



Tribal Dental Therapy Law in Montana

Tribes in Montana: Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Blackfeet Nation, Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana, Confederated Salish & Kootenai Tribes of the Flathead Reservation, Crow Tribe of Montana, Fort Belknap Indian Community, Northern Cheyenne Tribe

Tribes in Support of Dental Therapy in Montana: Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation and Fort Belknap Indian Community have expressed support for dental therapy.

Status: Signed into Law

Legislation: [H.B 599](#), 2019 Legislative Session

Sponsors: Rep. Jonathan Windy Boy (D-32)

Legislative History:

02/21/2019 Introduced in House of Representatives, Referred to Human Services Committee
02/25/2019 Reported out of House Human Services Committee
02/28/2019 Passed House on a Vote of [61-38](#)
04/01/2019 Amended in Senate Public Health, Welfare, and Safety Committee
04/05/2019 Passed Senate on a Vote of [27-22](#)
04/15/2019 Conference Committee Drafts Compromise Legislation
04/18/2019 Compromise Legislation Passes Both [House](#) and [Senate](#)
05/09/2019 Signed into Law by Governor Bullock

Summary:

- Allows practitioners certified by the Community Health Aide Program (CHAP), including dental therapists (DTs), to practice in Montana without a license from the state.
- Allows DTs to practice under CHAP in Indian Health Service settings, Tribal health programs, and Urban Indian Health organizations.
- Clarifies that Tribes may also implement their own certification process beyond CHAP requirements.
- Allows DTs in Montana to offer preventative services under a dentist in accordance with the scope of practice approved by CHAP, excluding dental extractions.
- Requires the Secretary of State to send a copy of the Act to all Tribes in Montana.
- Does not limit the number of DTs a dentist can supervise beyond CHAP guidelines.
- Requires the enabling statute to expire on September 30, 2023.



Tribal Inclusion: H.B. 599 allows for CHAP practitioners to work in Montana once the Indian Health Service (IHS) expands CHAP to Tribes nationwide, which it is currently doing. Thus, the legislation only allows DTs to work within the Indian health system (IHS, Tribal, and Urban Indian health programs)

General or Direct Supervision: The bill allows federally certified DTs to follow the federal CHAP guidelines, which require a 400-hour preceptorship under direct supervision (dentist is present in the room), at which point the DT begins practicing under general supervision (dentist is available for remote consultation) under the terms of each employment contract between a dentist and a DT.

Educational Requirements: The bill allows federally certified DTs to follow the federal CHAP guidelines for education, which follow the Commission on Dental Accreditation (CODA) accreditation mandate, a three academic year program for DTs with no degree requirement.

Dual License Requirement: The bill does **NOT** require a DT to hold a dental hygienist license.

Medicaid Reimbursement: The legislation specifically authorizes all practitioners under CHAP to receive Medicaid reimbursement.

Moving Forward: This is the first year that the Montana Legislature has considered dental therapy. The new law overall clarifies several key issues ahead of IHS's expansion of CHAP, which currently only operates in Alaska, to Tribes nationwide. This includes dental therapists, other dental providers, and behavioral health providers.

The legislation was introduced in the House of Representatives by Rep. Jonathan Windy Boy, one of nine Tribal members serving in the Montana Legislature. This strong Tribal representation has often led to the Legislature addressing Tribal issues on a bipartisan basis. The House passed H.B. 599 at the end of February 2019, but the Senate passed more limited legislation, and the conference committee drafted a final bill, which was passed by both the House and Senate in April.

The law allows Tribes and the IHS to employ Dental Therapists as part of CHAP, so Tribes and the Area Indian Health Board can begin developing the infrastructure needed for CHAP practitioners to receive federal certification in the Area. The bill follows CODA standards for qualifications to practice as a Dental Therapist, standards which provide the most utility for Tribes. However, the removal of restorative procedures, including extractions, from the authorized scope of practice limits the effectiveness of dental therapy among Montana's Tribes. Future legislation should work to address this political compromise to better address the oral health needs of Tribal communities in Montana.