

<b>Act Number</b>	<b>Session</b>	<b>Bill Number</b>	<b>Total Number of Committee Pages</b>	<b>Total Number of House Pages</b>	<b>Total Number of Senate Pages</b>
PA 71-15		5292	5	3	3
<u>Committee Pages:</u> <ul style="list-style-type: none"> <li>• <i>Public Health &amp; Safety</i> 46-50</li> </ul>				<u>House Pages:</u> <ul style="list-style-type: none"> <li>• 575-577</li> </ul>	<u>Senate Pages:</u> <ul style="list-style-type: none"> <li>• 566-568</li> </ul>

**H-109**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
1971**

**VOL. 14  
PART 2  
449-973**

Thursday, March 4, 1971

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MR. SPEAKER:

Further remarks on the Bill. If not, all those in favor indicate by saying "Aye". Those opposed. The Bill is passed.

CLERK:

Calendar 51, House Bill 5292, An Act Concerning Licensure of Dental Hygienists, File 22.

MR. COHEN (BLOOMFIELD):

Mr. Speaker.

MR. SPEAKER:

Dr. Cohen from the 41st.

MR. COHEN (BLOOMFIELD):

I move acceptance of the Joint Committee's favorable report and passage of this Bill.

MR. SPEAKER:

Question is on acceptance and passage, will you remark.

MR. COHEN (BLOOMFIELD):

Mr. Speaker, the purpose of this Bill is three-fold. First, it has been a statute on the books for the 50 years which I have been practicing dentistry, which was never noticed before until I came into the Legislature. This Bill as it is worded, only permits women to become hygienists, and I think this is strictly unconstitutional and this should be stricken and made available to men also. The second purpose is to equalize what the Lib movement has been doing to us men. At the present time women can be doctors, dentists, lawyers, legislators, truck drivers, bar tenders, etc. This will at

ad

least enable men to enter a field that women have occupied by themselves for many years. But the third reason is much more serious. At the present time there has been a tremendous rise as we all know, in the high cost of health and dental care and unless these two professions do something about this by having paramedical or paradental assistance, the costs for these services will continue to rise, so that, unless it happens at the present time, a girl becomes a hygienist, works for a dentist for 3, 4, 5 years and then gets married and then gets out of circulation as a hygienist. My daughter-in-law is a hygienist, my sister-in-law, this has happened in their case, and in many of the hygienists that I have employed throughout the years. The result is we don't have any and it then becomes the problem of the dentist himself to do the prophylaxis for the patients. At the present time the prices that the dentists are going to charge, many patients will not be able to avail themselves of these cleanings. So if we do have male hygienists they can remain in service for 15, 20, 25 years, so I think this is a good Bill, it came up before this body two years ago, was passed, for some reason it failed in the Senate. I move its passage today.

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MR. SPEAKER:

Representative Stevens from the 122nd.

MR. STEVENS (MILFORD):

I wish to rise and join with Dr. Cohen in support of this Bill. There are several serious reasons which the Doctor

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gave for passage and I will not reiterate them. But I did want to point out to the chamber that I think we may be missing the significance of this Bill. This is the first, in my 3 terms here that I can recall this chamber is passing a men liberation bill. Thank you.

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MR. SPEAKER:

Further remarks. Representative Lyons.

MR. LYONS (NORWALK):

Mr. Speaker, I rise to support this Bill.

MR. SPEAKER:

Any remarks. If not, all those in favor indicate by saying "Aye". Those opposed. The Bill is passed.

Representative Hannon.

MR. HANNON (EAST HARTFORD):

Mr. Speaker, if there are no further announcements, I move we adjourn until Monday, March the 8th at 1:30 for the purpose of business on the Calendar of a consent nature.

MR. SPEAKER:

Question is on adjournment until Monday at 1:30 P.M. All those in favor indicate by saying "Aye". Those opposed. House stands adjourned.

TIME: 2:22 P.M.

Ann T. Delaney  
House Transcriber

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the pleasure of appearing before Judge Hamill. As a matter of fact I tried my first case as a young lawyer before Judge Hamill in the Circuit Court. And he is an excellent Judge. I heartely endorse his renomination.

THE CHAIR:

The question is on the confirmation of the nomination of Judge Hamill. Will you remark further?

Hearing no further remarks then we would ask the tellers Senator Sullivan and Senator Murphy to come forth. I will have the Clerk announce a roll call vote in the Senate. We will forgo the announcement.

On the question of the confirmation of the appointment of Edward Hamill:

Total number voting 25  
Necessary for passage 13  
Those voting yea 24  
Those voting nay 1  
Those absent and not voting 11

It is a vote in the affirmative. The nomination is confirmed.

THE CLERK:

There is no further business on the Clerk's desk.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Bill No. 5292, Calendar No. 54, File No. 22 Be moved from the foot of the Calendar and heard.

THE CHAIR:

Repeat that file number again please.

SENATOR PAC: File No. 22.

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THE CHAIR:

The Motion is to remove File No. 22 from the foot of the Calendar so it can be heard today.

If there is no objection it is so ordered.

SENATOR PAC:

Mr. President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

THE CHAIR:

The Motion is to accept the Favorable Report of the Joint Committee and passage of the bill. Will you remark?

SENATOR PAC:

This bill would simply permit the use of male hygienists in our dental offices. I don't think it will be as pretty. Nor as gentle as it previously has been. But I guess this is our answer to the lib movement. I think after they realize that after awhile there is probably a lessening in the business. They will wish they were back where they were previously. I move that we all vote yes on this bill.

THE CHAIR:

The question is on the passage of the H.B. 5292. Will you remark further?

THE CHAIR:

Senator finney.

SENATOR FINNEY:

Mr. President, may I just add to Senator Pac's contention here. I think its a good bill and I will vote for it.

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THE CHAIR:

Question is on the passage of the bill. Will you remark further?

Hearing no further remarks those in favor of the passage of this bill signify by saying aye. AYE. Those opposed no. Its a vote in the affirmative. The bill is passed.

THE CLERK:

There is no further business on the Clerk's desk at this time.

THE CHAIR:

Senator Caldwell.

SENATOR CALDWELL:

If there is no further business I would like to make one announcement. That the Committee on Executive Nominations will meet Monday at 2 p.m. in the President Pro Tempore office.

THE CHAIR:

If you would yield the floor, Senator Smith.

SENATOR CALDWELL:

Yes I will yield.

SENATOR SMITH:K

Mr. President, I have an announcement. I rise on a point of personal privilege. On Executive Session of the Labor Committee tomorrow morning at 11 a.m. in Room 402.

THE CHAIR:

Are there other announcements or introductions?

Senator Caldwell.

SENATOR CALDWELL:

Hearing none then I move that we adjourn until next Tuesday at 2 P.M.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PUBLIC  
HEALTH  
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SAFETY**

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## PUBLIC HEALTH AND SAFETY

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Jean Louis, dental hygienist, Prof of Dental Hygiene at the Fones School and presently a student of public health: I'm opposed to this bill. As an educator and public health worker I do not feel and agree that a body such as the State Dental Commission which has no auxiliary representation incidentally, no consumer representation is an appropriate body to approve or disapprove of research which has the acceptance of my institution, of national councils, of federal programs some of which may have been granted, of my professional associates both hygienists, dentists and public health personnel.

This additional requirement for approval will only retard and delay the development and refinement and education of techniques designed in an attempt to provide improved dental health care to meet the vast unmet needs of the public. I feel that this board is too narrow to get the full scope of the need. Thank you very much.

Sen. Pac: Anyone else wishing to speak on 6128? For or against. If not we'll proceed to HB 5292. This is AN ACT CONCERNING LICENSURE OF DENTAL HYGIENISTS.

Rep. M. Cohen: I want to speak briefly on this bill because I introduced it and I think it's rather important. The first thing, there's a correction in the writing of the bill. In the third line where it says: any licensed dentist may employ registered women, there should be parenthesis around the women because the printers failed to put the parenthesis around.

The purpose of this bill is to enable men also to become hygienists. This bill has been on the books for some eighty-ninety years and nobody has ever noticed that it was discriminatory, especially today with the lib movement, women can be almost anything under the sun including truck drivers, but men can not be hygienists according to this bill. And as a matter of fact today all those people who go to dentists will find that 90% of the teeth cleaning are done by dentists who are men most of them. So this bill will merely permit men to study to become dental hygienists and under the law be able to practice as hygienists.

Sen. Pac: Anyone else wishing to speak on this bill? Just a minute, sir. You may proceed.

Name not given: First I want to compliment Dr. Cohen on putting this bill back in again this year because i was for it last year and I'm for it this year. In a great sense it seems rather difficult to understand how the licensure act or the dental practice act had this exclusion from the very beginning unless you go into the natural history of the dental hygienists movement was born and what has taken place since. Men are practicing dental hygiene every day, but they're registered as dentists. This in-

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creases costs. There's no reason why we shouldn't have the additional manpower of men who would desire to take accredited courses and be acceptable for licensure in this state. In nursing, Hartford Hospital here recently granted graduation a class in which there were men in the school of nursing. These are changing times and as Dr. Cohen said, we talk about the lib movement for women, I think we need the lib movement for men. I see many advantages to the veteran who comes back, who has been a corpsman in the health care field and in dentistry in the armed forces, who decides that he wants to take the prescribed kind of academic training and take the examination for licensure, why he wouldn't possibly take up dental hygiene.

In every sense we need more dental hygienists. We need more women and we need men and I'm for this bill wholeheartedly.

Se. Pac: Anyone else wishing to be heard on 5292?

Dr. Zazzaro: Mr. Chairman, my apology to Dr. Cohen. I would be derelict in my duty as Legislative Chairman of the Conn. State Dental Association if I did not report their feelings pertaining to this bill. This came up for discussion before the House of Delegates which is the ruling body for the state dental association, it has come up for discussion twice, at which time, in both instances the delegates to the Conn. State Dental Association voted against the inclusion of males.

Just to indicate, there has been some comment that this bill is unconstitutional. I'd like to just take and quote a paragraph from a communication I received from Assistant Attorney General Beyser, State of Conn. This is dated Sept. 30, 1965 in which it says: This is in response to your letter of inquiry dated Sept. 23, 1965 in which you ask whether Section 20-111 General Statutes contravenes the provisions of the 1964 Civil Rights Act. The first sentence of Section 20-111 provides as follows "Any Licensed dentist may employ registered women assistants who shall be known as dental hygienists. As you are well aware, the Federal 1964 Civil Rights Act has a chapter designed to insure equal employment opportunity, and such equal employment opportunity include instances of discrimination based on sex. However, to answer your specific question, Section 2000-E of Title 42 of the U.S. Code, a section entitled Definitions prescribes the scope of the equal employment opportunity section of the Civil Rights Act. Subsection B of Section 2000-E defines employer to mean a person who is engaged in an industry affecting commerce who has twenty-five or more employees for each working day and each twenty or more calendar weeks in the current or preceding calendar year." Thus, this is the opinion,

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the official opinion of the Conn. Dental Commission because that we are guided by the attorney general's decisions. Thus it is readily apparent that dental hygienists in the state of Conn. do not fall within the scope of the federal act. First it would be rare if at all possible to find a dentist who employs twenty-five or more persons. Secondly, and this is very appropriate, secondly, it is not reasonable to conclude that a dentist is a person engaged in an industry affecting interstate commerce.

For these two reasons, Section 20-111 of the General Statutes does not contravene the recently passed federal Civil Rights Act.

Sen. Pac: Dr, I had a question from the committee. Why did they vote against it?

Dr. Zazzaro: Pardon?

Sen. Pac: The question was why did the medical society vote against inclusion of men?

Dr. Zazzaro: The main reason for the dental society being in opposition to this is there is a fear within the profession in view of past experiences that dental technicians have practiced dentistry illegally because they were males and many times the patients did not realize that it was an unlicensed person doing dentistry for them. And they fear that this male dental hygienist would possibly, in unethical offices, now this is, would have to be in an unethical office and I don't blame totally the profession for this, it would be in unethical offices where this male hygienist would possibly perform dentistry illegally because the patient might not quite realize that he was a dental hygienist and not a dentist.

Rep. Cohen: Dr. Zazzaro, first, if this really happened, wouldn't your board have the right to take away his license? Can't we have state laws to prevent this? Because you are afraid that some male dental hygienist will practice in an office, you're preventing the right of any man to study dental hygiene. This is not a question of employment. It's a question of whether a man in America has the right to go to a hygiene school, and the University of Bridgeport told me they would welcome men, and in the face of the advice in America today that we need more dental assistants, you stand up and say that a man has no right to be a dental hygienist.

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Dr. Zazzaro: Dr. Cohen, I'm afraid you misinterpreted everything I said. When I first got up I said, with apologies to Dr. Cohen. Then I relayed the fact that I was reporting the position of the Conn. State Dental Association. In no way has the dental commission or myself explained a position on this act personally.

Rep. Cohen: Any other testimony?

Dr. Charles R. Jerge, Dean, University of Conn, School of Dental Medicine: I have a short statement related to HB 5292. I support H.B. 5292 which would allow males to practice dental hygiene. The statute as written is discriminatory, but equally important to eliminating discrimination, introducing men into this important field will help alleviate the dental health manpower shortage. The production work-life of males is generally longer than for females and there is a severe shortage of this vital type of dental health worker.

I would suggest two additional amendments to the bill as written: Dr. Cohen has already noted the first one, the deletion of the word woman in line 20. In addition in line 38, 39, 40 and 41, beginning in line 38 I would delete the words some reputable institution, delete all of line 39, delete all of line 40 and the words institutions for the purposes of this chapter in line 41. And I'd substitute for this deletion the words a program accredited by the Council on Dental Education of the American Dental Association.

The purpose for this proposed amendment is to recognize accredited schools which are accredited by the Council on Dental Education of the American, to assure accreditation of schools accredited by the Council on Dental Education of the American Dental Association.

To my knowledge this latter proposal suggested change is consistent with accepted procedure in all states across the nation in which graduates of programs approved by the Council on Dental Education are eligible for licensure in that state.

Sen. Pac: Anyone else wishing to be heard on 5292?

Jean Louis, dental hygienist: I just think it's only fair, although it rubs me the wrong way as a woman libber, to say that I would welcome men into our profession. We have a vast need for more professionally trained dental personnel and we're cutting down our recruitment by, what is it, 49%, so we welcome.

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Sen. Pac: Anyone else on 5252? The hearings are closed on Bill 5292. Now we'll proceed on to HB 5291. This is AN ACT CONCERNING COLUMBARIUMS LOCATED ON THE PREMISES OF A RELIGIOUS SOCIETY OR CORPORATION.

Rep. Frate: 150th District, town of Darien: I've sat here since ten o'clock this morning listening to the feud between the beauticians and the barbers. Now I've sat here to listen to the feud between all the professional men, chironractors and dentists and all this.

Now this bill has to do with every one of us. Eventually we're all going to take a trip and wind up in a cemetary or wind up in a vault or some situation like that, but I'm not going to take any of your time because there's an attorney here representing the religious society and he will explain what this bill would do. What it really does is correct the present law. There's a difference in the law the way it is now. So I will introduce to you Sam Dorrance who will speak on this bill.

Samuel R. Dorrance of the firm of Hawthorne, Ackerly & Dorrance in New Canaan, and I'm here on behalf of St. Luke's Parish of Darien, Conn, in support of the proposed amendments in to Sections 19-161 and 19-162 of the General Statutes. These sections as they presently exist have to do with regulation of standards of construction and use for burial vaults.

Section 19-161 prohibits the construction of "any vault, crypt, columbarium or mausoleum for public use, wholly or partially above the surface of the ground, to be used to contain the body of any dead person" except in an established cemetery of not less than five acres, and after the plans and specifications have been approved by the commissioner of health.

Section 19-162 entitled "Inspection. Burial Prohibited until Certificate Obtained" prohibits the actual use of any such structure until the issuance of a certificate certifying that the plans and specifications have been complied with.

The proposed amendment to each of these sections would simply clarify the fact that a columbarium does not fall within these regulations in the sense that a columbarium is a structure used only to contain the ashes of persons who have been cremated. The proposed amendments do not change in any way the requirement relating to