

LCB File No. R217-99

**PROPOSED REGULATION OF THE
BOARD OF DENTAL EXAMINERS OF NEVADA**

**NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of Hearing for the Amendment
of Regulations of the Nevada State Board of Dental Examiners**

The Nevada State Board of Dental Examiners will hold a public hearing at 10:30 a.m. on Saturday, January 15, 2000, at the offices of the Board, 2295-B Renaissance Drive, Las Vegas, Nevada 89119. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations pertaining to chapter 631 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.060:

1. The need for and purpose of the proposed amendment to regulations is the full utilization of the training and skills of licensed dental hygienists in the administration of local anesthesia.
2. The subjects and issues involved in the proposed amendments to regulations deal with allowing licensed dental hygienists to administer local anesthesia to dental patients. Under the old regulations qualified dental hygienists were allowed to administer local anesthesia for dental hygiene procedures only. The amendment to the regulation allows qualified dental hygienists to administer local anesthesia to dental patients for any and all procedures.
3. Both the public and the profession will benefit from the providing of services by qualified individuals.
4. The cost for enforcement of this regulations will not increase the current total cost for regulating the dental and dental hygiene professions.
5. To our knowledge, this amendment does not overlap or duplicate any other state, local or federal regulation or statute.
6. The amendment is not required pursuant to a federal law.
7. To our knowledge there are no federal regulations governing the practice of dentistry or dental hygiene.
8. No new fees are proposed.

Persons wishing to comment upon the proposed action of the Nevada State Board of Dental Examiners may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to the Nevada State Board of Dental Examiners, 2225 Renaissance Drive, Suite E, Las Vegas, Nevada 89119. Written submissions must be received by the Nevada State Board of Dental Examiners on or before January 10, 2000. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Dental Examiners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by the public during business hours. Additional copies of this notice and the proposed regulation will be available at the Nevada State Board of Dental Examiners, 2225 Renaissance Drive, Suite E, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been posted at the following locations:

Carson City County Courthouse, 198 N. Carson Street, Carson City, Nevada.
Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada.
Elko County Courthouse, Room 106, Elko, Nevada.
Washoe County Courthouse, 75 Court Street, Reno, Nevada.
Office of the N.S.B.D.E., 2225-E Renaissance Drive, Las Vegas, Nevada.
Carson City Library, 900 N. Roop St., Carson City, Nevada.
Churchill County Library, 553 S. Main St., Fallon, Nevada.
Las Vegas Library, 833 Las Vegas Blvd, North, Las Vegas, Nevada.
Douglas County Library, 1625 Library Lane, Minden, Nevada.
Elko County Library, 720 Court St., Elko, Nevada.
Goldfield Public Library, Fourth & Crook St., Goldfield, Nevada.
Eureka Branch Library, 10190 Monroe St., Eureka, Nevada.
Humboldt County Library, 85 East 5th St., Winnemucca, Nevada.
Battle Mountain Branch Library, 625 Broad St., Battle Mountain, Nevada.
Lincoln County Library, 93 Main Street, Pioche, Nevada.
Lyon County Library, 20 Nevin Way, Yerington, Nevada.

Mineral County Library, First & A Street, Hawthorne, Nevada.
Tonopah Public Library, 171 Central St., Tonopah, Nevada.
Pershing County Library, 1125 Central Ave., Lovelock, Nevada.
Storey County Library, 95 South R. St., Virginia City, Nevada.
Washoe County Library, 301 S. Center St., Reno, Nevada.

PROPOSED REGULATION OF THE BOARD OF DENTAL EXAMINERS OF NEVADA

Deletions designated by **H**
Additions designated by *italics*

NAC 631.210 Duties delegable to dental hygienists.

1. A dentist who is licensed in the State of Nevada 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.

(c) 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 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 patient.

(d) Inspect and record the condition of a patient's teeth.

(e) 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) Perform subgingival curettage.

(h) Expose radiographs.

(i) Place and remove a periodontal pack.

(j) 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) Train and instruct persons in the techniques of oral hygiene and preventative procedures.

(l) Repair temporary crowns and bridges.

(m) Recement temporary crowns and bridges.

Before performing any of the services set forth in this subsection, the dental hygienist must obtain authorization from the licensed dentist of the patient on whom the services are to be performed and the patient must have been examined by that dentist not more than 18 months before the services are to be performed by the dental hygienist.

2. A dentist who is licensed in the State of Nevada may authorize a dental hygienist in his employ and under his supervision to:

(a) Remove sutures.

(b) Place and secure orthodontic ligatures.

(c) Apply topical antibiotics.

(d) 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) 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) 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.

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 the State of Nevada 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, ~~for dental hygienic procedures~~ if the dental hygienist has received from the board a certificate certifying the hygienist to this level of proficiency. The dental hygienist must obtain the 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 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, ~~for dental hygienic procedures~~ 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 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 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:

(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 if:

(1) The sealant is an unfilled resin; and

(2) The sealant is applied in accordance with a diagnosis made by a licensed dentist not more than 6 months before the application of the sealant by the dental hygienist.

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.