

Rep. W. Marsh, Carr. 8
Rep. Campion, Graf. 12
Rep. Knirk, Carr. 3
Rep. Bove, Rock. 5
February 20, 2018
2018-0736h
10/01

Amendment to HB 1577

1 Amend RSA 317-A:12, XII-a (g) as inserted by section 1 of the bill by replacing it with the following:

2
3 *(g) The establishment of the qualifications of dentists to administer general*
4 *anesthesia or deep sedation which may include a residency training program accredited*
5 *by the Commission on Dental Accreditation (CODA) or equivalent, and which may include*
6 *a method for established practitioners to document his or her qualifications.*
7 *Administration of general anesthesia or deep sedation to patients under the age of 13*
8 *shall be subject to additional rules including:*

9 *(1) In addition to the dentist performing the procedure, there shall be a*
10 *dedicated anesthesia provider present to monitor the procedure and recovery from*
11 *anesthesia. The dedicated anesthesia provider shall be a dentist who is qualified to*
12 *administer general anesthesia or deep sedation, a physician anesthesiologist, or a*
13 *certified registered nurse anesthetist (CRNA). The board may exempt dentists who are*
14 *dual boarded as an anesthesiologist or an oral surgeon from this requirement, in which*
15 *case the dedicated anesthesia provider shall have passed the Dental Anesthesia Assistant*
16 *National Certification Examination, or equivalent, as determined by the board.*

17 *(2) The dentist shall be trained in pediatric advanced life support (PALS)*
18 *and airway management, equivalent to the American Academy of Pediatrics and*
19 *American Academy of Pediatric Dentistry (AAP-AAPD) guidelines or equivalent as*
20 *determined by the board.*

21 *(3) Informed consent shall include the statement that the procedure may be*
22 *performed in a hospital setting with additional anesthesia personnel, possibly at an*
23 *increased expense.*

24
25 Amend the introductory paragraph of RSA 317-A:12, XII-c as inserted by section 1 of the bill by
26 replacing it with the following:

27
28 XII-c. *The requirement for a permit issued by the board for the use of minimal*
29 *anesthesia in patients undergoing dental treatment under RSA 317-A:20, and rules*
30 *including:*

Amendment to HB 1577
- Page 2 -

Amend RSA 317-A:17, II as inserted by section 2 of the bill by inserting after subparagraph (n) the following new subparagraph:

(o) Failing to report an adverse event or implement a corrective action plan as required by RSA 317-A:20-a.

Amend the bill by replacing all after section 3 with the following:

4 New Section; Dentistry; Report of Adverse Events; Corrective Action Plan. Amend RSA 317-A by inserting after section 20 the following new section:

317-A:20-a Dentist Report of Adverse Events; Corrective Action Plan.

I. Any dentist licensed pursuant to this chapter shall report to the board the occurrence of any adverse health care events resulting in death, brain damage, or hospitalization, occurring in the dentist's office or facility while utilizing general anesthesia, deep sedation, or moderate sedation, as soon as is reasonably and practically possible, but no later than 15 working days after discovery of the event. The report shall be filed in a format specified by the board and shall identify the office or facility but shall not include any identifying information for any of the dental professionals, facility employees, or patients involved. The board may consult with experts and organizations familiar with patient safety when developing the format for reporting and in further defining events in order to be consistent with industry standards.

II. After receiving a report of an adverse health care event, the board shall conduct a root cause analysis of the event. Following the analysis, the dentist's office or facility shall implement a corrective action plan to implement the findings of the analysis or report to the board any reasons for not taking corrective action. If the root cause analysis and the implementation of a corrective action plan are complete at the time an event must be reported, the findings of the analysis and the corrective action plan shall be included in the report of the event. The findings of the root cause analysis and a copy of the corrective action plan shall otherwise be filed with the board within 60 days of the event. All proceedings related to the root cause analysis and implementation of a corrective action plan shall be considered privileged and not subject to discovery or subpoena.

III. All information and data made available to the board and its designees under this section shall be confidential and shall be exempt from public access under RSA 91-A.

IV. The board shall adopt rules for reporting of adverse events, analysis of root causes, and implementation of corrective action plans required to facilitate the enforcement of this section.

5 Coverage for Dental Procedures; Health Policies. Amend RSA 415:18-g, I(a) to read as follows:

(a) Is a child under the age of [6] **13** who is determined by a licensed dentist in

Amendment to HB 1577

- Page 3 -

1 conjunction with a licensed physician to have a dental condition of significant dental complexity
2 which requires certain dental procedures to be performed in a surgical day care facility or hospital
3 setting; or

4 6 Coverage for Dental Procedures; Health Policies. Amend RSA 415:18-h, I(a) to read as
5 follows:

6 (a) Is a child under the age of [6] **13** who is determined by a licensed dentist in
7 conjunction with a licensed physician to have a dental condition of significant complexity which
8 requires the child to receive general anesthesia for the treatment of such condition; or

9 7 Coverage for Dental Procedures; Health Service Corporations. Amend RSA 420-A:17-b, I(a)
10 to read as follows:

11 (a) Is a child under the age of [6] **13** who is determined by a licensed dentist in
12 conjunction with a licensed primary care physician to have a dental condition of significant dental
13 complexity which requires certain dental procedures to be performed in a surgical day care facility
14 or hospital setting; or

15 8 Coverage for Dental Procedures; Health Maintenance Organizations. Amend RSA 420-B:8-
16 ee, I(a) to read as follows:

17 (a) Is a child under the age of [6] **13** who is determined by a licensed dentist in
18 conjunction with a licensed primary care physician to have a dental condition of significant dental
19 complexity which requires certain dental procedures to be performed in a surgical day care facility
20 or hospital setting; or

21 9 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 1577
- Page 4 -

2018-0736h

AMENDED ANALYSIS

This bill provides for the regulation of the use of general anesthesia, deep sedation, or moderate anesthesia by dentists and the reporting of adverse events. The bill also provides for dental insurance coverage for children under 13 years of age for dental procedures requiring anesthesia.