



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4996 (as passed by the House)
Sponsor: Representative Barb Vander Veen
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 9-6-05

CONTENT

The bill would amend the Public Health Code to include a school or nursing home as a "grantee health agency", and otherwise revise the criteria for the designation of a grantee health agency, in which a dental hygienist may perform services under the supervision of a dentist for an underserved population.

Under the Code, a dental hygienist may practice at the "assignment" of a dentist, which means that the dentist has designated a patient of record and described the procedures to be performed. Notwithstanding this provision, the Code allows a dental hygienist to perform services under the "supervision" of a dentist as part of a program for dentally underserved populations conducted by a local, State, or Federal grantee health agency for patients who are not assigned by a dentist. ("Supervision" is defined below.) The Director of the Department of Community Health may designate an entity as a grantee health agency for a two-year period if the entity applies to the Department and meets criteria set forth in the Code.

Currently, to be designated as a grantee health agency, an entity must be a public or nonprofit agency administering a program of dental care to a dentally underserved population. Under the bill, the Director also could designate a school or nursing home that administers such a program. ("School" would mean a public or private elementary or secondary institution of learning for any grade from kindergarten to 12. "Nursing home" would mean that term as defined in Section 20109 of the Code, i.e., a nursing care facility, including a county medical care facility, that provides organized nursing care and medical treatment to seven or more unrelated individuals suffering or recovering from illness, injury, or infirmity.)

The bill would delete a requirement that a designated agency obtain more than 50% of its total revenue from public or nonprofit organization sources. The bill also would delete a provision under which an agency may not be associated with a private dental practice or an incorporated dental service provider whose only source of State or Federal funding is reimbursement under the program for medical assistance administered by the Department of Human Services.

Currently, a designated agency must employ or contract with at least one dentist and one dental hygienist. Under the bill, an agency would have to employ or contract with at least one dentist *or* one dental hygienist.

The Code requires an agency to submit a program overview indicating specified information. The bill would require an agency also to submit the name and license number of the dentist and dental hygienist, if applicable, who were performing services under the program.

Under the bill, within 10 days after approving an application and designating a grantee health agency, the Department would have to notify the Michigan Board of Dentistry of the designation in writing or make the information electronically available.

(For the purpose of these provisions, "supervision" means the oversight of or participation in the work of any other individual by a licensed health professional in circumstances in which one or more of the following exist:

- The continuous availability of direct communication in person or by radio, telephone, or telecommunication between the supervised individual and a licensed health professional.
- The availability of a licensed health professional on a regularly scheduled basis to review the practice of the supervised individual, to provide consultation to the supervised individual, to review records, and to educate the individual further in the performance of his or her functions.
- The provision by the licensed supervising health professional of predetermined procedures and drug protocol.)

MCL 333.16625

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would likely create a mild cost increase for the State. The Department of Community Health would experience a slight increase in administrative cost associated with the processing of additional applications from dental providers seeking to become designated as grantee health agencies.

Fiscal Analyst: David Fosdick

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.