

SB 567-FN - AS AMENDED BY THE HOUSE

02/19/2026 0682s
14May2026... 1750h
14May2026... 1965h

2026 SESSION

26-2172
09/06

SENATE BILL

567-FN

AN ACT relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required.

SPONSORS: Sen. Rochefort, Dist 1; Sen. Innis, Dist 7; Sen. Gannon, Dist 23; Sen. Pearl, Dist 17

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill:

I. Mandates that one member of the board of dental examiners be a general dentist.

II. Mandates that radiographic screening shall not be performed before the clinical examination. The decision to obtain a radiograph or CBCT scan shall be made on the basis of the patient's medical and dental histories, clinical examination, disease risk assessment, presence of a clinical condition, and previously obtained radiographic imaging.

III. Provides that a dentist may treat a patient who declines to have a radiographic examination and the dentist in such cases shall require the patient to sign a waiver of liability.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Dentists and Dentistry; Examining Board; Membership. Amend RSA 317-A:2, I to read as
2 follows:

3 I. There shall be a board of dental examiners consisting of 9 members,[~~e~~] including 6
4 dentists, 2 dental hygienists, and one public member, each to be appointed by the governor, with the
5 approval of the council, to a term of 5 years. One dentist member shall have a current permit to
6 administer general anesthesia and deep sedation, **and one dentist member shall be a general**
7 **dentist**. No member of the board shall be appointed to more than 2 consecutive terms. Only board
8 members provided for in this paragraph shall have the authority to vote in board determinations.

9 2 Finding. With respect to section 3 of this section, the general court finds that general
10 recommendation 1.2 from the January 2026 publication "American Dental Association and American
11 Academy of Oral and Maxillofacial Radiology patient selection for dental radiography and cone-beam
12 computed tomography Clinical recommendations" in the Journal of the American Dental Association
13 states that "radiographic screening shall not be performed before the clinical examination. The
14 decision to obtain a radiograph or CBCT scan shall be made on the basis of the patient's medical and
15 dental histories, clinical examination, disease risk assessment, presence of a clinical condition, and
16 previously obtained radiographic imaging. The benefits to the diagnosis and treatment planning
17 must outweigh the potential risks from exposure to radiation, especially in the case of a child or
18 young adult."

19 3 New Paragraph; Practice of Dentistry; X-Rays; When Required. Amend RSA 317-A:17 by
20 inserting after paragraph II the following new paragraph:

21 II-a. Notwithstanding RSA 317-A:17, II(g) and recognizing that the clinical guidelines
22 published by the American Dental Association and the American Dental Hygienists Society state
23 that they are not intended as regulatory documents, the board shall not take action against a
24 licensee for variations from clinical guidelines intended to provide person-centered care that is
25 specific for each individual and which considers the person's needs, values and preferences.

26 (a) Radiographic screening shall not be performed before the clinical examination. The
27 decision to obtain a radiograph or CBCT scan shall be made on the basis of the patient's medical and
28 dental histories, clinical examination, disease risk assessment, presence of a clinical condition, and
29 previously obtained radiographic imaging. The benefits to the diagnosis and treatment planning

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1 must outweigh the potential risks from exposure to radiation, especially in the case of a child or
2 young adult.

3 (b) When the decision to obtain a radiograph is refused by the patient, the dentist may
4 treat the patient who has declined to have a radiographic examination. In such cases, the dentist
5 shall require the patient to sign a waiver of liability, indicating that the patient waives the right to
6 sue the dentist in the event that the lack of a radiographic examination results in unforeseen injury
7 to the patient. No dentist shall be subject to license suspension, revocation, or any other
8 disciplinary action by the board for actions taken pursuant to this paragraph.

9 4 Effective Date.

10 I. Section 1 of this act shall take effect September 1, 2026.

11 II. The remainder of this act shall take effect 60 days after its passage.

LBA
26-2172
05/18/2026

SB 567-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENTS #2026-1750h and #2026-1965h)

AN ACT relative to the composition of the board of dental examiners and relative to the practice of dentistry and when radiographic examinations are required.

FISCAL IMPACT:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification