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Proposed Legislation

West's Annotated Mississippi Code
Title 73. Professions and Vocations
Chapter 9. Dentists (Refs & Annos)
General Licensing Requirements

Miss. Code Ann. § 73-9-5

§ 73-9-5. Dental hygienists; supervision requirements

Effective: February 23, 2026
Currentness

(1) For the purpose of this chapter, a dental hygienist shall be an individual who has completed an accredited dental hygiene education program, passed the national dental hygiene board and is licensed by the State Board of Dental Examiners to provide, as an auxiliary to the dentist, preventive care services including, but not limited to, scaling and polishing. In fulfilling these services, dental hygienists provide treatment that helps to prevent oral disease such as dental caries and periodontal disease and for educating patients in prevention of these and other dental problems.

(2) No person shall practice dental hygiene in a manner that is separate or independent from a supervising dentist, or establish or maintain an office or a practice that is primarily devoted to the provision of dental hygiene services.

(3) Under general supervision, a dental hygienist may provide to patients of record, for not more than ten (10) consecutive business days, all dental hygiene services (except the administration of nitrous oxide inhalation or local anesthesia, which must be under direct supervision) if all of the following conditions are satisfied:

(a) The dental hygienist has practiced dental hygiene in the State of Mississippi for a minimum of five (5) years, such five-year period having been determined by the board as equivalent to a minimum of six thousand (6,000) hours of dental hygiene practice;

(b) The dental hygienist has current CPR certification and complies with the established protocols for emergencies that the supervising dentist has established;

(c) The supervising dentist examined the patient of record not more than seven (7) months before the date that the dental hygienist provides the dental hygiene services;

(d) The dental hygienist provides dental hygiene services to the patient of record in accordance with a written treatment protocol prescribed by the supervising dentist for the patient;

(e) The patient of record is notified in advance of the appointment that the supervising dentist will be absent from the location;

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(f) No licensed dental hygienist, under general supervision, may delegate or supervise any dental hygiene duties for a dental assistant; and

(g) The supervising dentist is responsible for all actions of the dental hygienist during treatment of patients under general supervision.

(4) The following limitations also apply to the practice of dental hygiene under general supervision:

(a) No entity may employ dental hygienists to provide treatment for patients of record under general supervision other than:

(i) A nonprofit entity that meets the statutory, regulatory and program requirements for grantees supported by the Public Health Service and that has supervision by a Mississippi licensed dentist; or

(ii) An office owned by a dentist or group of dentists licensed in Mississippi.

(b) No duly licensed and registered dentist shall supervise more than three (3) dental hygienists under general supervision at any one time.

(c) No duly licensed and registered dentist shall supervise a dental hygienist for more than ten (10) consecutive business days or for more than twenty-four (24) total days in any calendar year.

(d) No patient may be seen twice consecutively under general supervision.

(e) An examination fee must not be charged if a patient is seen under general supervision.

(f) The patient undergoing dental hygiene services under general supervision must be a minimum of eighteen (18) years of age, and either ASA Class I or ASA Class II as defined by the American Society of Anesthesiologist Physical Status Classification System.

(5) A dental hygienist licensed in Mississippi may perform radiographs, oral prophylaxis, and place fluoride varnish without a Mississippi licensed dentist being physically present in the office if all of the other conditions of this section are met.

(6) The board shall be authorized to assess the need for dental hygiene services in nursing facilities and correctional facilities and authorize the general supervision of dental hygienists in those facilities, provided that such dental hygiene services are provided in accordance with all of the conditions of this section.

(7) The following dental hygienists may perform the specified activities under the general supervision and direction of regularly licensed and registered dentists without having to meet the other requirements and conditions of this section:

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(a) Dental hygienists employed by the State Board of Health or public school boards who are only performing oral hygiene instruction and screening, including applying fluoride varnishes as part of such instruction and screening; and

(b) Dental hygienists recognized by the board when making public demonstrations of dental hygiene for educational purposes.

Credits

Laws 1966, Ch. 464, § 1; Laws 1970, Ch. 418, § 2; Laws 1983, Ch. 488, § 3; Laws 1991, Ch. 483, § 3; Laws 1997, Ch. 541, § 3, eff. June 30, 1997; Laws 2000, Ch. 560, § 2, eff. July 1, 2000; Laws 2002, Ch. 524, § 3, eff. June 30, 2002. Amended by Laws 2025, Ch. 487 (H.B. No. 1062), § 1, eff. July 1, 2025; Laws 2026, H.B. No. 431, § 1, eff. from and after passage (approved on Feb. 23, 2026).

Miss. Code Ann. § 73-9-5, MS ST § 73-9-5

The Statutes and Constitution are current with laws from the 2026 Regular Session effective through April 13, 2026. Some statute sections may be more current, see credits for details. The statutes are subject to changes provided by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

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