

That Section 54-903, Idaho Code, be, and the same is hereby amended to read as follows:

54-903. GENERAL DEFINITIONS. As used in this chapter:

(1) "Association" means the Idaho state dental association and the Idaho dental hygienists' association.

(2) "Board" means the state board of dentistry.

(3) "Conviction" or "convicted" means a finding of guilt by a judge or jury, an entry of a guilty plea by a defendant and its acceptance by the court, a forfeiture of a bail bond or collateral deposited to secure a defendant's appearance, a judgment of conviction, a suspended sentence, probation, a withheld judgment, or a finding of guilt under the uniform code of military justice.

(4) "Dental assistant" is a person who need not be licensed under this chapter, but who is regularly employed at a dental office, who works under a dentist's supervision, and is adequately trained and qualified according to standards established by the board to perform the dental services permitted to be performed by assistants by this chapter and applicable rules of the board.

(5) "Dental health aide therapist" means a person who has met the training and education requirements, and satisfies other conditions, to be certified as a dental health aide therapist by a federal community health aide program certification board or by a federally recognized Indian tribe that has adopted certification standards that meet or exceed the requirements of a federal community health aide program certification board.

(6) "Dental hygienist" is a person both qualified and licensed by the laws of Idaho to practice dental hygiene.

(7) "Dental specialist" is a dentist who has graduated from a board-approved postgraduate program in the dentist's specialty and is a person both qualified and licensed by the laws of Idaho to practice a dental specialty recognized by the board.

(8) "Dentist" is a person both qualified and licensed by the laws of Idaho to practice dentistry.

(9) "Direct supervision" is supervision of a dental assistant or dental hygienist requiring that a dentist diagnose the condition to be treated, that a dentist authorize the procedure to be performed, that a dentist remain in the practice setting while the procedure is performed, and that before dismissal of the patient a dentist approves the work performed by the dental assistant or dental hygienist.

(10) "Extended access oral health care setting" means and includes:

(a) Dental and dental hygiene treatment and services provided at locations including, but not limited to, a school district, county, state or federal agency, hospital, medical office, long-term care facility, public health district, dental or dental hygiene school, tribal clinic, or federally qualified health center; or

(b) Oral health care programs approved by the board and conducted by or through a nonprofit public or private entity, organized in accordance with section 501(c)(3) or 501(c)(4) of the federal Internal Revenue Code, that provide free dental or dental hygiene services to persons who, due to age, infirmity, indigence, disability or other similar reason, may be unable to receive regular dental and dental hygiene treatment. The board may require reapproval of the oral health care programs on an annual basis or at such other times as may be deemed by the board to be necessary or appropriate.

(11) "Federal community health aide program" means a program operated by the Indian health service under the applicable provisions of the Indian health care improvement act, 25 U.S.C. Sec. 1616l.

(12) "General supervision" is supervision of a dental assistant or dental hygienist requiring that a dentist authorize the procedure which is carried out, but not requiring that a dentist be in the practice setting when the authorized procedure is performed.

(13) "Indian health program" has the same meaning as the definition provided in the Indian health care improvement act, 25 U.S.C. Sec. 1603, as that definition existed on the effective date of this section.

(11) "Indirect supervision" is supervision of a dental assistant or dental hygienist requiring that a dentist authorize a procedure and that a dentist be in the practice setting while the procedure is performed by the assistant or hygienist.

That Section 54-930, Idaho Code, be, and the same is hereby amended to read as follows:

EXCEPTIONS TO APPLICATION OF ACT. This act shall not be construed as prohibiting a physician or surgeon, duly authorized to practice as such in this state, from treating diseases of the mouth or performing operations in oral surgery; nor as prohibiting persons authorized by the laws of another state, territory or country to practice dentistry or dental hygiene therein, or persons teaching in approved dental or

dental hygiene schools, from making clinical demonstrations before meetings of dentists or dental hygienists in Idaho nor as prohibiting any person from performing merely mechanical work upon inert matter in a dental laboratory, nor to prohibit students in approved dental or dental hygiene schools from practicing dentistry or dental hygiene therein as part of their training or education, nor as prohibiting a person from practicing dental health aide therapy in the discharge of official duties on behalf of the United States Government, including the United States Public Health Service and the Indian Health Service or employed by Tribal Health Programs contracted to perform services on behalf of the United States in a practice setting within the exterior boundaries of a tribal reservation.