Department of Health
Notice of Rulemaking Hearing
Board of Dentistry
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Dentistry to consider the promulgation of amendments to rules, new rules, and repeal of a rule pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-5-105. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Cumberland Room of the Cordell Hull Building located at 425 Fifth Avenue North, Nashville, TN at 3:30 p.m. (CST) on the 21st day of March, 2006.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN 37247-1010, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 425 Fifth Avenue North, First Floor, Cordell Hull Building, Nashville, TN 37247-1010, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 0460-1-.01, Definitions, is amended by deleting paragraphs (19) and (22) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (19) and (22) shall read:

(19) Practical Dental Assistant - An auxiliary employee of a licensed dentist(s) who performs supportive chairside procedures under the direct supervision and full responsibility of that licensed dentist or who is a dental assistant student in an educational institution accredited by the Commission on Dental Accreditation of the American Dental Association, as defined by Rule 0460-4-.01.

(22) Registered Dental Assistant - An auxiliary employee of a licensed dentist(s) who has been issued a registration to practice intraoral dental assisting procedures in accordance with the statutes and rules of the Board, and is eligible to seek

certification and training in advanced dental assisting areas, and who practices under the direct supervision and full responsibility of a licensed dentist.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-1-.02, Fees, is amended by adding the following language as new subparagraphs (2) (j), (3) (i), (3) (j), (3) (k), and (3) (l):

(2) (j)	Administration of Local Anesthesia Certification Fee – Payable each time an application for certification is filed.	$ 50.00
(3) (i)	Radiology Certification Fee – To be paid to the Board's Administrative Office	$ 15.00
(3) (j)	Nitrous Oxide Monitoring Certification Fee – To be paid to the Board's Administrative Office	$ 15.00
(3) (k)	Expanded Restorative Functions Certification Fee – To be paid to the Board's Administrative Office	$ 15.00
(3) (l)	Expanded Prosthetic Functions Certification Fee – To be paid to the Board's Administrative Office	$ 15.00

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, and 63-5-108.

Rule 0460-1-.02, Fees, is amended by deleting subparagraph (3) (b) in its entirety and renumbering the remaining subparagraphs accordingly:

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-111.

Rule 0460-1-.14, Mobile Dental Clinics, is amended by inserting the following language as new paragraph (4), and renumbering the remaining paragraphs accordingly:

(4) School-based prevention programs whose mobile dental clinics provide only dental screenings, oral health education, oral evaluations, topical fluoride, and sealant application are not required to have the equipment listed in subparagraphs (3) (c), (3) (e) and (3) (f) of this rule.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, and 63-5-108.

Rule 0460-3-.09, Scope of Practice, is amended by deleting subparagraph (1) (u) in its entirety and renumbering the remaining subparagraphs accordingly, and is further amended by deleting subparagraph (6) (h) in its entirety and substituting instead the following language, and is further amended by inserting the following language as new subparagraph (6) (i) and renumbering the remaining subparagraphs accordingly, so that as amended, the new subparagraphs (6) (h) and (6) (i) shall read:

(6) (h) Administration of conscious sedation or general anesthesia.

(6) (i) Administration of local anesthesia on patients without certification as provided in Rule 0460-3-.12.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116.

Rule 0460-3-.09, Scope of Practice, is amended by inserting the following language as new paragraph (5) and renumbering the remaining paragraphs accordingly:

(5) Administration of local anesthesia must be under the direct supervision of a licensed dentist who, at that time, is physically present at the same office location. The licensed dental hygienist must possess certification pursuant to Rule 0460-3-.12.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116.

Rule 0460-3-.10, Restorative and Prosthetic Certifications, is amended by deleting paragraph (1) in its entirety and substituting instead the following language, so that as amended, the new paragraph (1) shall read

(1) Dental hygienists who have a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a licensed dental hygienist are eligible for admission to Board-approved certification courses in restorative and/or prosthetic functions. A licensed dental hygienist must complete a Board-approved certification course in restorative or prosthetic functions and obtain the appropriate certification, issued by the Board, before he/she can perform restorative or prosthetic functions on any patient.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-4-.01, Levels of Practice, is amended by deleting part (1) (b) 2., subparagraph (2) (b), and paragraph (3) in their entirety and substituting instead the following language, so that as amended, the new part (1) (b) 2., subparagraph (2) (b), and paragraph (3) shall read:

(1) (b) 2. It is the intent of this rule that practical dental assistants not invade the practice procedures only allowed to be assigned or delegated to registered dental assistants or licensed dental hygienists.

(2) (b) Scope of Practice - A registered dental assistant may perform those additional procedures for which they have received Board certification as provided by Rule 0460-4-.08 under the direct supervision of a dentist.

(3) Dental assistants actively enrolled in a Board approved program or a program accredited by the Commission on Dental Accreditation of the American Dental Association may concurrently be allowed to perform procedures under the direct supervision of a dentist, otherwise lawfully permitted to be performed by registered dental assistants under the direct supervision of a dentist, for the purpose of obtaining the clinical experience necessary to complete such program.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, and 63-5-108.

Rule 0460-4-.02, Registration Process, is amended by deleting paragraphs (8) and (9) in their entirety and substituting instead the following language, so that as amended, the new paragraphs (8) and (9) shall read:

(8) An applicant must submit or cause to be submitted, documentation necessary to show proof of current Cardio Pulmonary Resuscitation (CPR) certification.

(9) Application review and registration decisions required by this rule shall be governed by rule 0460-1-.04.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, and 63-5-108.

Rule 0460-4-.04, Coronal Polishing Certification, is amended by deleting paragraph (2) in its entirety and substituting instead the following language, and is further amended by inserting the following language as paragraph (5) and renumbering the present paragraphs (5) and (6) as paragraphs (6) and (7), so that as amended, the new paragraphs (2) and (5) shall read:

(2) Qualifications – To be considered for issuance of a coronal polishing certification, an applicant must have been employed as a full time dental assistant for a minimum of one (1) year prior to applying for admission to an education course in coronal polishing and has registered as a dental assistant in Tennessee, or be a current certified dental assistant, as defined in Rule 0460-1-.01, who has one (1) year of clinical experience in another state and who is currently a Tennessee registered dental assistant. The sequence of the certification process is as follows:

(a) An applicant must apply for and successfully complete an educational course, as provided in this rule, as a prerequisite for admission to the examination; or

(b) An applicant who has successfully completed a coronal polishing course in another state which was approved by the board in the other state, which the Board consultant has determined as equivalent to the Board-approved course in Tennessee, is eligible to apply directly to the Board for admission to the examination. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board. The information regarding content of the

course and proof of completion must be sent directly from the course provider to the Board's administrative office.

(c) After successful completion of the educational course or the course determined to be equivalent, an applicant must apply forty-five (45) days prior to the examination to be admitted to the examination as provided in this rule and submit proof of current certification in cardiopulmonary resuscitation.

(d) After successful completion of the examination, the Board Administrative Office will award an applicant a coronal polishing certificate.

(5) Registered Dental Assistants, who have also successfully completed a comparable assistant training program in another state in coronal polishing, are eligible to apply directly to the Board for coronal polishing certification without additional training.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-111, and 63-5-115.

Rule 0460-4-.05, Nitrous Oxide Certification, is amended by deleting paragraph (2) in its entirety and substituting instead the following language, and is further amended by inserting the following language as new paragraph (3) and renumbering the remaining paragraphs accordingly, so that as amended, the new paragraphs (20 and (3) shall read:

(2) To be eligible for certification, the registered dental assistant must successfully complete a Board-approved nitrous oxide monitoring certification course, or have successfully completed a comparable training course in another state, or be currently enrolled in an ADA-accredited or Board-approved program which offers this course as part of their curriculum. Once eligible for certification, the registered dental assistant shall not monitor nitrous oxide until certification has been issued by the Board.

(3) If the registered dental assistant completed a nitrous oxide monitoring course in another state which was approved by the board in the other state, the Board consultant may determine if the course is equivalent to the Board-approved course in Tennessee. The information regarding content of the course and proof of completion must be sent directly from the course provider to the Board's administrative office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board. Once eligible for certification, the registered dental assistant shall not monitor nitrous oxide until certification has been issued by the Board.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-4-.08, Scope of Practice, is amended by deleting paragraph (1) but not its subparagraphs and substituting instead the following language, and is further amended by

deleting subparagraph (2) (d) in its entirety and substituting instead the following language, and is further amended by adding the following language as new subparagraphs (2) (e) and (2) (f), and is further amended by deleting paragraph (3) but not its subparagraphs and substituting instead the following language, and is further amended by deleting subparagraph (3) (a) in its entirety and substituting instead the following language, and is further amended by deleting subparagraph (3) (p) in its entirety and renumbering the remaining subparagraphs accordingly, and is further amended by deleting paragraph (4) but not its subparagraphs, and is further amended by adding the following language as new subparagraphs (4) (n) and (4) (o), so that as amended, the new paragraph (1) but not its subparagraphs, the new subparagraphs (2) (d), (2) (e) and (2) (f), the new paragraph (3) but not its subparagraphs, the new subparagraph (3) (a), the new paragraph (4) but not its subparagraphs, and the new subparagraphs (4) (n) and (4) (o) shall read:

(1) A lawfully licensed and duly registered dentist may delegate to dental assistants those procedures for which they have received adequate training and for which the dentist exercises direct supervision and full responsibility, except as follows:

(2) (d) Performance of expanded restorative functions, pursuant to Rule 0460-4-.10.

(2) (e) Performance of expanded prosthetic functions, pursuant to Rule 0460-4-.10.

(2) (f) Exposure of dental radiographs, pursuant to Rule 0460-4-.11.

(3) Delegable or Assignable Procedures - In addition to those duties of the registered dental assistant which are commonly recognizable by the dental profession for safe performance, pursuant to T.C.A. § 63-5-108 a dental assistant may perform the following duties which are assigned or delegated to the dental assistant by the employer dentist:

(3) (a) The processing of radiographs, including digital, of the mouth, gums, jaws, teeth or any portion thereof for dental diagnosis.

(4) Prohibited Procedures—In addition to the duties defined as the practice of dentistry or dental hygiene by T.C.A. § 63-5-108, dental assistants are not permitted to perform the following:

(4) (n) The exposure of radiographs without certification as provided by Rule 0460-4-.11 and Rule 0460-4-.08 (2).

(4) (o) Expanded restorative or prosthetic functions without certification as provided by Rule 0460-4-.10 and Rule 0460-4-.08 (2).

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-4-.09, Sealant Application Certification, is amended by deleting subparagraphs (2) (b) and (2) (c) in their entirety and substituting instead the following language, so that as amended, the new subparagraphs (2) (b) and (2) (c) shall read:

(2) (b) Individuals enrolled in either an ADA-accredited or Board-approved dental assisting program, which has elected to include in its curriculum the Board-approved sealant application certification course, will be qualified to perform the application of sealants upon issuance of the certification. All such programs shall adhere to the requirements of Rule 0460-5-.03 (3).

(2) (c) Registered dental assistants who have successfully completed a comparable assistant training program in another state in the application of sealants are eligible to apply directly to the Board of Dentistry for a sealant application certificate without additional training, provided the course is determined by the Board consultant to be equivalent to the Board-approved course in Tennessee. The information regarding content of the course and proof of completion must be sent directly from the course provider to the Board's administrative office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-4-.10, Restorative and Prosthetic Certifications, is amended by deleting paragraph (1) in its entirety and substituting instead the following language, and is further amended by deleting paragraph (5) but not its subparagraphs and substituting instead the following language, and is further amended by adding the following language as paragraph (6), so that as amended, the new paragraph (1), the new paragraph (5) but not its subparagraphs, and the new paragraph (6) shall read:

(1) Dental assistants who have a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a dental assistant are eligible for admission to a Board-approved certification course in restorative and/or prosthetic functions. A registered dental assistant must apply for and complete a Board-approved certification course in restorative or prosthetic functions and obtain the appropriate certification, issued by the Board, before he/she can perform expanded restorative or prosthetic functions on any patient.

(5) Prohibited Procedures – The following procedures are prohibited for all dental assistants, including those who have certification in restorative or prosthetic functions:

(6) Registered dental assistants, who have also successfully completed a comparable assistant training program in another state in expanded prosthetic or restorative functions, are eligible to apply directly to the Board for an expanded functions certificate without additional training.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-5-.02, Schools, Programs and Courses for the Dental Hygienist, is amended by deleting parts (3) (c) 1. and (4) (c) 1. in their entirety and substituting instead the following language, and is further amended by amended by adding the following language as new paragraph (5), so that as amended, the new parts (3) (c) 1. and (4) (c) 1., and the new paragraph (5) shall read:

(3) (c) 1. The certification course shall admit only those dental hygienists who are currently licensed, pursuant to Rule 0460-3-.01, .02, or .03, and who submit proof of a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a dental hygienist.

(4) (c) 1. The certification course shall admit only those dental hygienists who are currently licensed, pursuant to Rule 0460-3-.01, .02, or .03, and who submit proof of a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a dental hygienist.

(5) Certification Course in Administration of Local Anesthesia

(a) Application for Board Approval – The director of a certification course in administration of local anesthesia shall make application for approval to operate that course of study on forms to be provided by the Board. The completed application must be received in the Board's Office at least thirty (30) days prior to the next regularly scheduled Board meeting in order for the Board to review the application. The director of the certification course will be notified in writing of the Board's action(s).

(b) Exemption from Board Approval – Dental hygiene programs accredited by the American Dental Association (ADA) Commission on Dental Accreditation which teach administration of local anesthesia to the level of clinical competency to the students enrolled in the associate, bachelor, or master degree program are exempt from obtaining Board approval.

1. Students who complete a course taught within their associate, bachelor, or master degree program shall have the program send an original letter on school letterhead signed by the program director attesting to successful completion of the course to the level of clinical competency.

2. Students shall submit the certification application and fee.

3. The certification will not be issued until the required information is received and the dental hygiene license has been issued.

(c) Retention of Approval.

1. The certification course must be taught at an educational institution as defined in part (5) (d) 2. of this rule and shall maintain strict compliance with all minimum standards for admissions, facilities, instructor(s), equipment, and curriculum as set forth in this rule, as amended/may be amended, in order to obtain and/or retain Board approval.

2. The certification course shall be subject to on-site inspections by representatives of the Board and/or required to complete such paper surveys, as requested.

3. The Board shall be notified immediately of any changes made in the operation of the certification course, such as change of location, directorship, and/or instructors. A new certificate of approval will be issued in the event of change in directorship of the course.

4. Certificates of approval shall be issued for two (2) years and shall expire on December 31st every two (2) years.

(d) Minimum Standards for Admissions, Facilities, Instructor(s), Equipment, and Curriculum.

1. The certification course shall admit only those dental hygienists who are currently licensed, pursuant to Rule 0460-3-.01, .02, or .03.

2. The certification course shall be taught at an educational institution accredited by the Commission on Dental Accreditation of the American Dental Association and approved by the board.

3. The certification course may only be taught by:

(i) Tennessee licensed dentists who are faculty members at an accredited school of dentistry or dental hygiene and who have experience teaching the administration of local anesthesia; or

(ii) Tennessee licensed dental hygienists with certification in the administration of local anesthesia who are faculty members at an accredited school of dentistry or dental hygiene and who have experience teaching the administration of local anesthesia. Such dental hygienist

instructors may only teach the certification course while under the direct supervision of a qualified instructor-dentist.

4. The clinical instructor-to-student ratio must be one (1) instructor to six (6) students (1:6).

5. The certification course shall consist of a didactic section of twenty-four (24) hours and a clinical section of no less than eight (8) hours for a total of at least thirty-two (32) hours of study in administration of local anesthesia.

   (i) Each student must pass a competency examination on the material covered in the didactic section before continuing to the clinical section of the course. Students who do not pass the competency examination may be offered remediation before the start of the clinical experience.

   (ii) Passage of a clinical competency examination, including satisfactorily performing injections.

   (iii) Upon successful completion of the course, the certification application and fee must be submitted by the student.

   (iv) The director/instructor of the certification course shall, within ten (10) days after course completion submit a letter, on school letterhead, for each student which attests to the student's successful completion of the course and the student's examination grade. The completed forms shall be submitted directly to the Board's Administrative Office by the director/instructor.

   (v) The student will be issued a temporary local anesthesia certification to complete a ninety (90) day extern in the office of the employer dentist(s). During the extern the following injections must be successfully completed:

      (I) Minimum of fifteen (15) inferior alveolar blocks:

      (II) Minimum of fifteen (15) posterior superior alveolar;

      (III) Minimum of two (2) each of the following:

         I. Middle superior alveolar;

         II. Anterior superior alveolar;

III. Nasopalatine;

IV. Greater palatine;

V. Long buccal;

VI. Mental block; and

VII. Lingual block.

(vi) The employer dentist(s) must submit, on a form provided by the board, proof of successful completion of the injections required by subpart (5) (d) 5. (v) of this rule.

(vii) Upon receipt of proof of successful completion of the injections, the certification for administration of local anesthesia will be issued.

(viii) Extensions of the ninety (90) day temporary permit will be considered on a case-by-case basis upon receipt of written documentation stating the reason an extension is requested. The board consultant has the authority to grant or deny the request.

6. The course syllabus must be approved by the Board and meet the following requirements:

(i) Didactic Section - The didactic section shall be designed and conducted to provide the student with detailed knowledge of administration of local anesthesia, including didactic studies and clinical experience in the administration of posterior superior alveolar, middle superior alveolar, anterior superior alveolar, nasopalatine, greater palatine, long buccal, mental block, lingual block, inferior alveolar block and infiltration techniques, medical history and physical evaluation of the patient, and the prevention, diagnosis, and management of medical emergencies which can be encountered in the dental patient. The didactic section of the course shall include instruction in all of the following subject matters:

(I) Medical history evaluation procedures;

(II) Physical evaluation;

(III) Understanding pharmacology of local anesthesia and vasoconstrictors;

(IV) Anatomy of head, neck and oral cavity as it relates to administering local anesthetic agents;

(V) Indications and contraindications for administration of local anesthesia;

(VI) Selection and preparation of the armamentaria and record keeping for administering various local anesthetic agents;

(VII) Medical and legal management complications;

(VIII) Recognition and management of post-injection complications and management of reactions to injections;

(IX) Proper infection control techniques with regard to local anesthesia and proper disposal of sharps;

(X) Methods of administering local anesthetic agents with emphasis on:

I. Technique;

II. Aspiration;

III. Slow injection; and

IV. Minimum effective dosage;

(XI) Medical emergency, prevention, diagnosis, and management;

(XII) Instruction in the philosophy and psychology of the use of local anesthesia;

(XIII) A review of the physiology of nerve conduction;

(XIV) A review of regional anatomy;

(XV) A survey of local anesthetic agents on nerve conduction;

(XVI) A review of the metabolism and excretion of local anesthetics;

(XVII) Instruction on toxicity of local anesthetic drugs;

(XVIII) Instruction on the clinical manifestations of toxic reactions;

(XIX) Instruction on the treatment of toxic reactions;

(XX) Instruction on allergic reactions to local anesthetic drugs;

(XXI) Instruction on the clinical manifestations of allergic reactions;

(XXII) Instruction on the treatment of allergic reactions to local anesthetics;

(XXIII) Instruction regarding vasoconstrictor drugs used in local anesthetics;

(XXIV) Instruction on the clinical manifestations of toxic reactions to vasoconstrictor drugs used in local anesthesia;

(XXV) Instruction on the treatment of toxic reactions to vasoconstrictors used in local anesthesia;

(XXVI) Instruction on drug interactions related to local anesthesia;

(XXVII) Re-injecting when necessary; and

(XXVIII) Estimating the highest safe dosage of local anesthesia based upon the weight and/or age of the patient.

(ii) Clinical Section - The clinical section must be provided under the supervision of qualified faculty, and the students must be evaluated for competency. The clinical section of the course shall include instruction in all of the following subject matters:

(I) Evaluation the patient's health status;

(II) Taking the patient's vital signs;

(III) Administering local anesthetic infiltrations;

(IV) Administering local anesthetic nerve blocks; and

(V) Monitoring the patient's physical status while under the effects of local anesthetics.

(e) The instructor shall provide a copy of the syllabus to the student before or at the beginning of each course, setting forth the materials to be presented in the course and the evaluation criteria to be utilized by the clinical instructor to determine successful completion of the certification course.

(f) The passing grade on each competency examination is set at seventy-five per cent (75%). If the student initially fails any competency examination, the exam may be taken no more than one (1) additional time before the entire course must be retaken and the exam retaken. The examination shall be developed and administered by the course instructors in such a manner as to determine competency for the administration of local anesthesia.

(g) The certification course shall not issue continuing education credit hours for the course, except to those individuals already certified to administer local anesthesia in Tennessee.

(h) Failure to adhere to the rules governing the certification course or to provide access to inspection, pursuant to subparagraph (5) (c) of this rule, may subject the course provider and students to invalidation of the course results and withdrawal of course approval issued by the Board.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116.

Rule 0460-5-.03, Schools, Programs, and Courses for the Registered Dental Assistant, is amended by deleting paragraph (5) but not its subparagraphs and substituting instead the following language, and is further amended by deleting subparagraph (5) (a) in its entirety and substituting instead the following language, and is further amended by deleting part (5) (c) 1. in its entirety and substituting instead the following language, and is further amended by deleting paragraph (6) but not its subparagraphs and substituting instead the following language, and is further amended by deleting subparagraph (6) (a) in its entirety and substituting instead the following language, and is further amended by deleting part (6) (c) 1. in its entirety and substituting instead the following language, and is further amended by adding the following language as paragraph (7), so that as amended the new paragraph (5) but not its subparagraphs, the new subparagraph (5) (a), the new part (5) (c) 1., the new paragraph (6) but not its subparagraphs, the new subparagraph (6) (a), the new part (6) (c) 1. and the new paragraph (7) shall read:

(5) Certification Course in Expanded Restorative Functions

(5) (a) Application for Board Approval – The director of a certification course in expanded restorative functions shall make application for approval to operate that course of study on forms to be provided by the Board. The completed application must be received in the Board's administrative office at least thirty (30) days prior to the next regularly scheduled Board meeting in order for the Board to review the application. The director of the certification course will be notified in writing of the Board's action(s).

(5) (c) 1. The certification course shall admit only those registered dental assistants who are currently licensed, pursuant to Rule 0460-4-.02, and who submit proof of a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a registered dental assistant.

(6) Certification Course in Expanded Prosthetic Functions

(6) (a) Application for Board Approval – The director of a certification course in expanded prosthetic functions shall make application for approval to operate that course of study on forms to be provided by the Board. The completed application must be received in the Board's administrative office at least thirty (30) days prior to the next regularly scheduled Board meeting in order for the Board to review the application. The director of the certification course will be notified in writing of the Board's action(s).

(6) (c) 1. The certification course shall admit only those registered dental assistants who are currently licensed, pursuant to Rule 0460-4-.02, and who submit proof of a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a registered dental assistant.

(7) Certification Course in Dental Radiology

(a) Application of Rules – This section shall apply to both Tennessee ADA accredited and Board-approved dental assistant programs, as well as any other individual or entity which desires to establish such a certification course to admit and educate students who are currently registered dental assistants.

(b) Application for Board Approval – The owner and/or director of a certification course in dental radiology shall make application for approval to operate that course of study on forms to be provided by the Board. The completed application must be received in the Board's Office at least thirty (30) days prior to the next regularly scheduled Board meeting in

order for the Board to review the application. The owner and/or director of the certification course will be notified in writing of the Board's action. This section shall also apply to all ADA accredited and Board-approved dental assisting programs.

(c) Retention of Approval.

1. The certification course, whether offered independently or as a part of the curriculum taught by a dental assisting program, shall maintain strict compliance with all minimum standards for admissions, facilities, instructor(s), equipment, and curriculum as set forth in this rule, as amended/may be amended, in order to obtain and/or retain Board approval.

2. The certification course shall be subject to on-site inspections by representatives of the Board and/or required to complete such paper surveys, as requested.

3. The Board shall be notified immediately of any changes made in the operation of the certification course, such as change of location, directorship, and/or instructors. A new certificate of approval will be issued in the event of change in either ownership or directorship of the course.

4. Certificates of approval shall be issued for one (1) year and shall expire on December 31st of any given year.

(d) Minimum Standards for Admissions, Facilities, Instructor(s), Equipment and Curriculum.

1. The certification course shall admit only those registered dental assistants who are currently registered pursuant to Rule 0460-4-.01 (2), or are currently enrolled in an ADA-accredited or Board-approved program which offers this course as a part of its curriculum. It is the responsibility of the course owner/director to ensure that only currently registered dental assistants are admitted to the course.

2. The certification course shall be taught by a dentist who is licensed in good standing by the Tennessee Board of Dentistry. The dentist/clinical instructor may employ and/or utilize licensed dental hygienists or registered dental assistants certified in dental radiology to assist during the clinical portion of the course.

3. The class shall be limited to forty (40) students and the clinical instructor-to-student ratio must be no less than one (1) instructor to

eight (8) students (1:8) for the clinical portion ofthe course.

4. The certification course shall consist of a minimum of fourteen (14) hours of study. The course syllabus must be approved by the Board and this didactic course shall be designed and conducted to provide the student with detailed knowledge of dental radiology including radiation health and safety and its application to dentistry. The course shall include instruction in all of the following subject matters:

(i) Expose and evaluate

(I) Select appropriate radiographic technique.

(II) Select appropriate radiographic film to examine, view, or survey conditions, teeth or landmarks.

(III) Select appropriate equipment for radiographic techniques.

(IV) Select patient management techniques before, during and after radiographic exposures.

(ii) Radiation Safety

(I) Patient.

(II) Operator.

(iii) Quality Assurance

(I) Identify exposure errors and ways to avoid these errors in future exposures.

(II) Identify processing errors and ways to avoid these errors.

(III) Correctly mount and label radiographs for diagnostic assessment.

(e) Upon completion of the course, students shall be evaluated by written examination. The passing grade shall be seventy percent (70%). If the student initially fails the written examination, the exam may be taken no more than two (2) additional times before the course must be retaken and the exam retaken. The examination shall be developed and administered

by the course director/instructor in such a manner as to determine competency in dental radiology.

(f) The certification course, or dental assisting school, shall not issue continuing education credit hours for the course.

(g) The director/instructor of the certification course shall, within thirty (30) days after course completion or upon graduation from the dental assisting school, complete a form, provided by the Board, for each student to attest to the student's successful completion of the course and the student's examination grade. The completed forms shall be submitted directly to the Board's Office by the director/instructor.

(h) Failure to adhere to the rules governing the certification course or to provide access to inspection, pursuant to Rule 0460-5-.03 (7) (c), may subject the course provider and students to invalidation of the course results and withdrawal of course approval issued by the Board.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

New Rules

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0460-3-.12 Administration of Local Anesthesia Certification
0460-4-.11 Dental Radiology Certification

0460-3-.12 Administration of Local Anesthesia Certification. A licensed dental hygienist in Tennessee must obtain certification to administer local anesthesia before he/she can administer local anesthesia on any patient.

(1) Qualifications for Certification – One (1) of the following qualifications must be completed:

(a) Be a graduate of an ADA Commission on Dental Accreditation approved dental hygiene program which teaches the administration of local anesthesia to clinical competency; or

(b) Complete a Board-approved certification course in administration of local anesthesia; or

(c) Have completed a certification course in another state that the Board determines is equivalent to the Board-approved course. The course must submit the curriculum, including the number of hours and injections required in the course, and a letter attesting that the

course was taught to clinical competency to the Board's Administrative Office for review by the Board. If the Board determines the course is not equivalent, the licensed dental hygienist will be required to comply with the provisions of subparagraphs (a) or (b) before certification can be issued.

(2) Procedures for Certification – After successful completion of a Board-approved certification course, an ADA Commission on Dental Accreditation dental hygiene program which included instruction in the administration of local anesthesia or a certification course from another state that is equivalent to the Board-approved course, an applicant shall:

(a) submit a completed application on a form provided by the Board Administrative Office; and

(b) submit the Local Anesthesia Certification Fee required by 0460-1-.02; and

(c) cause verification of successful completion of a the course attesting that the course was taught to clinical competency to be sent must be sent directly from the school to the Board Administrative Office. If the course was Board-approved, a temporary permit will be issued pending verification of completion of the externship.

(3) Conditions of Certification

(a) Certification in administration of local anesthesia is valid only when the dental hygienist has a current license to practice dental hygiene. If the license expires or is retired, the certification is also considered expired or retired and the dental hygienist may not perform administration of local anesthesia until the license is reinstated or reactivated.

(b) A licensed dental hygienist with certification to administer local anesthesia shall prominently display, at the place of employment, the current renewal certificate, which is received upon licensure and renewal.

(c) A licensed dental hygienist with certification to administer local anesthesia shall administer local anesthesia only under the direct supervision of a licensed dentist who

1. examines the patient before prescribing the procedures to be performed; and

2. is physically present at the same office location when the local anesthesia is administered; and

3. designates a patient of record upon whom the procedures are to be performed and describes the procedures to be performed; and

4. examines the patient upon completion of the procedures.

(d) Following the administration of local anesthesia by a licensed dental hygienist the following information shall be documented in the patient record:

1. date and time of administration;

2. identity of individual administering;

3. type of anesthesia administered;

4. dosage/amount administered;

5. location/site of administration; and

6. any adverse reaction.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116.

0460-4-.11 Dental Radiology Certification.

0460-4-.11 Dental Radiology Certification. Registered dental assistants with this certification may expose dental radiographs under the direct supervision of a licensed dentist.

(1) A dental assistant must be currently registered, pursuant to Rule 0460-4-.02, by the Board in order to be eligible to attend a certification course in dental radiology and/or qualify for certification.

(2) To be eligible for certification, the registered dental assistant must successfully complete a Board-approved dental radiology training course or be currently enrolled in an ADA-accredited or Board-approved program which offers this course as part of their curriculum. Once eligible for certification, the registered dental assistant shall not expose dental radiographs until certification has been issued by the Board.

(3) Registered dental assistants, who have also successfully completed a comparable assistant training program in another state in dental radiology,

are eligible to apply directly to the Board of Dentistry for a dental radiology certificate without additional training.

(4) Dental radiology certification shall be added to the registration of the registered dental assistant, if the registered dental assistant has successfully completed a Board-approved certification course and notification of completion has been submitted to the Board's Administrative Office by the course director on a form provided by the Board.

(5) Registered dental assistants with radiology certification shall prominently display their current registration certification, which is received upon registration and renewal, at their place of employment.

(6) Certification in dental radiology is only valid as long as the registered dental assistant has a current registration. If the registration expires or is retired, the certification is also considered expired or retired and the dental assistant may not expose dental radiographs until the registration is reinstated or reactivated.

(7) Application review and decisions required by this rule shall be governed by 0460-1-.04.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Repeal

Rule 0460-4-.03, Examinations is repealed.

Authority: T.C.A. § 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-111.

Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, First Floor, Cordell Hull Building, 425 Fifth Avenue North, Nashville, TN, 37247-1010, (615) 532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Dentistry.

Robbie H. Bell, Director
Division of Health Related Boards

Subscribed and sworn to before me this the 26th day of January, 2006.

Notary Public

My commission expires on the 25th day of March, 2006.

The notice of rulemaking set out herein was properly filed in the Department of State on the 27 day of Jan, 2006.

Riley C. Darnell
Secretary of State

By: _____

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