

2019 -- H 5431

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Mendez, Alzate, Shanley, Casimiro, and Tobon

Date Introduced: February 14, 2019

Referred To: House Health, Education & Welfare

(Dept. of Health)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-9 of the General Laws in Chapter 16-21 entitled "Health and
2 Safety of Pupils" is hereby amended to read as follows:

3 **16-21-9. Health examinations and dental screenings -- Reports -- Records.**

4 (a) Each community as defined in § 16-7-16 shall provide for the appointment of a
5 physician to make examinations of the health of the school children, who shall report any
6 deviation from the normal, and for the preservation of records of the examinations of the children.
7 Each community shall further provide for dental screenings by a licensed dentist or licensed
8 dental hygienist or a licensed public health dental hygienist, with at least three (3) years of
9 clinical experience, who shall report any suspected deviation from the normal, and for the
10 preservation of records of the screenings of the children. Each community shall notify the parents
11 or custodians of children of conditions requiring professional or skilled treatment. The state
12 commissioner of elementary and secondary education shall provide blank forms and record books
13 that he or she may deem necessary for the purposes of this section.

14 (b) Each community as defined in § 16-7-16 shall contract with a licensed dentist and/or
15 a licensed public health dental hygienist, for the provision of the dental screenings services
16 required by this section. Dental hygienists performing the dental screenings pursuant to the
17 provisions of this section shall do so under the general supervision of the dentist liable and
18 responsible under the contract with the community or within the collaborative agreement
19 guidelines between a licensed public health hygienist and licensed dentist.

1 (c) Except in emergency circumstances, referral by a dentist, dental hygienist, and/or
2 public health dental hygienist of children screened pursuant to the provisions of this section to a
3 dental practice by which the dentist or dental hygienist is employed and/or which the dentist owns
4 shall be strictly prohibited. In the event that a referral has been made in violation of this
5 provision, the community shall terminate its contract with the dentist. In the case of an egregious
6 violation of the referral prohibition contained in this section, that conduct shall be reported to the
7 board of dental examiners.

8 (d) Each community shall provide to parents or custodians of children who require
9 professional or skilled treatment a list of both dental practices in the community that accept
10 patients insured by medical assistance and/or RIte Care and dental practices that provide services
11 on a sliding scale basis to uninsured individuals. The department of human services shall provide
12 each community with a list containing the addresses and telephone numbers of both dental
13 practices that accept patients insured by medical assistance and/or RIte Care and dental practices
14 that provide services on a sliding scale basis to uninsured individuals.

15 (e) Dental screenings for children in kindergarten, third, and ninth grade shall only be
16 performed by a licensed dentist [or licensed public health dental hygienist](#).

17 (f) All dentists, dental hygienists, and/or public health dental hygienists, performing
18 dental screenings pursuant to the provisions of this section, shall meet with the oral health
19 director of the department of health on a regular basis, as determined by the chief.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would include any "licensed public health dental hygienist" among persons
- 2 eligible to conduct dental screenings for children in kindergarten, third, and ninth grade.
- 3 This act would take effect upon passage.

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