as many as 11,040 dental assistants (both DAIs and DALLs) in Virginia. This significantly expands the applicant pool for this certification beyond providers currently known to the Board.

In order to manage an increase in certification applications that exceed the currently registered pool of DALLs, DHP estimates that they will require one new nongeneral fund position at pay band 3, for a total of \$100,000. This individual will be a licensing specialist responsible for handling all applications for the preventative dental assistant certification. The cost estimate for this position is inclusive of salary, fringe benefits, and non-personnel costs related to operation, training, supplies, and travel. Given that operations of DHP's health regulatory boards are wholly sustained by practitioner fee revenue, the increase in nongeneral fund appropriation required to sustain this position may need to be generated through a fee increase for the Board of Dentistry.

It is expected that any other costs associated with the provisions of this regulation, including the validation of certifications from supervising dentists upon request and the promulgation of regulations, are minimal and can be absorbed within existing resources.

This fiscal impact analysis assumes that the Board of Dentistry, in its capacity as a health regulatory board, will be responsible for establishing the application process for certification as a preventative dental assistant and bestowing such certification to all eligible applicants. However, subsection C.2. of this legislation states that "A licensed dentist may certify any preventative dental assistant who presents evidence of such training completed pursuant to clause (ii) of subdivision 1." This provision appears to imply that licensed dentists may certify preventative dental assistants who have completed at least 120 hours of specified training through a federal program approved by or associated with active military service, the U.S. Department of Veterans' Affairs, or the U.S. Indian Health Services. However, this provision does not allow licensed dentists to certify preventative dental assistants achieving the education and training requirements through other permissible pathways. If the bill text can be understood to delegate certification authority to licensed dentists under specific circumstances, then it is possible that some of the estimated workload for the Board of Dentistry may be reduced.

Other: SB178 may be a companion to HB970.