



Society and the State Dental Practice Act

Learning Objectives

By the end of this lesson, students will be able to:

1. Identify the purpose and primary components of a State Dental Practice Act.
2. Explain the role of state government and state dental boards in regulating dental hygiene practice.
3. Describe statutory provisions related to licensure, scope of practice, supervision, and continuing education.
4. Differentiate among direct, indirect, and general supervision in dental hygiene practice.
5. Apply state practice act regulations to clinical and public-health scenarios.

Role of the State in Healthcare Regulation

Constitutional basis

The U.S. Constitution grants states the power to regulate healthcare.

Public protection

States aim to safeguard the public's health and safety.

Quality assurance

State regulation ensures high-quality healthcare for all citizens.



State Dental Boards: Key Functions

- 1** Licensing dental professionals to practice in the state.
- 2** Disciplinary actions against dental professionals who violate regulations.
- 3** Ongoing regulation of dental practices, ensuring compliance with standards.

Dental Practice Acts

State-specific laws

Dental practice acts vary from state to state.

Scope of practice

These acts define the legal boundaries for dental hygienists.

Regulatory framework

They establish a comprehensive framework for practice.



Nine Provisions in State Statutory Law for Dental Hygiene Practice

State dental practice acts typically include nine provisions that govern the practice of dental hygiene. These provisions are designed to ensure that dental hygienists are qualified, competent, and ethical.



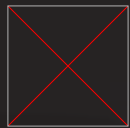
State Statutory Law Provisions

LEGISLATIVE BRANCH OF GOVERNMENT RESPONSIBLE FOR ENACTMENT OF STATE DENTAL PRACTICE ACT:

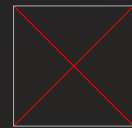
1. Licensure requirements
2. Approval of educational programs
3. Licensure examination requirements
4. Scope of Practice
5. Supervision requirements
6. Continuing education requirements
7. Examination and disciplinary authority
8. Licensure by endorsement
9. Licensure eligibility requirements



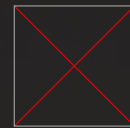
1-3: Licensing, Education, and Examination



1. Dental hygienists must meet specific licensing requirements to practice.



2. They must graduate from an accredited dental hygiene program.



3. Licensing requires passing a state-administered examination.





4-6: Scope of Practice, Supervision, and Continuing Education

- 4. Dental hygiene acts define the procedures hygienists can perform.
- 5. These acts establish different levels of supervision required for specific procedures.
- 6. Dental hygienists must complete continuing education to maintain their licenses.

7-9: Disciplinary Actions, Ethical Standards, and Public Health

1

These acts outline grounds for disciplinary action against hygienists.


2

Dental hygienists are expected to adhere to ethical principles and professional standards.

3

Dental practice acts promote public health through regulations and initiatives.





Reasons for License Revocation, Restriction, or Suspension

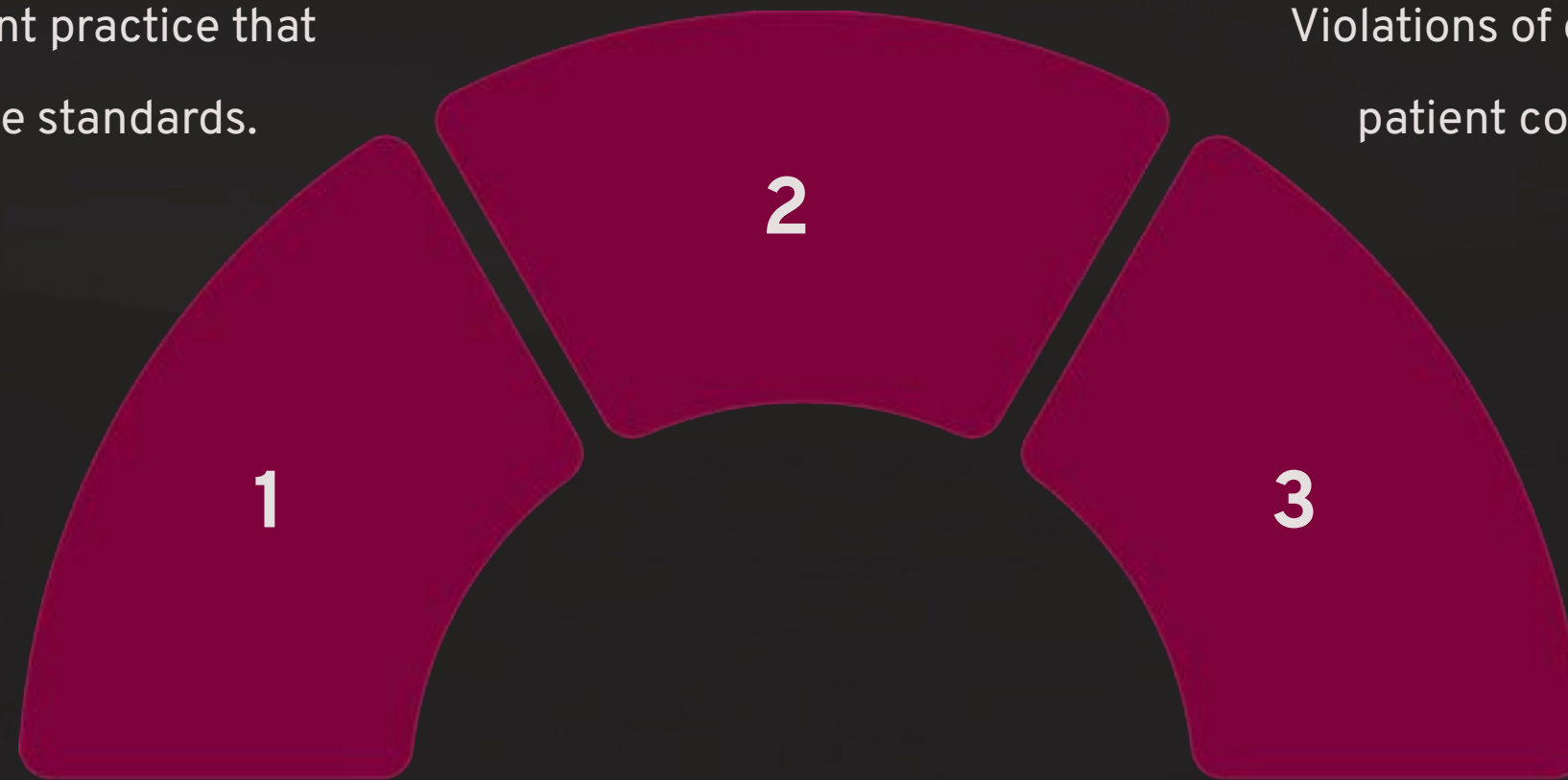
Dental hygienists can face license revocation, restriction, or suspension for various reasons, which can be categorized as professional misconduct, personal conduct issues, and administrative violations.

Professional Misconduct

Fraudulent behavior involving deception or dishonesty in practice.

Incompetent or negligent practice that falls below acceptable standards.

Violations of ethical standards, such as patient confidentiality breaches.





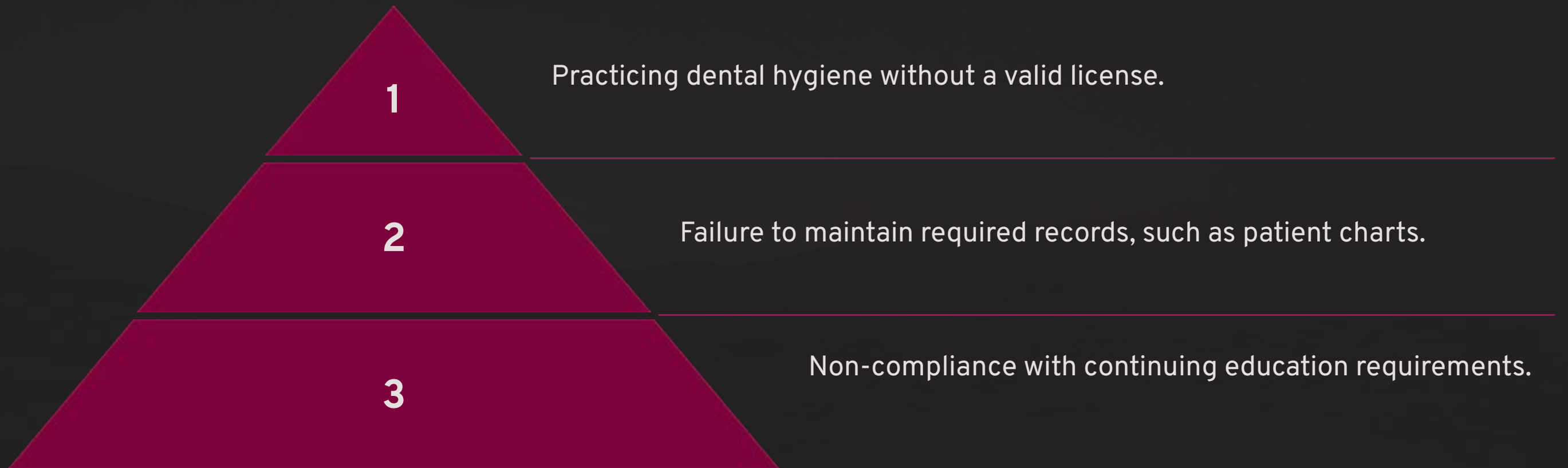
Personal Conduct Issues

Substance abuse that impairs professional judgment or performance.

Criminal convictions that impact the hygienist's fitness to practice.

Mental or physical impairment that affects the ability to provide safe care.

Administrative Violations





Levels of Supervision in Dental Hygiene Practice

Dental practice acts outline different levels of supervision required for dental hygienists, ensuring that patients receive safe and competent care. This is important because dental hygiene procedures can vary in complexity and potential risks. This section explores the four primary levels of supervision.

Direct Supervision

Definition

Requires the dentist's presence and oversight during the entire procedure.

Procedures

Procedures requiring direct supervision are typically those with a higher risk or complexity.

Dentist's role

The dentist must be physically present in the treatment room during the procedure.



Indirect Supervision

- 1** Requires the dentist's availability on the premises for consultation if needed.
- 2** The dentist doesn't need to be physically present in the treatment room.
- 3** Procedures under indirect supervision can vary by state laws.

General Supervision

1

The dentist must have diagnosed the patient and created a treatment plan.

2

The dentist is available for consultation via phone or other communication.

3

Hygienists have a broader scope of practice under general supervision.

Unsupervised Practice



Public Health Settings

Dental hygienists may practice independently in certain public health settings.



Advanced Dental Hygiene Practitioner

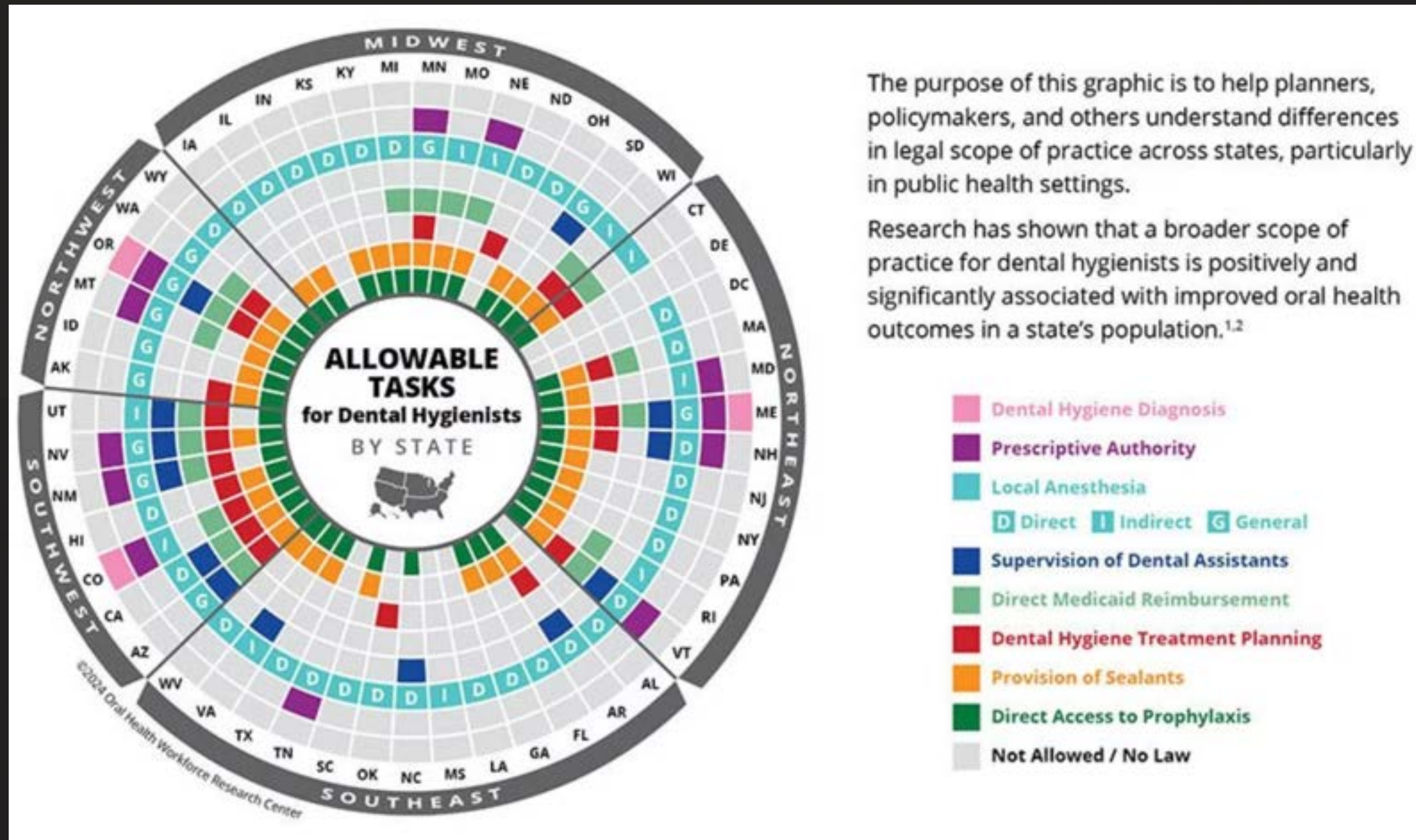
States may allow advanced dental hygiene practitioners to perform procedures without direct supervision.



Dental Hygienist's Responsibilities

Dental hygienists have a critical role in ensuring patient safety and well-being. This responsibility encompasses understanding and adhering to state dental practice acts and regulations.

Understanding State Laws and Regulations



Understanding State Laws and Regulations (continued)

Dental Hygiene Diagnosis

The identification of oral conditions for which treatment falls within the dental hygiene scope of practice, as part of a dental hygiene treatment plan.




Prescriptive Authority

The ability to prescribe, administer, and dispense fluoride, topical medications, and chlorhexidine.

Local Anesthesia

The administration of local anesthesia.

LEVEL OF SUPERVISION

-  **Direct:** The dentist is required to be physically present during the administration of local anesthesia by the dental hygienist.
-  **Indirect:** The dentist is required to be on the premises during the administration of local anesthesia by the dental hygienist.*
-  **General:** The dentist is required to authorize the administration of local anesthesia by the dental hygienist but is not required to be on the premises during the procedure.

Supervision of Dental Assistants

The ability to supervise dental assistants when performing tasks within the dental hygiene scope of practice.

Direct Medicaid Reimbursement

The direct Medicaid reimbursement of dental hygiene services to the dental hygienist.

Dental Hygiene Treatment Planning

The ability of a dental hygienist to assess oral conditions and formulate treatment plans for services within the dental hygiene scope of practice.

Provision of Sealants Without Prior Examination

The ability of a dental hygienist working in a public health setting to provide sealants without prior examination by a dentist.†

Direct Access to Prophylaxis from a Dental Hygienist

The ability of a dental hygienist working in a public health setting to provide prophylaxis without prior examination by a dentist.

Not Allowed / No Law

Issues That May Be Regulated by State Laws, but May Not Be Specifically Incorporated into the State Dental Practice Act

- Abuse reporting requirements (e.g., child, dependent adults, and domestic violence)
- Biomedical waste and hazards management
- Business operation practices (e.g., rebating, credit agreements, business license, and advertising)
- Consent to treatment and informed consent
- Criminal activity
- Disability accommodation protections (e.g., sexually transmitted diseases, mental health treatment, and substance abuse treatment)
- Education and training requirements (e.g., bloodborne pathogens)

Issues That May Be Regulated by State Laws but May Not Be Specifically Incorporated into the State Dental Practice Act

- False health care claims
- Liability for volunteer services
- Malpractice or actions resulting from healthcare injuries
- Mandatory malpractice insurance
- Patient confidentiality and heightened protections (e.g., sexually transmitted diseases, mental health treatment, and substance abuse treatment)
- Public health reporting requirements (e.g., contagious or infectious diseases)



Conclusion: Balancing Professional Growth and Regulatory Compliance

By understanding and following state dental practice acts, dental hygienists can contribute to the advancement of the profession while ensuring patient safety and ethical practice. This balance between professional growth and regulatory compliance is essential for maintaining a strong dental hygiene profession.

This Week's Focus:

- Review Panopto Recording for Week 7
- Work on State Practice Act - Group Project (Due: April 14th/Presentations will be April 14th and 21st)
- Study for the Mid-Term Examination scheduled for **March 10th at 1:00 PM**. The exam will cover **Modules 1–7**, as well as the **Dentalcare.com assignments: Ethics in Dentistry Part I, Part II, and Part III**. The Mid-Term will be administered during our regular class time. Please bring your laptops, tablets, etc. Please note that there will be **no lecture following the examination, but you may stay and work on your group projects if you would like, after everyone has completed the mid-term.**

References

American Dental Hygienists' Association. (2026). Dental hygiene practice and regulation. <https://www.adha.org>

Commission on Dental Accreditation. (2024). Standards for dental hygiene education programs. <https://coda.ada.org>

Minihan-Anderson, K. (2023). Ethics and law in dental hygiene (4th ed.). Elsevier.

Virginia Department of Health Professions, Board of Dentistry. (2025). Laws and regulations.

<https://www.dhp.virginia.gov/Boards/Dentistry/>

Wilkins, E. M., Wyche, C. J., & Boyd, L. D. (2024). Clinical practice of the dental hygienist (13th ed.). Wolters Kluwer.