

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 99

Session of
1999

INTRODUCED BY BLAUM, GEORGE, SCHRODER, HALUSKA, ORIE, TIGUE,
YOUNGBLOOD, HASAY, WALKO, E. Z. TAYLOR, TRELLO, STABACK,
MELIO AND MUNDY, JANUARY 20, 1999

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
JANUARY 20, 1999

AN ACT

1 Amending the act of May 1, 1933 (P.L.216, No.76), entitled "An
2 act relating to dentistry; defining and providing for the
3 licensing and registration of dentists and dental hygienists,
4 and for the revocation and suspension of such licenses and
5 registrations, subject to appeal, and for their
6 reinstatement; defining the powers and duties of the State
7 Dental Council and Examining Board and the Department of
8 Public Instruction; providing penalties; and repealing
9 existing laws," further providing for definitions and for
10 anesthesia.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 2 of the act of May 1, 1933 (P.L.216,
14 No.76), known as The Dental Law, is amended by adding a
15 definition to read:

16 Section 2. Definitions.--* * *

17 "Pediatric dental patient" means a dental patient who is
18 under thirteen years of age.

19 Section 2. Section 11.2 of the act, added December 20, 1985
20 (P.L.513, No.118), is amended to read:

21 Section 11.2. Anesthesia.--(a) Prior to January 1, 1987,

1 the board shall promulgate regulations which:

2 (1) Establish minimal training and education or
3 certification for the issuance of permits to dentists to
4 administer general anesthesia on an outpatient basis. Such
5 regulations shall include a requirement of a minimum of one year
6 in an approved program of advanced training in anesthesiology
7 and related academic subjects, beyond the undergraduate dental
8 school level.

9 (2) Establish further requirements relating to the use of
10 general anesthesia, including, but not limited to, the
11 collection of permit fees, the collection of biennial license
12 and license renewal fees and the conducting of workplace
13 inspections.

14 (3) Establish minimal training and education for the
15 issuance of permits to dentists to administer conscious sedation
16 on an outpatient basis. Such regulations shall include a minimum
17 period of time of didactic instruction and clinical experience
18 in an accredited educational institution or program.

19 (4) Establish further requirements relating to the use of
20 conscious sedation, including, but not limited to, the
21 collection of permit fees, the collection of biennial license
22 and license renewal fees and the conduct of workplace
23 inspections.

24 (5) Establish minimal training and education for the
25 issuance of permits to dentists to administer analgesia on an
26 outpatient basis. Such regulations shall include a minimum
27 period of time of didactic instruction or clinical experience in
28 an accredited educational institution or program.

29 (6) Establish further requirements relating to the use of
30 analgesia, including, but not limited to, the collection of

1 permit fees, the collection of biennial licenses and license
2 renewal fees and the conduct of workplace inspections.

3 (7) Establish fees for temporary permits which permits may
4 be issued by the board for one year to a person whose
5 application indicates that he possesses the necessary
6 qualifications pending a complete processing of the application.

7 (b) The board may issue the appropriate permits in
8 accordance with this section to a dentist who has been
9 administering general anesthesia, conscious sedation agents or
10 nitrous oxide or oxygen analgesia if the dentist submits
11 evidence satisfactory to the board that he has been
12 administering these agents for a period of at least five years
13 prior to the effective date of this section and that the dentist
14 has applied within one year of the effective date of the
15 regulations.

16 (c) Prior to the administration of a general anesthetic, the
17 written informed consent of the patient must be obtained. The
18 consent must include a description of the procedure, its risks
19 and possible alternative treatments.

20 (d) Dental procedures requiring the use of general
21 anesthesia on a pediatric dental patient shall be performed in a
22 hospital setting.

23 Section 3. This act shall take effect in 60 days.