**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4169**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Wetmore

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Introduced in the House on March 6, 2025

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Dental hygienists

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/6/2025 House Introduced and read first time (House Journal‑page 10)

 3/6/2025 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 10)

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**VERSIONS OF THIS BILL**

[03/06/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4169_20250306.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40‑15‑85, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF DENTISTS, DENTAL HYGIENISTS, AND DENTAL TECHNICIANS BY THE STATE BOARD OF DENTISTRY, SO AS TO DEFINE A NECESSARY TERM; BY AMENDING SECTION 40‑15‑80, RELATING TO ACTS CONSIDERED TO BE THE PRACTICE OF DENTAL HYGIENE, SO AS TO EXPAND SERVICES THAT LICENSED DENTAL HYGIENISTS MAY PERFORM WITHOUT SUPERVISION OR WITH GENERAL SUPERVISION, AND TO PROVIDE DENTAL HYGIENISTS PRACTICING INTERDEPENDENTLY IN PUBLIC HEALTH SETTINGS WITHOUT SUPERVISION MUST BE RECOGNIZED AS PROVIDERS BY MEDICAID AND OTHER PAYERS AND MAY BE DIRECTLY REMIBURSED BY SUCH PAYERS; BY AMENDING SECTION 40‑15‑102, RELATING TO THE GENERAL SUPERVISION OF DENTAL HYGIENISTS BY DENTISTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 40‑15‑110, RELATING TO EXEMPTIONS FROM REGULATION BY THE BOARD, SO AS TO REMOVE CERTAIN OVERSIGHT REQUIREMENTS FOR LICENSED DENTAL HYGIENISTS WHO PROVIDE EDUCATION AND REVERSIBLE PREVENTIVE CARE IN CERTAIN SETTINGS, AMONG OTHER THINGS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑15‑85 of the S.C. Code is amended by adding:

 (16) “Primary preventive care that is reversible” means comprehensive preventive services that:

 (a) prevent the spread of dental disease, protect a tooth from further deterioration, and promote healing;

 (b) address dental decay that has no pulpal involvement and does not involve the removal of all decay;

 (c) do not require radiographs to be performed; and

 (d) must be reimbursed by Medicaid and include, but are not limited to:

 (i) Atraumatic Restorative Technique (ART);

 (ii) Caries Control Technique (CCT);

 (iii) Intermediate Restorative Technique (IRT); and

 (iv) Therapeutic Dental Sealants.

SECTION 2. Section 40‑15‑80 of the S.C. Code is amended to read:

 Section 40‑15‑80. (A) Any person is considered to be practicing dental hygiene who engages in those clinical procedures primarily concerned with the performance of preventive dental services not constituting the practice of dentistry, including removing all hard and soft deposits and stains from the surfaces of human teeth, root planing, performing clinical examination of teeth and surrounding tissues, and charting of oral conditions for diagnosis by a dentist, and performing such other procedures as may be delegated by regulations of the board.

 (B) In school settings, licensed dental hygienists may apply topical fluoride, including silver diamine fluoride, and may perform the application of sealants, and oral prophylaxis, and primary preventative care that is reversible under general without supervision, with written permission of the student’s parent or guardian.

 (C) In hospitals, nursing homes, long term care facilities, rural and community clinics, medical offices, homebound settings, prisons, health facilities operated by federal, state, county, or local governments, hospices, education institutions accredited by the Commission on Dental Accreditation that give instruction in dental hygiene, and in bona fide charitable institutions, licensed dental hygienists may apply topical fluoride, including silver diamine fluoride, take radiographs, and perform the application of sealants, and oral prophylaxis, and primary preventative care that is reversible under general without supervision. Treatment may not occur in these settings unless medical emergency care is available within the facility.

 (D) Licensed dental hygienists may provide oral hygiene instruction and counseling, perform oral screenings, and provide nutrition and dietary counseling without prior authorization.

 (E) Upon certification by the board and when under the directgeneral supervision of a practicing dentist, a licensed dental hygienist may administer local infiltration anesthesia.

 (F) This section is not intended to establish independent dental hygiene practice.

 (G) No person other than a licensed dentist or dental hygienist may use the title “dental hygienist,” present themselveshimself as being a dental hygienist, or perform oral prophylaxis. This does not preclude an expanded duty dental assistant from polishing restorations and supra‑gingival tooth structure. Dental hygienists practicing without supervision, under general supervision, or both must maintain professional liability insurance. Dental hygienists practicing interdependently in public health settings without supervision must be recognized as providers by Medicaid and other payers and may be directly reimbursed by Medicaid and other payers.

SECTION 3. Section 40‑15‑102 of the S.C. Code is amended to read:

 Section 40‑15‑102. (A) “Authorized” means the supervising dentist in a private office setting has personally approved the procedures to be performed and is responsible for the care provided to the patient.

 (B) In a private dental office setting, a dental hygienist may only perform the following functions under general supervision:

 (1) oral prophylaxis and assessment;

 (2) fluoride treatment;

 (3) oral hygiene instruction and education;

 (4) exposure and process of radiographs as directed by standard office protocol.

 (C) A dentist in a private office setting may authorize general supervision only upon meeting the following criteria:

 (1) a new patient of record must be clinically examined by the authorizing dentist during the initial visit;

 (2) an appointed patient must be examined by the authorizing dentist at a minimum of twelve‑month intervals.

 (3) an appointed patient must be notified in advance of the appointment that he or she will be treated by the dental hygienist under general supervision without the authorizing dentist being present or being examined by the authorizing dentist.

 (D) A dentist authorizing treatment by a dental hygienist in school settings or nursing home settings is subject to the general supervision restrictions provided for in this section unless the dentist or dental hygienist is working in a public health setting with the Department of Health and Environmental Control, as provided for in Section 40‑15‑110.

 (E)(D) A dentist billing for services for treatment provided by a dental hygienist in a public health setting with the Department of Public Health and Environmental Control as provided for in Section 40‑15‑110, is the provider of services and is clinically responsible for the care and treatment of the patient.

SECTION 4. Section 40‑15‑110(A)(10) of the S.C. Code is amended to read:

 (10) a licensed dental hygienist employed within or contracted through the public health system from providing education and primary preventive care that is reversible. Primary preventive care and education are defined as promotion and protection of health to avoid the occurrence of disease through community, school, and individual measures or improvements in lifestyle. These services are to be performed under the direction of the Department of Health and Environmental Control State Dental Coordinator or the department's designee but do not require that the director or a licensed dentist be present when any public health dental program services are provided. Public health dental program services include oral screenings using a Department of Health and Environmental Control approved screening system, oral prophylaxis, application of topical fluoride including varnish, and the application of dental sealants.

SECTION 5. This act takes effect upon approval by the Governor.

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