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## **OLR Bill Analysis**

### **HB 5140 (as amended by House "A")\***

#### ***AN ACT CONCERNING A STUDY OF THE NEEDS OF SENIOR CITIZENS.***

#### **SUMMARY**

This bill allows dental hygienists who have been practicing for at least two years to provide dental hygiene services, without a dentist's general supervision, in patients' homes so long as they comply with (1) the scope of practice limitations in existing law and (2) regulations, which the bill requires the Department of Public Health (DPH) to adopt. Existing law already allows these hygienists to do this in public health facilities (such as hospitals, residential care homes, and senior centers).

\*House Amendment "A" replaces the underlying bill, which required a study of seniors' needs.

EFFECTIVE DATE: October 1, 2026

#### **SCOPE OF PRACTICE LIMITATIONS**

As under existing law for dental hygienists practicing in public health facilities, the bill requires those practicing in a patient's home to refer the patient to a licensed dentist if his or her needs exceed the hygienist's scope of practice (see BACKGROUND).

Under existing law and the bill, dental hygienists may not perform certain dental services, such as making a diagnosis for dental procedures or treatment; cutting or removing any hard or soft tissue; prescribing medications; taking teeth or jaw impressions; or placing or adjusting final restorations, capping materials, or cement bases.

#### **DPH REGULATIONS**

The bill requires DPH to adopt regulations on dental hygienists providing services in patients' homes, which must at least:

1. define eligible patients;
2. require that each patient have a documented, comprehensive oral health care plan that was made before treatment;
3. establish emergency protocols for managing medical or dental complications; and
4. set standards for infection control, equipment, and safety and any others it decides are needed for patient and provider safety and continuity of care.

## **BACKGROUND**

### ***Dental Hygienist Scope of Practice***

By law, dental hygienists may provide educational, preventative, and therapeutic services. These services include completing a prophylaxis; removing calcium deposits, accretions, and stains; applying pit and fissure sealants and topical solutions to exposed parts of teeth; and dental hygiene exams, including hygiene assessments, treatment plans, and charting oral conditions. Under certain circumstances, they may also take alginate impressions of teeth and administer local anesthesia.

### ***Related Bill***

sHB 5303 (File 96), favorably reported by the Aging Committee, similarly allows dental hygienists to provide services in private residences.

## **COMMITTEE ACTION**

Aging Committee

Joint Favorable

Yea 13    Nay 1    (03/05/2026)