

CHAPTER 58

SENATE BILL No. 425

AN ACT concerning dentistry; relating to the administering of sedation and anaesthetics; requiring dentists actively practicing to maintain a policy of professional liability insurance; amending K.S.A. 65-1444 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 65-1444 is hereby amended to read as follows: 65-1444. (a) A dentist shall have the right to prescribe drugs or medicine, perform such surgical operations, administer analgesia, local anaesthetics and use such appliances as may be necessary to the proper practice of dentistry. Dentists may be authorized *by the board* to administer ~~intra-venous~~ sedation and general anaesthetics subject to rules and regulations concerning qualifications of such dentists as may be adopted by the board. ~~Dentists who are determined by the board to have been regularly engaged in the practice of intravenous sedation or general anaesthesia in a competent manner for the three years immediately prior to January 1, 1994, shall have met the education and training requirements for such practice, but such person shall be subject to all other rules and regulations concerning intravenous sedation and general anaesthesia.~~ *The board may establish different requirements and qualifications based upon the type of sedation or general anaesthetics the dentist is authorized by the board to use. The board may also establish by rules and regulations the requirement that the authorization to administer sedation and general anaesthetics be periodically renewed and the requirements that must be met to obtain such renewal. Any office of a dentist who is authorized by the board to administer sedation or general anaesthetics shall be subject to inspection by the board for purposes of determining if the dentist is in compliance with the board's rules and regulations.*

(b) A dentist may utilize an assistant not licensed by the board in the administration and monitoring of nitrous oxide or oxygen, or both, if that person is *certified in cardiopulmonary resuscitation* and has satisfactorily completed a course of instruction ~~in those functions~~ which has been approved by the board.

~~(c) (1)~~ *To be approved by the board*, the course of instruction shall include a minimum of six hours of instruction at a teaching institution accredited by the American dental association:

~~(2)~~ ~~The course of instruction shall~~ *and* include satisfactory completion of courses which offer both didactic and clinical instruction in: (A) Theory of pain control; (B) anatomy; (C) medical history; (D) pharmacology; and (E) emergencies and complications.

~~(3)~~ ~~Certification in cardiac pulmonary resuscitation shall be required in all cases.~~

New Sec. 2. (a) A policy of professional liability insurance issued by an insurer duly authorized to transact business in this state shall be maintained in effect by each licensed dentist actively practicing in this state as a condition to rendering professional services as a dentist in this state, except that a dentist shall not be required to maintain professional liability insurance if such person's dental practice is limited to providing dental services under subsection (f) of K.S.A. 75-6102 and amendments thereto.

(b) This section shall be part of and supplemental to the dental practices act.

Sec. 3. K.S.A. 65-1444 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after July 1, 2005, and its publication in the statute book.

Approved April 12, 2004.

---