



House of Representatives

General Assembly

File No. 115

February Session, 2026

Substitute House Bill No. 5399

House of Representatives, March 23, 2026

The Committee on Public Health reported through REP. MCCARTHY VAHEY of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING DENTISTRY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-112a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2026*):

3 (a) As used in this section:

4 (1) "Direct supervision" means a licensed dentist has authorized
5 certain procedures to be performed on a patient by a dental assistant or
6 an expanded function dental assistant with such dentist remaining on-
7 site in the dental office or treatment facility while such procedures are
8 being performed by the dental assistant or expanded function dental
9 assistant and that, prior to the patient's departure from the dental office,
10 such dentist reviews and approves the treatment performed by the
11 dental assistant or expanded function dental assistant;

12 (2) "Indirect supervision" means a licensed dentist is in the dental

13 office or treatment facility, has personally diagnosed the condition,
14 planned the treatment, authorized the procedures to be performed and
15 remains in the dental office or treatment facility while the procedures
16 are being performed by the dental assistant or expanded function dental
17 assistant and evaluates the performance of the dental assistant or
18 expanded function dental assistant;

19 (3) "Dental assistant" means a person who: (A) Has (i) completed on-
20 the-job training in dental assisting under direct supervision, (ii)
21 successfully completed a dental assistant education program accredited
22 by the American Dental Association's Commission on Dental
23 Accreditation, or (iii) successfully completed a dental assistant
24 education program that is accredited or recognized by any national or
25 regional accrediting agency recognized by the United States
26 Department of Education; and (B) meets any requirements established
27 by the Commissioner of Public Health in regulations adopted pursuant
28 to subsection (f) of this section;

29 (4) "Expanded function dental assistant" means a dental assistant
30 who has passed the Dental Assisting National Board's certified dental
31 assistant or certified orthodontic assistant examination and then
32 successfully completed: (A) An expanded function dental assistant
33 program at an institution of higher education that is accredited by the
34 Commission on Dental Accreditation of the American Dental
35 Association that includes (i) educational courses relating to didactic and
36 laboratory preclinical objectives for skills used by an expanded function
37 dental assistant and that requires demonstration of such skills prior to
38 advancing to clinical practice, (ii) not less than four hours of education
39 in the area of ethics and professional standards for dental professionals,
40 and (iii) a comprehensive clinical examination administered by the
41 institution of higher education at the conclusion of such program; and
42 (B) a comprehensive written examination concerning certified
43 preventive functions and certified restorative functions administered by
44 the Dental Assisting National Board; and

45 (5) "Fluoride varnish treatment" means the application of a highly

46 concentrated form of fluoride to the surface of the teeth.

47 (b) Each expanded function dental assistant shall: (1) Maintain dental
48 assistant or orthodontic assistant certification from the Dental Assisting
49 National Board; (2) conspicuously display his or her dental assistant or
50 orthodontic assistant certificate at his or her place of employment or
51 place where he or she provides expanded function dental assistant
52 services; (3) maintain professional liability insurance or other indemnity
53 against liability for professional malpractice in an amount not less than
54 five hundred thousand dollars for one person, per occurrence, with an
55 aggregate liability of not less than one million five hundred thousand
56 dollars while employed as an expanded function dental assistant; (4)
57 provide expanded function dental assistant services only under direct
58 or indirect supervision; and (5) meet any requirements established by
59 the Commissioner of Public Health in regulations adopted pursuant to
60 subsection (f) of this section.

61 (c) (1) A licensed dentist may delegate to a dental [assistants] assistant
62 such dental procedures as the dentist may deem advisable, including:
63 (A) The taking of dental x-rays if the dental assistant can demonstrate
64 successful completion of the dental radiation health and safety
65 examination administered by the Dental Assisting National Board or a
66 radiation health and safety competency assessment administered by a
67 dental education program in the state that is accredited by the American
68 Dental Association's Commission on Dental Accreditation; (B) the
69 taking of impressions of teeth for study models; and (C) the provision
70 of fluoride varnish treatments. [Such procedures] A dentist delegating
71 the taking of dental x-rays pursuant to subparagraph (A) of this
72 subdivision shall approve the taking of dental x-rays by the dental
73 assistant and assume responsibility for such procedure, but need not
74 remain on-site in the dental office or treatment facility while the dental
75 assistant performs such procedure. The procedures described in
76 subparagraphs (B) and (C) of this subdivision shall be performed under
77 the direct supervision of a licensed dentist and the dentist providing
78 direct supervision shall assume responsibility for such procedures.

79 (2) A licensed dentist may delegate to an expanded function dental
80 assistant such dental procedures as the dentist may deem advisable,
81 including: (A) The placing, finishing and adjustment of temporary
82 restorations and long-term individual fillings, capping materials and
83 cement bases; (B) oral health education for patients; (C) dental sealants;
84 (D) coronal polishing, provided the procedure is not represented or
85 billed as prophylaxis; (E) administration of topical anesthetic under the
86 direct supervision of the dentist prior to the administration of local
87 anesthetic by a dentist or dental hygienist; and (F) taking alginate
88 impressions of teeth, under the direct supervision of the dentist, for use
89 in study models, orthodontic appliances, whitening trays, mouth
90 guards or fabrication of temporary crowns. Such procedures shall be
91 performed under either direct or indirect supervision, except as
92 specifically provided in this subdivision, and the dentist providing such
93 supervision shall assume responsibility for such procedures.

94 (3) (A) No licensed dentist may delegate dental procedures to a dental
95 assistant or expanded function dental assistant unless the dental
96 assistant or expanded function dental assistant provides records
97 demonstrating successful completion of the Dental Assisting National
98 Board's infection control examination or an infection control
99 competency assessment administered by a dental education program in
100 the state that is accredited by the American Dental Association's
101 Commission on Dental Accreditation, except as provided in subdivision
102 (2) of this subsection, (B) a dental assistant may receive not more than
103 fifteen months of on-the-job training by a licensed dentist for purposes
104 of preparing the dental assistant for the infection control examination or
105 infection control competency assessment, and (C) any licensed dentist
106 who delegates dental procedures to a dental assistant shall retain and
107 make such records available for inspection upon request of the
108 Department of Public Health.

109 (4) On and after January 1, 2018, upon successful completion of the
110 Dental Assisting National Board's infection control examination or an
111 infection control competency assessment administered by a dental
112 education program in the state that is accredited by the American Dental

113 Association's Commission on Dental Accreditation, each dental
114 assistant or expanded function dental assistant shall complete not less
115 than one hour of training or education in infection control in a dental
116 setting every two years, including, but not limited to, courses, including
117 online courses, offered or approved by a dental school or another
118 institution of higher education that is accredited or recognized by the
119 Commission on Dental Accreditation, a regional accrediting
120 organization, the American Dental Association or a state, district or local
121 dental association or society affiliated with the American Dental
122 Association or the American Dental Assistants Association.

123 (d) Except as provided in subsection (c) of this section, under no
124 circumstances may a dental assistant or expanded function dental
125 assistant engage in: (1) Diagnosis for dental procedures or dental
126 treatment; (2) the cutting or removal of any hard or soft tissue or
127 suturing; (3) the prescribing of drugs or medications that require the
128 written or oral order of a licensed dentist or physician; (4) the
129 administration of local, parenteral, inhalation or general anesthetic
130 agents in connection with any dental operative procedure; (5) the taking
131 of any final impression of the teeth or jaws or the relationship of the
132 teeth or jaws for the purpose of fabricating any appliance or prosthesis;
133 or (6) the practice of dental hygiene as defined in section 20-126*l*.

134 (e) Each licensed dentist employing or otherwise engaging the
135 services of an expanded function dental assistant shall: (1) Prior to hiring
136 or otherwise engaging the services of the expanded function dental
137 assistant, verify that the expanded function dental assistant meets the
138 requirements described in subdivision (4) of subsection (a) and
139 subdivisions (1) and (3) of subsection (b) of this section; (2) maintain
140 documentation verifying that the expanded function dental assistant
141 meets such requirements on the premises where the expanded function
142 dental assistant provides services; (3) make such documentation
143 available to the Department of Public Health upon request; and (4)
144 provide direct or indirect supervision to not more than two expanded
145 function dental assistants who are providing services at one time or, if
146 the dentist's practice is limited to orthodontics, provide direct or indirect

147 supervision to not more than four expanded function dental assistants
148 who are providing services at one time.

149 (f) The Commissioner of Public Health, in consultation with the State
150 Dental Commission, established pursuant to section 20-103a, may adopt
151 regulations in accordance with the provisions of chapter 54 to
152 implement the provisions of this section. Such regulations, if adopted,
153 shall include, but need not be limited to, identification of the: (1) Specific
154 types of procedures that may be performed by a dental assistant and an
155 expanded function dental assistant, consistent with the provisions of
156 this section; (2) appropriate number of didactic, preclinical and clinical
157 hours or number of procedures to be evaluated for clinical competency
158 for each skill employed by an expanded function dental assistant; and
159 (3) the level of supervision, that may include direct or indirect
160 supervision, that is required for each procedure to be performed by an
161 expanded function dental assistant.

162 Sec. 2. (NEW) (*Effective October 1, 2026*) (a) As used in this section,
163 "cosmetic injection" means a nonsurgical procedure involving the
164 injection of a substance, including, but not limited to, botulinum toxin
165 or dermal filler, to alter or enhance a person's physical appearance.

166 (b) A dentist licensed pursuant to chapter 379 of the general statutes
167 may administer a cosmetic injection to a patient in the patient's face.

168 Sec. 3. Subsection (a) of section 20-123 of the general statutes is
169 repealed and the following is substituted in lieu thereof (*Effective October*
170 *1, 2026*):

171 (a) No person shall engage in the practice of dentistry unless he or
172 she is licensed pursuant to the provisions of this chapter. The practice of
173 dentistry or dental medicine is defined as the diagnosis, evaluation,
174 prevention or treatment by surgical or other means, of an injury,
175 deformity, disease or condition of the oral cavity or its contents, or the
176 jaws or the associated structures of the jaws. The practice of dentistry
177 does not include: (1) The treatment of dermatologic diseases or
178 disorders of the skin or face; (2) the performance of microvascular free

179 tissue transfer; (3) the treatment of diseases or disorders of the eye; (4)
180 ocular procedures; (5) the performance of cosmetic surgery or other
181 cosmetic procedures other than (A) those related to the oral cavity, its
182 contents, or the jaws, or (B) the administration of a cosmetic injection
183 pursuant to section 2 of this act; or (6) nasal or sinus surgery, other than
184 that related to the oral cavity, its contents or the jaws.

185 Sec. 4. Subsection (b) of section 20-126c of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective July 1,*
187 *2026*):

188 (b) Except as otherwise provided in this section, a licensee applying
189 for license renewal shall earn a minimum of twenty-five contact hours
190 of continuing education within the preceding twenty-four-month
191 period. Such continuing education shall (1) be in an area of the licensee's
192 practice; (2) reflect the professional needs of the licensee in order to meet
193 the health care needs of the public; and (3) include not less than one
194 contact hour of training or education in (A) any three of the [ten] twelve
195 mandatory topics for continuing education activities prescribed by the
196 commissioner pursuant to this subdivision, (B) [for registration periods
197 beginning on and after October 1, 2016,] infection control in a dental
198 setting, and (C) prescribing controlled substances and pain
199 management. [For registration periods beginning on and after October
200 1, 2011, the] The Commissioner of Public Health, in consultation with
201 the Dental Commission, shall on or before October 1, 2010, and
202 biennially thereafter until October 1, 2026, issue a list that includes ten
203 mandatory topics for continuing education activities that will be
204 required for the following two-year registration period. For registration
205 periods beginning on and after October 1, 2026, the commissioner, in
206 consultation with said commission, shall on or before October 1, 2026,
207 and biennially thereafter, issue a list that includes twelve mandatory
208 topics, including, but not limited to, the provision of dental care to
209 persons with an intellectual or developmental disability and identifying
210 victims of human trafficking, that will be required for the following two-
211 year registration period. Qualifying continuing education activities
212 include, but are not limited to, courses, including on-line courses,

213 offered or approved by the American Dental Association or state,
 214 district or local dental associations and societies affiliated with the
 215 American Dental Association; national, state, district or local dental
 216 specialty organizations or the American Academy of General Dentistry;
 217 a hospital or other health care institution; dental schools and other
 218 schools of higher education accredited or recognized by the Council on
 219 Dental Accreditation or a regional accrediting organization; agencies or
 220 businesses whose programs are accredited or recognized by the Council
 221 on Dental Accreditation; local, state or national medical associations; a
 222 state or local health department; or the Accreditation Council for
 223 Graduate Medical Education. Eight hours of volunteer dental practice
 224 at a public health facility, as defined in section 20-126l, or a temporary
 225 dental clinic may be substituted for one contact hour of continuing
 226 education, up to a maximum of ten contact hours in one twenty-four-
 227 month period.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	20-112a
Sec. 2	October 1, 2026	New section
Sec. 3	October 1, 2026	20-123(a)
Sec. 4	July 1, 2026	20-126c(b)

Statement of Legislative Commissioners:

In Section 1(c)(1), "delegate to dental assistants" was changed to "delegate to a dental [assistants] assistant" for consistency, and in Section 4(b), "said commissioner" was changed to "said commission" for accuracy.

PH *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact to the state or municipalities. It makes procedural changes regarding dental practice and continuing education requirements.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5399*****AN ACT CONCERNING DENTISTRY.*****SUMMARY**

This bill allows dentists to administer nonsurgical cosmetic injections, such as Botox or dermal fillers, on patients' faces to change or improve their physical appearance. Current law prohibits dentists from performing cosmetic procedures, other than those related to the mouth or jaw.

The bill eliminates the requirement that dentists must remain on-site when delegating to a dental assistant the taking of dental x-rays.

By law, dentists' continuing education (CE) must include, every two years, one contact hour in any three of certain topics set by the Department of Public Health (DPH) commissioner in consultation with the state dental commission. Under the bill, starting with CE registration periods beginning on or after October 1, 2026, DPH, in consultation with the commission, must expand the list from 10 to 12 items and must add to it (1) providing dental care to people with intellectual or developmental disability and (2) identifying victims of human trafficking. By law, dentists generally must complete 25 contact hours of CE every two years, starting with their second license renewal.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026, except July 1, 2026, for the CE provisions.

DENTAL ASSISTANTS TAKING X-RAYS

By law, dentists can delegate the taking of dental x-rays to dental assistants who meet certain examination requirements. The bill

eliminates the requirement that this happens only under the dentist's direction supervision, removing the need for the dentist to remain on-site while the assistant takes x-rays. Similar to current law, it requires the dentist to approve the assistant's taking of x-rays and assume responsibility for the assistant doing so.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 30 Nay 1 (03/09/2026)