

**Over the years, ODHA has accomplished a long list of success stories when it comes to legislative advocacy. We have protected and expanded Ohio's dental hygienist scope of practice laws, and are proud to share a few highlights of ODHA's advocacy efforts.**

Between **1981** and **1986**, the Ohio Dental Hygienists' Association (ODHA) and Constance Clark (former ODHA President) successfully filed a declaratory judgment action against the Ohio State Dental Board (OSDB). Over a five-year span, the case made its way through several levels of courts before The Ohio Supreme Court issued a final decision in 1986.

The case began when the Ohio Association of Orthodontists inquired to the OSDB on whether auxiliary personnel (DA/CDA) could lawfully remove debris from the teeth before bonding bands or brackets and remove orthodontic cement after bonding. The OSDB voted to approve a response letter by majority vote. A dissenting vote was cast by the only dental hygienist member of the board, whose specific objection was that the letter did not address the use of rotary instruments. The response letter from the board stated:

*"Dentists (specifically, orthodontists) could lawfully delegate to dental auxiliaries, specifically Basic Qualified Personnel (BQP) the removal of cement, removal of loose bands, and removal of debris from the coronal portion of the tooth which would interfere with the cementation or bonding process. This removal of debris may be done with any instrument or device..."*

ODHA filed a declaratory judgment action in the Court of Common Pleas of Franklin County seeking a determination of whether the board's letter was invalid as non-compliant with the rule-making provisions of the Ohio Revised Code. Ultimately, the trial court declared the letter to be an unlawful exercise of administrative authority and ordered the board to rescind the letter and notify all dentists of the rescission. Appeals were filed.

On January 2, 1986, the Ohio Supreme Court issued a final decision on the case in favor of ODHA. This decision stopped DAs from scaling based on the fact that On January 2, 1986, the Ohio Supreme Court issued a final decision on the case in favor of ODHA. This decision stopped DAs from scaling based on the fact that the OSDB did not follow the legal process for making rules, did not protect dental consumers from permanent harm caused by untrained and unskilled individuals. An expert witness for the OSDB testified "Scalers are surgically sharp". The lack of education for DAs (i.e. not being able to tell the difference between cement, accretions, calculus) made them unqualified personnel for such procedures.

**1979**, Kathy Goldberg became the first dental hygienist to consult for the Ohio State Dental Board.

**1980**, Kathy Goldberg became the first dental hygienist appointed to the OSDB by Ohio Governor James Rhodes. From this point on, ODHA was given express permission to nominate one dental hygienist to become a voting member of the OSDB.

**2000**, Dental hygienists were approved to work under the general supervision of dentists. ODHA began advocating efforts for this in 1985.

**2004**, The OSDB increased the number of dental hygiene members with voting rights on the board from one to three.

**2007-2008**, RDHs were given the ability to administer local anesthetic.

**2010**, The number of required hours of experience in the practice of dental hygiene was reduced from 3000 to 1500 for general supervision.

**2010-2011**, The Oral Health Access Supervision Permit (OHASP) was created to allow RDHs with additional education to practice under relaxed supervision in certain designated underserved locations outside of the dental office without the presence of a dentist.

**2015**, ODHA was given a seat on the Laws & Rules Committee within the OSDB.

**2016**, RDHs were given permission to initiate, adjust, administer, and terminate nitrous oxide. Previously, RDHs were only given permission to monitor in 2011.

**2018**, The Ohio Dental Hygienist Loan Repayment Program was established.

**2018**, ODHA advocated for the passage of legislation to establish dental therapy. *\*This legislation was not signed into law and has not been reintroduced at this time.*

**2019**, Teledentistry legislation was enacted to allow for the delivery of dental services for RDHs and Expanded Functions Dental Assistants (EFDAs) to deliver oral health care via synchronous communication with a supervising dentist.

**2021**, The Ohio Department of Health temporarily authorized RDHs to administer COVID-19 vaccinations through an executive order.

**2023**, Continuing education (CE) requirements for RDHs was reduced to 20 hours over a two-year period. Previously, in 1989 ODHA advocated for 12 hours of required CE credits. In 2010, the CE requirement was increased to 24 hours (which has since been reduced to 20).

**2024**, The Dentist and Dental Hygiene (DDH) Interstate License Compact was enacted. Ohio Governor Mike DeWine signed the compact into law with an effective date of January 1, 2025. The OSDB will now need to develop rules to implement the DDH Compact.