

LCB File No. R231-03

PROPOSED REGULATION OF THE STATE
BOARD OF DENTAL EXAMINERS

PROPOSED CHANGES TO NAC 631.173 THROUGH NAC 631.177

NOTE: All changes to the regulations are noted as follows: ~~⊠~~ around a word or phrase indicate that that portion of the present regulation is to be deleted, words shown in bold italic print indicate addition to the present regulation.

NAC 631.173 Continuing education: Required hours; types of courses and activities; approval of provider or instructor. (NRS 631.342)

1. Each dentist ~~[and dental hygienist]~~ licensed to practice in this state shall complete at least ~~[12]~~ **20** hours of instruction in approved courses of continuing education to qualify for license renewal. Hours of instruction may not be transferred or carried over from one licensing period to another.

(a) Fifteen (15) hours or more of recognized continuing dental education shall be in one or more of the following areas: Dental and medical health, preventive services, dental diagnosis and treatment planning, dental clinical procedures including courses in corrective and restorative oral health procedures and basic dental sciences which may include current dental research or new concepts in dentistry.

(b) Five (5) credit hours of recognized continuing dental education may be in the following areas: Dental practice organization and management, patient management skills, methods of health care delivery and teaching methodology.

(c) Six (6) hours or fewer may be in home study programs.

Each dental hygienist licensed to practice in this state shall complete at least ~~[12]~~ 15 hours of instruction in approved courses of continuing education to qualify for license renewal. Hours of instruction may not be transferred or carried over from one licensing period to another.

(d) Twelve (12) hours or more of recognized continuing dental education may be in one or more of the following areas: Dental and medical health, preventive services, dental diagnosis and treatment planning, dental clinical procedures including courses in corrective and restorative oral health procedures and basic dental sciences which may include current dental research or new concepts in dentistry.

(e) Three (3) credit hours of recognized continuing dental education may be in the following areas: Dental practice organization and management, patient management skills, methods of health care delivery and teaching methodology.

(f) Six (6) hours or fewer may be in home study programs.

2. In addition to the hours of instruction prescribed in subsection 1, each dentist and dental hygienist shall maintain current certification in administering *either* cardiopulmonary resuscitation or another medically ~~[acceptable means of]~~ **advanced course in** maintaining basic bodily functions which support life. ~~[Any course in administering cardiopulmonary resuscitation must be taken from an instructor certified in cardiopulmonary resuscitation.]~~ ***Either type of course must be taken from a certified instructor and a current certificate of completion must be presented to the Board at the time of license renewal.***

3. Any provider of, or instructor ~~in~~ ~~for~~ a course ~~in~~ ~~of~~ continuing education relating to the practice of dentistry or dental hygiene which meets the requirements of this section must be approved by the board, unless the course is for training in cardiopulmonary resuscitation or is approved by:

- (a) The American Dental Association or the societies which are a part of it;
- (b) The American Dental Hygiene Association or the societies which are part of it;
- (c) The Academy of General Dentistry;
- (d) Any nationally recognized association of *dental or medical* specialists;
- (e) Any university, college or community college, whether located in or out of Nevada; or
- (f) Any hospital accredited by the Joint Commission of the Accreditation of Hospitals.

4. To be approved as a provider of a course in continuing education, the instructor of the course must complete a form provided by the board and submit it to the board for review by a committee appointed by the board not later than 45 days before the beginning date of the course. Upon receipt of the form, the committee shall approve or disapprove the application *within ten (10) days* and inform the applicant of its decision.

5. Study by group may be approved for continuing education if the organizer of the group complies with the requirements of subsection 4 and furnishes the board with a complete list of all members of the group, a synopsis of the subject to be studied, and the time, place and duration of the meetings of the group and the method by which attendance is recorded and authenticated.

6. Credit may be allowed for attendance at a meeting or a convention of a dental and dental hygiene society.

7. Credit may be allowed for courses completed at home which are taught through correspondence or video cassettes.

NAC 631.175 Continuing education; Maximum number of hours of instruction for types of courses or activities. (NRS 631.342) The board will credit as a maximum in any renewal period, the following number of hours of instruction for the following types of courses or activities:

1. *Three (3) hours or fewer* ~~for~~ for approved study by a group ~~, 3 hours~~.
2. *One (1) hour* ~~for~~ for attendance at a meeting or convention of a dental or dental hygiene society, ~~1 hour for each meeting,~~ but no more than *three (3) hours*, exclusive of hours of continuing education offered in conjunction with the meeting.

3. For all other courses conducted by an approved instructor, the number of hours completed by the licensee.

~~[Not more than 50 percent of the required hours of instruction may consist of courses completed in the home through correspondence or video cassettes.]~~ *Six (6) hours or fewer of instruction for a dentist and dental hygienist may consist of courses completed in the home through correspondence or video cassettes.*

NAC 631.177 Continuing education: Renewal or reinstatement of license; records; unprofessional conduct; audits. (NRS 631.342)

1. When requesting a renewal or reinstatement of his license, each licensee shall submit a signed ~~, written~~ statement in substantially the following language for each year since his last renewal:

a. Dentist

I, _____, hereby certify to the board of dental examiners that I have obtained at least ~~[12]~~ **20** approved hours of instruction in continuing education during the period July 1, _____, through and including June 30, _____. I also certify to the board of dental examiners that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.
Dated this _____(day) of _____(month) of _____(year)

Signature of Licensee

b. Dental Hygienist

*I, _____, hereby certify to the board of dental examiners that I have obtained at least ~~[12]~~ **15** approved hours of instruction in continuing education during the period July 1, _____, through and including June 30, _____. I also certify to the board of dental examiners that I am currently certified in administering cardiopulmonary resuscitation or another medically acceptable means of maintaining basic bodily functions which support life.*
Dated this _____(day) of _____(month) of _____(year)

Signature of Licensee

PROPOSED CHANGES TO NAC 631.210

NOTE: All changes to the regulations are noted as follows: ~~[]~~ around a word or phrase indicate that that portion of the present regulation is to be deleted, ***words shown in bold italic print indicate addition to the present regulation.***

NAC 631.210 Duties delegable to dental hygienists. (NRS 631.190)

1. A dentist who is licensed in this state may authorize a dental hygienist in his employ to:

(a) ~~[Administer topical anesthetics and topical desensitizing agents in any form except aerosol.]~~

~~[(b)]~~ Remove stains, deposits and accretions, including dental calculus.

~~[(e)b]~~ Smooth the natural and restored surface of a tooth by using the procedures and instruments commonly used in oral prophylaxis, except that an abrasive stone, disc, or bur may be used only to polish a restoration. As used in this paragraph, “oral prophylaxis” means the ~~[preventative]~~ ***preventive*** dental procedure of scaling and polishing which includes the removal of calculus, soft deposits, plaques and stain and the smoothing of unattached tooth surfaces in order to create an environment in which hard and soft tissues can be maintained in good health by the patients.

~~[(d)c]~~ ~~[Inspect and record the condition of a patient’s teeth.]~~ ***Provide dental hygiene care that includes;***

(1) Assessment of patient oral health by means of medical and dental histories,

radiographs, indices, risk assessments, intra and extra-oral procedures to analyze and identify patient needs and oral health problems.

(2) Development of a Dental Hygiene Care Plan to address those needs that can be fulfilled through dental hygiene treatment strategies to facilitate optimal oral health.

(3) Implementation of appropriate dental hygiene treatment as identified in the assessment and planning phase.

(4) Evaluation of oral and periodontal health status after dental hygiene treatment and identification of subsequent treatment needs, continuing care and referral.

~~(e)d~~ Take the following types of impressions:

(1) Those used for the preparation of diagnostic models;

(2) Those used for the fabrication of temporary crowns or bridges; and

(3) Those used for the fabrication of temporary removal appliances, provided no missing teeth are replaced by those appliances.

~~(f) Apply a fluoride preparation to teeth.~~

~~(g)e~~ Perform subgingival curettage.

~~(h)f~~ Expose radiographs.

~~(i)g~~ Place and remove a periodontal pack.

~~(j)h~~ Remove excess cement from cemented restorations and orthodontic appliances. A dental hygienist may not use a rotary cutting instrument to remove excess cement from restorations or orthodontic appliances.

~~(k)i~~ Train and instruct persons in the techniques of oral hygiene and ~~[preventative]~~ *preventive* procedures.

~~(l)j~~ ~~[Repair temporary crowns and bridges.]~~ *Place a temporary restoration with non-permanent material as a palliative treatment.*

~~(m)k~~ Recement *and repair* temporary crowns and bridges *and permanent crowns and bridges with a non-permanent material as a palliative treatment.*

(l) Administer local intra-oral chemotherapeutic agents including but not limited to: antimicrobial agents, fluoride preparations, topical antibiotics, topical anesthetic and topical desensitizing agents in any form except aerosol.

(m) Apply pit and fissure sealant to the dentition for the prevention of decay.

Before performing any of the services set forth in this subsection, the dental hygienist must obtain ~~[the]~~ authorization from the licensed dentist of the patient on whom the services are to be performed, ~~[and]~~ the patient must have been examined by the dentist no more than 18 months before the services are to be performed ~~[by the dental hygienist]~~ *and include appropriate continuing care by the authorizing dentist.*

2. A dentist who is licensed in this state may authorize a dental hygienist in his employ and under his supervision to:

(a) Remove sutures

(b) Place and secure orthodontic ligatures.

~~(c)e~~ ~~Apply topical antibiotics.~~

~~(d)c~~ Fabricate and place temporary crowns and bridges. ~~[This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.]~~

~~(e)d~~ Apply pit and fissure sealant to the dentition for the prevention of decay. ~~[This procedure must be checked and approved by the supervising dentist before dismissal of the patient from the office of the dentist.]~~

~~(f)e~~ Fit orthodontic bands and prepare teeth for orthodontic bands if the bands are cemented or

bonded, or both, into the patient's mouth by the dentist who authorized the dental hygienist to perform this procedure.

(f) Perform non-surgical cytologic testing.

The dental hygienist must obtain ~~the~~ authorization from the licensed dentist of the patient on whom the services are to be performed.

3. If a dentist who is licensed in this state has in his employ and under his supervision a dental hygienist who has:

(a) Successfully completed a course of continuing education in the administering of local anesthetics or nitrous oxide-oxygen analgesia, or both, which has been approved by the board; or

(b) Graduated from an accredited program of dental hygiene which includes the administering of local anesthetics or nitrous oxide-oxygen analgesia, or both, in its curriculum,

The dentist may authorize the dental hygienist to administer local anesthetics or nitrous oxide-oxygen analgesia, or both, as appropriate, if the dental hygienist has received from the board a certificate certifying the hygienist to this level of proficiency. The dental hygienist must obtain authorization from the licensed dentist of the patient on whom the services are to be performed.

4. A dental hygienist in a health care facility may ~~apply topical antibiotics,~~ ***administer local intra-oral chemotherapeutic agents,*** and if he has complied with paragraph (a) or (b) of subsection 3, may administer local anesthetics or nitrous oxide-oxygen analgesia or both, as appropriate, if he first:

(a) Obtains written authorization from the licensed dentist of the patient to whom the local anesthetics, nitrous oxide-oxygen analgesia or ~~topical antibiotics~~ ***local intra-oral chemotherapeutic agents*** are to be administered; and

(b) Submits to the secretary-treasurer of the board a written confirmation from the director of the health care facility that the facility has licensed medical personnel and necessary emergency supplies and equipment that will be available when the local anesthetics, nitrous oxide-oxygen analgesia or ~~topical antibiotics~~ ***local intra-oral chemotherapeutic agents*** are administered.

5. The board may authorize a dental hygienist to perform the following services without supervision by a dentist and without authorization from the licensed dentist of the patient on whom the services are to be performed, at a health facility, a school or a place in this state approved by the board ***after submission and approval of a treatment procedure protocol that outlines methods of dental hygiene care including timely continuing care and a referral mechanism for diagnostic services provided by a licensed dentist:***

(a) The services set forth in paragraphs (a) to (m), inclusive, of subsection 1 ~~and~~.

~~[(b) Application of pit and fissure sealant to the dentition for the prevention of decay, if:
—— (1) The sealant is an unfilled resin; and
—— (2) The sealant is applied in accordance with the diagnosis made by a licensed dentist not more than 6 months before the application of the sealant by the dental hygienist.]~~

A certificate of Public Health Dental Hygiene Endorsement shall be granted to a dental hygienist upon approval of the Board. This certificate is active for one year from the date of Board authorization and may be renewed by the Board upon completion and acceptance of an annual accountability report. A treatment procedure protocol must outline methods of dental hygiene care including a referral mechanism for diagnostic services provided by a dentist. This authorization is revocable by the Board. Should the Board revoke this authorization the dental hygienist and/or health facility, school or place approved by the Board may reapply.

6. As used in this section:

(a) "Health care facility" has the meaning ascribed to it in subsection 1 of NRS 449.800.

(b) "Health facility" has the meaning ascribed to it in subsection 6 of NRS 449.260.

(c) "School" means an elementary, secondary or postsecondary educational facility, public or private, in this state.