

1 Board of Dentistry

2

3 Adopted Permanent Rules Relating to Licensure

4

5 Rules as Adopted

6 3100.0100 DEFINITIONS.

7 Subpart 1. **Scope.** For the purpose of this chapter and  
8 unless the context otherwise requires, the terms in subparts 2  
9 to 21 have the meanings given them.

10 Subp. 2. **Act.** "Act" means Laws of Minnesota 1969, chapter  
11 974, codified as Minnesota Statutes, sections 150A.01 to 150A.12.

12 Subp. 3. to 5. [Unchanged.]

13 Subp. 6. **Board.** "Board" means the Board of Dentistry.

14 Subp. 7. to 9a. [Unchanged.]

15 Subp. 10. **Dental technician.** "Dental technician" means a  
16 person other than a licensed dentist who performs any of the  
17 services described in Minnesota Statutes, section 150A.10,  
18 subdivision 3.

19 Subp. 11. and 13. [Unchanged.]

20 Subp. 14. **Minnesota Professional Corporations Act.**

21 "Minnesota Professional Corporations Act" means Minnesota  
22 Statutes, sections 319A.01 to 319A.22.

23 Subp. 15. **National board.** "National board" means an  
24 examination administered nationally and acceptable to the board.

25 Subp. 16. [Unchanged.]

26 Subp. 17. **Registered dental assistant.** "Registered dental  
27 assistant" means an assistant registered by the board pursuant  
28 to Minnesota Statutes, section 150A.06, subdivision 2a.

29 Subp. 18. and 20. [Unchanged.]

30 Subp. 21. **Supervision.** "Supervision" means one of the  
31 following levels of supervision, in descending order of  
32 restriction:

33 A. "Personal supervision" means the dentist is  
34 personally operating on a patient and authorizes the auxiliary  
35 to aid in treatment by concurrently performing supportive

1 procedures.

2 B. "Direct supervision" means the dentist is in the  
3 dental office, personally diagnoses the condition to be treated,  
4 personally authorizes the procedure, and before dismissal of the  
5 patient, evaluates the performance of the auxiliary.

6 C. "Indirect supervision" means the dentist is in the  
7 office, authorizes the procedures, and remains in the office  
8 while the procedures are being performed by the auxiliary.

9 D. "General supervision" means the dentist has  
10 authorized the procedures and they are being carried out in  
11 accordance with the dentist's diagnosis and treatment plan.

12 3100.1400 APPLICATION FOR LICENSURE BY CREDENTIALS.

13 Any person who is already a licensed dentist or dental  
14 hygienist in another state or Canadian province desiring to be  
15 licensed to practice dentistry or dental hygiene in Minnesota  
16 shall present to the board an application and credentials as  
17 prescribed by the act. The applicant shall conform to the  
18 following rules of the board:

19 A. to C. [Unchanged.]

20 D. An applicant for licensure as a dental hygienist  
21 must have been in active practice in another state, Canadian  
22 province, or United States government service for at least one  
23 of the two years prior to the board receiving a completed  
24 application. The applicant must submit at least two character  
25 references from dentists and two references from practicing  
26 dental hygienists.

27 E. to J. [Unchanged.]

28 3100.2000 FEES.

29 Subpart 1. Application fees. Each applicant for licensure  
30 as a dentist or dental hygienist or for registration as a  
31 registered dental assistant shall submit with a license or  
32 registration application a fee in the following amounts:

33 A. dentist application, \$100;

34 B. dental hygienist application, \$45; and

35 C. dental assistant application, \$25.

1           Subp. 2. **Annual license or registration fees.** Each  
2 dentist, dental hygienist, and registered dental assistant shall  
3 submit with an annual license or registration renewal  
4 application a fee as established by the board not to exceed the  
5 following amounts:

- 6           A. dentist, \$80;
- 7           B. dental hygienist, \$30; and
- 8           C. registered dental assistant, \$20.

9           Subp. 3. **Licensure by credentials.** Each applicant for  
10 licensure as a dentist or dental hygienist by credentials  
11 pursuant to Minnesota Statutes, section 150A.06, subdivision 4  
12 and part 3100.1400 shall submit with the license application a  
13 fee in the following amounts:

- 14           A. dentist, \$425; and
- 15           B. dental hygienist, \$100.

16           Subp. 4. [Unchanged.]

17           Subp. 5. **Duplicate license or registration fee.** Each  
18 licensee or registrant shall submit with a request for issuance  
19 of a duplicate of the original license or registration or of an  
20 annual renewal of it a fee in the following amounts:

- 21           A. original dentist or dental hygiene license, \$10;
- 22 and
- 23           B. initial and renewal registration certificates and  
24 license renewal certificates, \$8.

25           Subp. 6. **Reinstatement fee.** No dentist, dental hygienist,  
26 or registered dental assistant whose license or registration has  
27 been suspended or revoked shall have the license or registration  
28 reinstated or a new license or registration issued until a fee  
29 has been submitted to the board in the following amount:

- 30           A. dentist, \$100;
- 31           B. dental hygienist, \$45; and
- 32           C. registered dental assistant, \$25.

33           Subp. 7. to 9. [Unchanged.]

34           Subp. 9a. **Verification of licensure.** Each institution or  
35 corporation shall submit with a request for verification of a  
36 licensure or registration a fee in the amount of \$5 for each

1 license or registration to be verified.

2 Subp. 10. [Unchanged.]

3 3100.3300 EXAMINATION OF DENTISTS.

4 Subpart 1. to 4. [Unchanged.]

5 Subp. 4a. Additional education for two failed clinical  
6 examinations. When an applicant fails twice any part of the  
7 clinical examination required by Minnesota Statutes, section  
8 150A.06, subdivision 1, the applicant may not take it again  
9 until the applicant successfully completes additional education  
10 provided by an institution accredited by the Commission on  
11 Accreditation. The education must cover all of the subject  
12 areas failed by the applicant in each of the two clinical  
13 examinations. The applicant may retake the examination only  
14 after the institution provides to the board information  
15 specifying the areas failed in the previous examinations and the  
16 instruction provided to address the areas failed, and certifies  
17 that the applicant has successfully completed the instruction.  
18 The applicant must take the additional instruction provided  
19 above each time the applicant fails the clinical examination  
20 twice.

21 Subp. 5. [Unchanged.]

22 3100.3400 EXAMINATION OF DENTAL HYGIENISTS.

23 Subpart 1. to 3. [Unchanged.]

24 Subp. 3a. Additional education for two failed clinical  
25 examinations. When an applicant fails twice any part of the  
26 clinical examination required by Minnesota Statutes, section  
27 150A.06, subdivision 2, the applicant may not take it again  
28 until the applicant successfully completes additional education  
29 provided by an institution accredited by the Commission on  
30 Accreditation. The education must cover all of the subject  
31 areas failed by the applicant in each of the two clinical  
32 examinations. The applicant may retake the examination only  
33 after the institution provides to the board information  
34 specifying the areas failed in the previous examinations and the  
35 instruction provided to address the areas failed, and certifies

1 that the applicant has successfully completed the instruction.  
2 The applicant must take the additional instruction provided  
3 above each time the applicant fails the clinical examination  
4 twice.

5 Subp. 4. [Unchanged.]

6 3100.3500 EXAMINATION OF REGISTERED DENTAL ASSISTANTS.

7 Subpart 1. and 2. [Unchanged.]

8 Subp. 2a. Additional education for two failed clinical  
9 examinations. When an applicant fails twice any part of the  
10 clinical examination required by Minnesota Statutes, section  
11 150A.06, subdivision 2a, the applicant may not take it again  
12 until the applicant successfully completes additional education  
13 provided by an institution accredited by the Commission on  
14 Accreditation. The education must cover all of the subject  
15 areas failed by the applicant in each of the two clinical  
16 examinations. The applicant may retake the examination only  
17 after the institution provides to the board information  
18 specifying the areas failed in the previous examinations and the  
19 instruction provided to address the areas failed, and certifies  
20 that the applicant has successfully completed the instruction.  
21 The applicant must take the additional instruction provided  
22 above each time the applicant fails the clinical examination  
23 twice.

24 Subp. 3. Additional examination content. All candidates  
25 shall be examined for general knowledge of the act and the rules  
26 of the board.

27 Subp. 4. [Unchanged.]

28 3100.4100 CONTINUING DENTAL EDUCATION.

29 Subpart 1. to 3. [Unchanged.]

30 Subp. 4. Exemptions. A licensee or registrant who pays an  
31 annual license or registration renewal fee is exempt from  
32 complying with the CDE requirements if he or she files with the  
33 board an affidavit specifying that the licensee or registrant  
34 does not practice, including on a volunteer or free basis,  
35 within the state.

1 Subp. 5. [Unchanged.]

2 3100.6200 CONDUCT UNBECOMING A LICENSEE OR REGISTRANT.

3 "Conduct unbecoming a person licensed to practice dentistry  
4 or dental hygiene or registered as a dental assistant or conduct  
5 contrary to the best interests of the public," as used in  
6 Minnesota Statutes, section 150A.08, subdivision 1, clause (6),  
7 shall include the act of a dentist, dental hygienist, registered  
8 dental assistant, or applicant in:

9 A. to I. [Unchanged.]

10 J. failing to cooperate with the board, its agents,  
11 or those working on behalf of the board as required by part  
12 3100.6350;

13 K. failing to maintain adequate safety and sanitary  
14 conditions for a dental office as specified in part 3100.6300;  
15 and

16 L. failing to provide access to and transfer of  
17 medical and dental records as prescribed by Minnesota Statutes,  
18 section 144.335.

19 3100.7000 ADVERTISING DENTAL SPECIALTY PRACTICE.

20 Subpart 1. **Specialty areas.** The following special areas  
21 of dentistry are recognized as suitable for the announcement of  
22 specialty dental practices:

23 A. endodontics (endodontist);

24 B. oral and maxillofacial surgery (oral surgeon/oral  
25 maxillofacial surgeon);

26 C. oral pathology (oral pathologist);

27 D. orthodontics (orthodontist);

28 E. pediatric dentistry (pediatric dentist);

29 F. periodontics (periodontist);

30 G. prosthodontics (prosthodontist); and

31 H. public health.

32 Subp. 2. and 3. [Unchanged.]

33 3100.8700 DENTAL HYGIENISTS.

34 Subpart 1. **Permissible duties.** Dental hygienists may

1 perform the following services under the general supervision of  
2 a dentist:

3           A. all services permitted under parts 3100.8400 to  
4 3100.8500, subpart 1;

5           B. complete prophylaxis to include scaling, root  
6 planing, polishing of restorations, and temporary replacement of  
7 restorations;

8           C. to E. [Unchanged.]

9           Subp. 2. and 3. [Unchanged.]