STATE OF NEW YORK

9478

IN ASSEMBLY

March 7, 2022

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Introduced by M. of A. LUPARDO -- read once and referred to the Commit-
   tee on Higher Education

AN ACT to amend the education law, in relation to dental hygiene prac-
   tice and local infiltration anesthesia and nitrous oxide

   **The People of the State of New York, represented in Senate and Assem-
   bly, do enact as follows:**

 1   Section 1. Subdivision 1 of section 6605-b of the education law, as
 2 added by chapter 437 of the laws of 2001, is amended to read as follows:
 3   1. A dental hygienist shall not administer or monitor nitrous oxide
 4 analgesia or local infiltration anesthesia in the practice of dental
 5 hygiene without a dental hygiene restricted local infiltration
 6 anesthesia/nitrous oxide analgesia certificate and except under the
 7 personal supervision of a dentist [~~and in conjunction with the perform-~~
 8 ~~ance of dental hygiene procedures authorized by law~~] and in accordance
 9 with regulations promulgated by the commissioner. Personal supervision,
10 for purposes of this section, means that the supervising dentist remains
11 in the dental office where the local infiltration anesthesia or nitrous
12 oxide analgesia services are being performed, personally authorizes and
13 prescribes the use of local infiltration anesthesia or nitrous oxide
14 analgesia for the patient and, before dismissal of the patient,
15 personally examines the condition of the patient after the use of local
16 infiltration anesthesia or nitrous oxide analgesia is completed. It is
17 professional misconduct for a dentist to fail to provide the supervision
18 required by this section, and any dentist found guilty of such miscon-
19 duct under the procedures prescribed in section sixty-five hundred ten
20 of this [~~title~~] **article** shall be subject to the penalties prescribed in
21 section sixty-five hundred eleven of this [~~title~~] **article**.
22   § 2. This act shall take effect immediately.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
                    [~~-~~] is old law to be omitted.
                                                        LBD14790-01-2