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**HOUSE BILL NO. 970****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Health and Human Services  
on \_\_\_\_\_)

(Patron Prior to Substitute—Delegate Price)

*A BILL to amend and reenact § 54.1-2729.01 of the Code of Virginia, relating to dental assistants; supragingival scaling and coronal polishing; certification.***Be it enacted by the General Assembly of Virginia:****1. That § 54.1-2729.01 of the Code of Virginia is amended and reenacted as follows:****§ 54.1-2729.01. Practice of dental assistants.**

A. A person who is employed to assist a licensed dentist or dental hygienist by performing duties not otherwise restricted to the practice of a dentist, dental hygienist, or dental assistant II, as prescribed in regulations promulgated by the Board may practice as a dental assistant I.

B. A person who (i) has met the educational and training requirements prescribed by the Board; (ii) holds a certification from a credentialing organization recognized by the American Dental Association; and (iii) has met any other qualifications for registration as prescribed in regulations promulgated by the Board may practice as a dental assistant II. A dental assistant II may perform duties not otherwise restricted to the practice of a dentist or dental hygienist under the direction of a licensed dentist that are reversible, intraoral procedures specified in regulations promulgated by the Board.

C. Notwithstanding subsections A and B, a dental assistant I or dental assistant II with a minimum of 1,800 hours of clinical experience may obtain certification to provide additional treatments pursuant to subsection D, provided that:

1. The dental assistant I or dental assistant II has undergone training and obtained certification (i) from a licensed dentist or licensed dental hygienist employed or engaged by a licensed dentist and implementing an education curriculum provided by a statewide association that is exempt under 26 U.S.C. § 501(c)(6) of the Internal Revenue Code and primarily represents dentists licensed in the Commonwealth, (ii) from a federal program approved by or associated with the Indian Health Service or while serving on active military duty, or (iii) from an existing dental assistant education program; and

2. The licensed dentist who provides, supervises, or confirms the training of the dental assistant I or dental assistant II certifies under oath that the dental assistant I or dental assistant II has completed the training described in subdivision 1, as well as at least 20 supervised full-mouth supragingival scaling procedures with consent of the patients. Documentation of such certification shall be maintained in writing or electronically by the licensed dentist and produced to the Board upon request. Such certifications and documentation thereof may be relied upon and maintained by subsequent employers of a dental assistant I or dental assistant II. A licensed dentist may certify any dental assistant I or dental assistant II who presents evidence of such training completed pursuant to clause (ii) of subdivision 1.

D. A dental assistant I or dental assistant II, upon obtaining certification and under indirect supervision of a licensed dentist, may perform (i) supragingival scaling with hand and ultrasonic scalers and (ii) coronal polishing.

E. A licensed dentist shall not indirectly supervise more than two dental assistants at any given time while such dental assistants are performing supragingival scaling or coronal polishing.

**2. That regulations promulgated by the Board of Dentistry pursuant to this act shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).**

HOUSE SUBSTITUTE

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