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## INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

November 5, 2009

John V. Reitz, D.D.S., Chair  
State Board of Dentistry  
2601 North 3rd Street  
Harrisburg, PA 17110

Re: Regulation #16A-4617 (IRRC #2720)  
State Board of Dentistry  
Dental Hygiene Scope of Practice; Local Anesthesia

Dear Mr. Reitz:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,



Arthur Coccodrilli

Chairman

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Enclosure

cc: Honorable Robert M. Tomlinson, Majority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Michael P. McGeehan, Majority Chairman, House Professional Licensure Committee  
Honorable William F. Adolph, Jr., Minority Chairman, House Professional Licensure Committee  
Honorable Pedro A. Cortes, Secretary, Department of State

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held November 5, 2009

Arthur Coccodrilli, Chairman  
George D. Bedwick, Vice Chairman  
S. David Fineman, Esq., by Phone  
Silvan B. Lutkewitte, III  
John F. Mizner, Esq., by Phone

Regulation No. 16A-4617 (#2720)  
State Board of Dentistry  
Dental Hygiene Scope of Practice; Local  
Anesthesia

On August 18, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Dentistry (Board). This rulemaking amends 49 Pa. Code Chapter 33. The proposed regulation was published in the August 30, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on September 28, 2009.


This regulation implements Act 51 of 2007 by establishing a new class of practitioners called public health dental hygiene practitioners. It also revises the scope of practice for dental hygienists, including the addition of the administration of local anesthesia. Finally, it revises the supervision requirements for dental hygienists.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 122(d), (j.2) and (o)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
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Arthur Coccodrilli, Chairman