

January 30, 2018

The Honorable Vicki Schmidt, Chairperson  
Senate Committee on Public Health and Welfare  
Statehouse, Room 441-E  
Topeka, Kansas 66612

Dear Senator Schmidt:

**SUBJECT:** Fiscal Note for SB 308 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 308 is respectfully submitted to your committee.

SB 308 would add “dental therapists” to the list of licensees under the Kansas Dental Practices Act beginning July 1, 2020. To practice as a dental therapist, a person would be required to have the following qualifications:

1. Be a licensed dental hygienist who is either a graduate of a dental therapist education program approved by the Board;
2. Pass a comprehensive, competency-based clinical examination that is approved by the Board and administered independently of an institution which provides registered dental practitioner education;
3. Have practiced under direct supervision of a supervising dentist for at least 500 hours before practicing under general supervision; and
4. Obtain a policy of professional liability insurance and show proof of the insurance as required by rules and regulations.

The Board would be required to adopt rules and regulations regarding the licensure of dental therapists. A person would be authorized to practice as a dental therapist if the person meets the qualifications specified in the bill, works under the direct or general supervision of a dentist licensed in Kansas in accordance with a written supervising agreement, and is licensed by the Board. A supervising dentist must be either employed by an indigent health care clinic or enrolled as a Medicaid provider. The supervising agreement must include specific written protocols detailing the scope and practice of services that can be performed by a dental therapist under a dentist’s supervision. The supervising dentist must ensure that a dentist is available, in person or through distance technology, to the dental therapist for timely consultation if needed.

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The bill would also specify the terms and conditions under which a dentist or dental therapist's license may be suspended or revoked. The bill lists the dental services that may be performed by dental therapists under direct or general supervision, unless restricted by the supervising agreement. The bill also makes several amendments throughout the Dental Practices Act relating to references to dental therapists and the practice of dental therapy.

The bill would permit the Board to collect fees related to the licensure of dental therapists. The maximum limit for these fees would include \$25 for certificates; \$200 for biennial license renewals; \$150 for examinations; and \$100 for subsequent examinations.

The bill would also change the structure of the Kansas Dental Board by requiring the Governor to appoint two licensed dental therapists to the Board, which would increase Board membership from nine to 11. The appointment process would begin once 100 dental therapists are licensed with the Board. Before the licensure of 100 dental therapists is attained, the Governor would appoint a nonvoting member who is involved in the education, employment or establishment of dental therapists in Kansas. The nonvoting member's term would expire upon the appointment of the two dental therapists.

The bill would add dental therapy services to the list of services the Kansas Department of Health and Environment may provide as a charitable health care provider.

The Kansas Dental Board would incur additional expenditures from supporting expanded Board membership and implementing a new group of licensees. The Board would also receive additional revenue from new dental therapist fees. However, the fiscal effect and the fiscal year in which it would occur are unknown. The Board indicates it is unable to estimate the number of people that would seek to become dental therapists or how long it would take to reach 100 licensees.

The Kansas Department of Health and Environment indicates that bill would have no fiscal effect on the agency. Any fiscal effect associated with SB 308 is not reflected in *The FY 2019 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Charity Carlat, Dental Board  
Dan Thimmesch, Health & Environment