



SPONSOR: Rep. K. Williams & Sen. S. McBride  
Reps. Baumbach, Griffith, Heffernan, K. Johnson,  
Lambert, Morrison, Neal, Osienski, Wilson-Anton; Sens.  
Gay, Hansen, Hocker, Hoffner, Mantzavinos, Pinkney,  
Sokola, Sturgeon, Walsh, Wilson

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 83

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ORAL HEALTH SCREENINGS.

1 WHEREAS, currently childcare directors, school district superintendents, and individual school principals consent  
2 to participate annually with the Delaware Smile Check Program, at no cost to families; and

3 WHEREAS, all Head Start programs and Delaware Department of Education funded Early Childhood Assistance  
4 Programs (ECAPs) currently require yearly oral screening and referrals, as warranted, for all enrolled children, in  
5 accordance with national best practices; and

6 WHEREAS, the American Academy of Pediatric Dentistry recommends preventative oral health programs and  
7 services to reduce oral health disparities by preventing, identifying, and treating oral health issues early; and

8 WHEREAS, early identification of oral health problems, preventive dental measures and assistance with accessing  
9 care significantly reduces dental expenditure and improves student readiness to learn; and

10 WHEREAS, the Delaware Department of Health and Social Services' January 2020 Burden of Oral Diseases  
11 Report demonstrated the significant long-term benefits of oral health screening and preventive measures.

12 NOW, THEREFORE:

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

14 Section 1. Amend Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and  
15 insertions as shown by underline as follows:

16 § 4123. Oral health screening.

17 (a) For purposes of this section, “oral health screening” means the screening done by a dental hygienist or dentist.

18 (b) Each school district and charter school must provide an oral health screening to each student enrolled in  
19 kindergarten, who did not indicate during enrollment that they were seen by a dentist, by the last student attendance day of  
20 each school year.

21 (c) The school shall record the results of the oral health screenings within the student’s electronic health record  
22 within 30 days of each screening.

23 (d) If a student fails an oral health screening, the school must notify the student's primary teacher and the student's  
24 parent, guardian, or relative caregiver.

25 (1) Notification shall take place within 7 school days of a failed oral health screening.

26 (2) If the student has an IEP, the school shall notify the Special Education Coordinator or Educational  
27 Diagnostician responsible for the student's case management within 7 school days of a failed oral health screening.

28 (3) The school shall make 3 attempts to follow-up with the parent, guardian, or relative caregiver when a  
29 referral for a failed oral health screening is warranted. All follow-up attempts shall be documented in the student's  
30 electronic record and shall be implemented at or around 30 days, 60 days, and 90 days after a suspected oral health  
31 problem has been detected and initially reported to those for whom notification is required.

32 (e) The Bureau of Oral Health and Dental Services must inform a parent or guardian of each student's oral health  
33 status by sending home, with the student, a copy of the dental screening results and must refer students who need a dental  
34 referral or restorative care to a dentist.

35 Section 2. This Act takes effect for the 2024-2025 school year.

#### SYNOPSIS

This Act requires every public school and charter school to provide students enrolled in kindergarten, who have not been seen by a dentist by time of school enrollment, with an oral health screening by the last student attendance day of each school year. Notification to the primary teacher and parent or guardian must be done within 7 school days and a copy of the oral health screening results sent home. A referral to a dentist, if required, will be provided by the Bureau of Oral Health and Dental Services. The Division of Public Health (DPH), through the Delaware Smile Check Program, offers school-based oral screenings, at no cost to the school districts, schools, including charter schools, or the students. This Act takes effect for the 2024-2025 school year.