

Minnesota Board of Dentistry**Proposed Permanent Rules Relating to Licensing Dentists, Dental Hygienists, and Dental Assistants****3100.0100 DEFINITIONS.**

[For text of subps 1 and 2, see M.R.]

Subp. 2a. **Advanced cardiac life support or ACLS.** "Advanced cardiac life support" or "ACLS" refers to an advanced educational course for a health care provider that teaches a detailed medical protocol for the provision of lifesaving cardiac care in settings ranging from the prehospital environment to the hospital setting. The course must include advanced airway management skills, cardiac drug usage, defibrillation, and arrhythmia interpretation. An ACLS certificate must be obtained through the American Heart Association, ~~the American Red Cross, or an equivalent course.~~

[For text of subps 2b to 7a, see M.R.]

Subp. 8. [See repealer.]

[For text of subps 8a to 9, see M.R.]

Subp. 9a. **CPR.** "CPR" refers to a comprehensive, hands-on course for a health care provider that includes: cardiopulmonary resuscitation on an adult, child, and infant; two-person rescuer; barrier mask or bag for ventilation; foreign body airway obstruction; and automated external defibrillation. A CPR certificate shall be obtained through the American Heart Association health care provider course, or the American Red Cross professional rescuer course, ~~or an equivalent course.~~

[For text of subps 9b to 15b, see M.R.]

Subp. 15c. **Pediatric advanced life support or PALS.** "Pediatric advanced life support" or "PALS" refers to an advanced life support educational course for the pediatric health care provider that teaches the current certification standards of the American

Academy of Pediatrics or the American Heart Association. A PALS certificate must be obtained through the American Heart Association ~~or an equivalent course~~.

[For text of subps 16 to 22, see M.R.]

3100.0300 MEETINGS.

[For text of subps 1 to 3, see M.R.]

Subp. 4. **Parliamentary procedure.** When not otherwise provided, ~~Sturgis~~ American Institute of Parliamentarians Standard Code of Parliamentary Procedure shall govern the conduct of all business meetings of the board.

3100.1100 APPLICATIONS FOR LICENSE TO PRACTICE DENTISTRY.

Subpart 1. **Form, credentials, and certification.** A person seeking licensure to practice dentistry within Minnesota must present to the board an application and credentials, as determined by the board, and meet the following requirements.

A. The application must be on a form furnished by the board and must be completely filled out.

B. The applicant shall furnish satisfactory evidence of having graduated from a school of dentistry accredited by the Commission on Dental Accreditation.

[For text of items C and D, see M.R.]

[For text of subps 2 to 6, see M.R.]

3100.1150 LICENSE TO PRACTICE DENTISTRY AS A FACULTY DENTIST.

Subpart 1. **Licensure.**

A. In order to practice dentistry, a faculty member must be licensed by the board.

B. The board must license a person to practice dentistry as a faculty dentist if:

[For text of subitems (1) and (2), see M.R.]

(3) the dean of a school of dentistry accredited by the Commission on Dental Accreditation certifies to the board, in accordance with the requirements of item C, that the person is a member of the school's faculty and practices dentistry; and

[For text of subitem (4), see M.R.]

C. The board must accept an applicant as a faculty dentist if the dean of a school of dentistry accredited by the Commission on Dental Accreditation provides to the board the following information:

[For text of subitems (1) to (7), see M.R.]

[For text of subp 2, see M.R.]

3100.1160 LICENSE TO PRACTICE DENTISTRY AS A RESIDENT DENTIST.

Subpart 1. Licensure.

[For text of item A, see M.R.]

B. The board must license a person to practice dentistry as a resident dentist if:

[For text of subitems (1) to (3), see M.R.]

(4) the person provides evidence of being an enrolled graduate student or a student of an advanced dental education program accredited by the Commission on Dental Accreditation; and

[For text of subitem (5), see M.R.]

Subp. 2. Termination of licensure.

A. A person's license to practice dentistry as a resident dentist is terminated when the person is no longer an enrolled graduate student or a student of an advanced dental education program accredited by the Commission on Dental Accreditation.

B. A person licensed to practice dentistry as a resident dentist must inform the board when the licensee is no longer an enrolled graduate student or a student

of an advanced dental education program accredited by the Commission on Dental Accreditation.

[For text of item C, see M.R.]

3100.1200 APPLICATION FOR LICENSE TO PRACTICE DENTAL HYGIENE.

A person seeking licensure to practice dental hygiene must present an application and credentials as determined by the board and meet the following requirements of the board.

[For text of items A to C, see M.R.]

D. The applicant shall furnish satisfactory evidence of having been granted a diploma or certificate in dental hygiene from a school accredited by the Commission on Dental Accreditation.

[For text of items E and F, see M.R.]

3100.1300 APPLICATION FOR LICENSE TO PRACTICE DENTAL ASSISTING.

A person desiring to be licensed as a dental assistant shall submit to the board an application and credentials as prescribed by the act and shall conform to the following:

A. An application on a form furnished by the board shall be completely filled out.

B. The applicant shall furnish a certified copy or its equivalent of a diploma or certificate of satisfactory completion of a training program approved by the Commission on Dental Accreditation or other program which, in the judgment of the board, is equivalent. If the curriculum of the training program does not include training in the expanded duties specified in part 3100.8500, the applicant must successfully complete a course in these functions which has been approved by the board.

[For text of items C to F, see M.R.]

3100.1400 APPLICATION FOR LICENSURE BY CREDENTIALS.

A person who is already a licensed dentist or dental hygienist in another state or Canadian province desiring to be licensed to practice dentistry or dental hygiene in Minnesota shall, in order to demonstrate the person's knowledge of dental subjects and ability to practice dentistry or dental hygiene in Minnesota, comply with the requirements in items A to N.

A. The applicant shall complete an application furnished by the board.

B. The applicant shall furnish satisfactory evidence of having graduated from a school of dentistry, or dental hygiene, whichever the case may be, which has been accredited by the Commission on Dental Accreditation.

[For text of items C to N, see M.R.]

3100.1850 REINSTATEMENT OF LICENSE.

Subpart 1. **Requirements.** ~~Upon complying with the requirements in this part, the applicant's license shall be reinstated.~~

A. A person desiring the reinstatement of a license ~~shall~~ must:

~~A.~~ (1) submit to the board a completed reinstatement application provided by the board;

~~B.~~ (2) submit with the reinstatement application the fee specified in Minnesota Statutes, section 150A.091, subdivision 10;

~~C.~~ (3) include with the reinstatement application a letter stating the reasons for applying for reinstatement; and

~~D.~~ (4) comply with the applicable provisions of subparts 2 to 5.

B. ~~Upon~~ Once the requirements of this subpart have been reviewed by the board, the board shall officially notify the applicant by letter as to whether the reinstatement of a

license has been denied or granted by the board. If granted reinstatement, the person shall be assigned to the biennial term to which the licensee was assigned prior to termination of the license. An applicant denied reinstatement of a license may appeal the denial by initiating a contested case hearing pursuant to Minnesota Statutes, chapter 14.

[For text of subps 2 to 5, see M.R.]

3100.3300 EXAMINATION OF DENTISTS.

[For text of subps 1 to 4, see M.R.]

Subp. 4a. **Additional education for two failed clinical examinations.** When an applicant fails twice any part of the clinical examination required by Minnesota Statutes, section 150A.06, subdivision 1, the applicant may not take it again until the applicant successfully completes additional education provided by an institution accredited by the Commission on Dental Accreditation. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant must take the additional instruction required in this subpart each time the applicant fails the clinical examination twice.

Subp. 5. **Examination for continued licensure.** The board may administer any other examination it deems necessary to determine qualification for continued licensure.

3100.3400 EXAMINATION OF DENTAL HYGIENISTS.

[For text of subps 1 to 3, see M.R.]

Subp. 3a. **Additional education for two failed clinical examinations.** When an applicant fails twice any part of the clinical examination required by Minnesota Statutes, section 150A.06, subdivision 2, the applicant may not take it again until the applicant

successfully completes additional education provided by an institution accredited by the Commission on Dental Accreditation. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant must take the additional instruction provided above each time the applicant fails the clinical examination twice.

Subp. 4. **Examination for continued licensure.** The board may administer any other examination it deems necessary to determine qualifications for continued licensure.

3100.3500 EXAMINATION OF LICENSED DENTAL ASSISTANTS.

[For text of subps 1 and 2, see M.R.]

Subp. 2a. **Additional education for two failed clinical examinations.** When an applicant fails twice any part of the clinical examination required by Minnesota Statutes, section 150A.06, subdivision 2a, the applicant may not take it again until the applicant successfully completes additional education provided by an institution accredited by the Commission on Dental Accreditation or an independent instructor approved by the board. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution or independent instructor provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant must take the additional instruction required in this subpart each time the applicant fails the clinical examination twice.

[For text of subps 3 and 4, see M.R.]

3100.3600 ADMINISTRATION OF GENERAL ANESTHESIA, DEEP SEDATION, MODERATE SEDATION, MINIMAL SEDATION, AND NITROUS OXIDE INHALATION ANALGESIA.

[For text of subp 1, see M.R.]

Subp. 2. **General anesthesia or deep sedation; educational training requirements.** A dentist may administer general anesthesia or deep sedation only pursuant to items A to C.

A. A dentist must complete either subitem (1) or (2) and subitems (3) and (4):

(1) a didactic and clinical program at a dental school, hospital, or graduate medical or dental program accredited by the Commission on Dental Accreditation, resulting in the dentist becoming clinically competent in the administration of general anesthesia. The program must be equivalent to a program for advanced specialty education in oral and maxillofacial surgery; or

[For text of subitem (2), see M.R.]

(3) ~~an appropriate dental sedation/anesthesia emergency management course such as the~~ ACLS or PALS course and maintain current ~~dental sedation/anesthesia emergency management~~ advanced certification thereafter; and

(4) a CPR certification course and maintain current CPR certification thereafter.

[For text of items B and C, see M.R.]

Subp. 3. **Moderate sedation; educational training requirements.** A dentist may administer moderate sedation only pursuant to items A to C.

A. A dentist must complete subitems (1) to (3):

[For text of subitem (1), see M.R.]

(2) ~~an appropriate dental sedation/anesthesia emergency management course such as the~~ ACLS or PALS course and maintain current ~~dental sedation/anesthesia emergency management~~ advanced certification thereafter; and

(3) a CPR certification course and maintain current CPR certification thereafter.

[For text of items B and C, see M.R.]

Subp. 4. Nitrous oxide inhalation analgesia; educational training requirements.

A dentist may administer nitrous oxide inhalation analgesia only according to items A to D and subpart 5, items A and C. A dental therapist may administer nitrous oxide inhalation analgesia only according to items C to F. A dental hygienist may administer nitrous oxide inhalation analgesia only according to items C to F and subpart 5, item D. A licensed dental assistant may administer nitrous oxide inhalation analgesia only after a maximum dosage has been prescribed by a dentist for a specific patient, and it is administered according to items C to F and subpart 5, item D.

[For text of item A, see M.R.]

B. A dentist who has not previously registered with the board pursuant to subpart 5, item A, may administer nitrous oxide inhalation analgesia only after satisfactorily completing a dental school or postdental graduate education course on the administration of nitrous oxide inhalation analgesia from an institution accredited by the Commission on Dental Accreditation, and submitting to the board original documentation from the institution of successful completion of the course. The course must be a minimum of 12 hours total comprised of didactic instruction, personally administering and managing at least three individual supervised cases of analgesia, and supervised clinical experience using fail-safe anesthesia equipment capable of positive pressure respiration.

[For text of items C and D, see M.R.]

E. A dental therapist, dental hygienist, or licensed dental assistant may administer nitrous oxide inhalation analgesia only after satisfactorily completing a course on the administration of nitrous oxide inhalation analgesia from an institution accredited by the Commission on Dental Accreditation, and submitting to the board original documentation from the institution of successful completion of the course. The course must be a minimum of 12 hours total comprised of didactic instruction, personally administering and managing at least three individual supervised cases of analgesia, and supervised clinical experience using fail-safe anesthesia equipment capable of positive pressure respiration.

[For text of item F, see M.R.]

Subp. 5. **Notice to board.**

[For text of item A, see M.R.]

B. A dentist may administer general anesthesia, deep sedation, or moderate sedation only if the dentist has submitted the following information to the board on forms provided by the board: the name, address, and telephone number of the institution at which the dentist took the program or residency that complies with subparts 2, item A, subitem (1) or (2); and 3, item A, subitem (1), a certified copy of the dentist's transcript and other official record from the institution verifying that the dentist satisfactorily completed the program, residency, or course; and the name, address, and telephone number of the institution or other agency at which the dentist successfully completed the ACLS; or PALS; ~~or an equivalent course~~ required by subparts 2, item A, subitem (3); and 3, item A, subitem (2). After this initial submission, dentists shall submit on a license renewal application or other form provided by the board a statement of the most recent course completed in ACLS; or PALS; ~~or an equivalent course~~.

C. A dentist not previously registered with the board according to item A or who graduated from an institution in Minnesota accredited by the Commission on Dental

Accreditation prior to April 15, 2008, may administer nitrous oxide inhalation analgesia only after the dentist has submitted the information in subitems (1) and (2) to the board on forms provided by the board:

(1) the name, address, and telephone number of the institution at which the dentist took the course that complies with subpart 4, item B; and

(2) a certified copy of the dentist's transcript and other official record from the institution verifying that the dentist has successfully completed CPR as required by subpart 4, item C.

After the initial submission, a dentist ~~shall submit on the license renewal application or other form provided by the board a statement of the most recent course completed in~~ must attest to maintaining consecutive and current CPR certification at the time of each license renewal.

D. A dental hygienist or licensed dental assistant who graduated from an institution in Minnesota accredited by the Commission on Dental Accreditation or received licensure by credentials prior to September 2, 2004, may administer nitrous oxide inhalation analgesia only after the dental hygienist or licensed dental assistant has submitted the information in subitems (1) and (2) to the board on forms provided by the board:

[For text of subitem (1), see M.R.]

(2) a certified copy of the dental hygienist's or licensed dental assistant's transcript and other official record from the institution verifying that the dental hygienist or licensed dental assistant has successfully completed CPR as required by subpart 4, item C.

After the initial submission, the a dental hygienist or licensed dental assistant shall ~~submit on the license renewal application or other form provided by the board a statement of the most recent course completed in~~ must attest to maintaining consecutive and current CPR certification at the time of each license renewal.

E. A dental therapist who graduated from a board-approved dental therapy program in Minnesota prior to August 1, 2013, may administer nitrous oxide inhalation analgesia only after the dental therapist has submitted the information in subitems (1) and (2) to the board on forms provided by the board:

(1) the name, address, and telephone number of the institution where the dental therapist successfully completed the course required by subpart 4, item E; and

(2) a certified copy of the dental therapist's transcript and other official records from the institution verifying that the dental therapist has successfully completed CPR as required by subpart 4, item C.

After the initial submission, a dental therapist must attest to maintaining consecutive and current CPR certification at the time of each license renewal.

[For text of subps 6 to 9, see M.R.]

Subp. 9a. **Expiration or termination of general anesthesia or moderate sedation certificate; requirements.** A dentist requesting renewal or recertification of a general anesthesia or moderate sedation certificate following expiration or termination must comply with the requirements for the applicable interval specified in item A or B. After successful completion of all requirements, the board shall issue a general anesthesia or moderate sedation certificate to the dentist.

A. A dentist whose anesthesia/sedation certificate has expired as described in subpart 9, item C, subitem (5), or who voluntarily terminated the anesthesia/sedation certificate, within 60 calendar days after the renewal application deadline, must comply with subitems (1) to (6):

[For text of subitems (1) to (3), see M.R.]

(4) provide official documentation as proof of current certification in ACLS; or PALS; or an equivalent dental sedation/anesthesia emergency management course;

[For text of subitems (5) and (6), see M.R.]

B. A dentist whose anesthesia/sedation certificate has been terminated by the board according to subpart 9, item C, subitem (5), or who voluntarily terminated the anesthesia/sedation certificate, more than 60 calendar days after the renewal application deadline, must comply with subitems (1) to (6):

[For text of subitems (1) to (3), see M.R.]

(4) provide official documentation of current certification in ACLS; or PALS; ~~or an equivalent dental sedation/anesthesia emergency management course;~~

[For text of subitems (5) and (6), see M.R.]

[For text of item C, see M.R.]

[For text of subps 9b to 11, see M.R.]

3100.5100 PROFESSIONAL DEVELOPMENT.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Professional development activities.** Professional development activities include, but are not limited to, continuing education, community services, publications, and career accomplishments throughout a professional's life. Professional development activities are categorized as fundamental or elective activities as described in items A and B.

A. Fundamental activities include, but are not limited to, clinical subjects, core subjects, CPR training, and the self-assessment examination. Examples of fundamental activities for an initial or biennial cycle are described in subitems (1) to (5).

[For text of subitems (1) and (2), see M.R.]

(3) A CPR certification course is mandatory for each licensee to maintain licensure. The CPR course must be ~~equivalent to~~ the American Heart Association

healthcare provider course or the American Red Cross professional rescuer course. The licensee must maintain a consecutive and current CPR certificate when renewing a license or permit each biennial term.

[For text of subitems (4) and (5), see M.R.]

[For text of item B, see M.R.]

Subp. 4. Acceptable documentation of professional development activities.

A licensee must record or obtain acceptable documentation of hours in professional development activities for the licensee's portfolio. Acceptable documentation includes, but is not limited to, the following:

A. a completed self-assessment examination;

B. a copy of the front and back of a completed CPR card ~~or certificate~~ from the American Heart Association; or the American Red Cross; or other equivalent organization;

[For text of items C and D, see M.R.]

[For text of subp 5, see M.R.]

3100.5300 AUDIT PROCESS OF PORTFOLIO.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Failure of an audit.

A. Upon failure of an audit, the appropriate board committee ~~may either~~ must impose one or both of the following options:

(1) grant the licensee up to six months to comply with written requirements to resolve deficiencies in professional development compliance; or

(2) initiate disciplinary proceedings against the licensee on grounds specified in parts 3100.6100 and 3100.6200 and Minnesota Statutes, section 150A.08,

subdivision 1. Deficiencies causing audit failure may include, but are not limited to, the following:

- (1) (a) lack of proof of documentation or participation;
- (2) (b) credit hours earned outside of renewal period being audited;
- (3) (c) excess of earned hours in a category having a maximum if a deficiency exists;
- (4) (d) lack of earned hours in a category having a minimum if a deficiency exists;
- (5) (e) failure to submit the portfolio;
- (6) (f) unacceptable professional development sources; or
- (7) (g) fraudulently earned or reported hours.

[For text of item B, see M.R.]

[For text of subps 4 and 5, see M.R.]

Subp. 6. **Audit fee.** The licensee shall submit to the board the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision 16, after failing two ~~consecutive~~ professional development portfolio audits and thereafter for each failed professional development portfolio audit.

3100.7000 ADVERTISING DENTAL SPECIALTY PRACTICE.

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

- A. dental public health;
- A B. endodontics (endodontist);
- C. oral and maxillofacial pathology (oral pathologist);

- ~~B~~ D. oral and maxillofacial radiology (oral ~~and maxillofacial~~ radiologist);
- ~~C~~ E. oral and maxillofacial surgery (oral surgeon/oral maxillofacial surgeon);
- ~~D.~~ oral pathology (oral pathologist);
- ~~E~~ F. orthodontics and dentofacial orthopedics (orthodontist);
- ~~F~~ G. pediatric dentistry (pediatric dentist/pedodontist);
- ~~G~~ H. periodontics (periodontist); and
- ~~H~~ I. prosthodontics (prosthodontist); and
- ~~I.~~ public health.

Subp. 2. ~~Postdoctoral course completion~~ **Specialty announcement.** Only a licensed ~~dentists~~ dentist who ~~have~~ has successfully completed a postdoctoral course of study approved by the Commission on Dental Accreditation in ~~one~~ any of the designated specialty areas, or who has announced a limitation of practice prior to 1967, or who ~~have~~ has successfully completed certification by ~~one~~ any of the following specialty examining boards; may announce each specialty practice area and may advertise as a specialist in that area: ~~American Board of Dental Public Health, American Board of Endodontics, American Board of Oral and Maxillofacial Radiology, American Board of Oral and Maxillofacial Surgery, American Board of Oral Pathology, American Board of Orthodontics, American Board of Pediatric Dentistry, American Board of Periodontology, and American Board of Prosthodontics.~~

- A. American Board of Dental Public Health;
- B. American Board of Endodontics;
- C. American Board of Oral and Maxillofacial Pathology;
- D. American Board of Oral and Maxillofacial Radiology;
- E. American Board of Oral and Maxillofacial Surgery;

- F. American Board of Orthodontics;
- G. American Board of Pediatric Dentistry;
- H. American Board of Periodontology; and
- I. American Board of Prosthodontics.

[For text of subp 3, see M.R.]

3100.8500 LICENSED DENTAL ASSISTANTS.

Subpart 1. **Duties under general supervision.** A licensed dental assistant may perform the following procedures without the dentist being present in the dental office or on the premises if the procedures being performed are with prior knowledge and consent of the dentist:

[For text of items A to J, see M.R.]

- K. take photographs extraorally or intraorally; **and**
- L. take vital signs such as pulse rate and blood pressure as directed by a dentist;
and
- M. obtain informed consent, according to part 3100.9600, subpart 9, for treatments authorized by the supervising dentist pursuant to the licensed dental assistant's scope of practice.

Subp. 1a. **Duties under indirect supervision.** A licensed dental assistant, in addition to the services performed by an assistant described in part 3100.8400, subpart 1, may perform the following services if a dentist is in the office, authorizes the procedures, and remains in the office while the procedures are being performed:

[For text of items A to K, see M.R.]

- L. etch appropriate enamel surfaces, apply and adjust pit and fissure sealants. Before the application of pit and fissure sealants, a licensed dental assistant must have

successfully completed a course in pit and fissure sealants at a dental, dental hygiene, or dental assisting school accredited by the Commission on Dental Accreditation;

[For text of items M to O, see M.R.]

Subp. 1b. **Duties under direct supervision.** A licensed dental assistant may perform the following services if a dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure, and evaluates the performance of the licensed dental assistant before dismissing the patient:

A. remove excess bond material from orthodontic appliances;

B. remove bond material from teeth with rotary instruments after removal of orthodontic appliances. Before utilizing rotary instruments for the removal of bond material, a licensed dental assistant must have successfully completed a course in the use of rotary instruments for the express purpose of the removal of bond material from teeth. The course must be one that is presented by a dental, dental hygiene, or dental assisting school accredited by the Commission on Dental Accreditation;

[For text of items C to H, see M.R.]

I. remove fixed orthodontic bands and brackets; ~~and~~

J. initiate and place an intravenous infusion line in preparation for intravenous medications and sedation while under direct supervision of a dentist who holds a valid general anesthesia or moderate sedation certificate. Before initiating and placing an intravenous infusion line, a licensed dental assistant must have successfully completed board-approved allied dental personnel courses comprised of intravenous access and general anesthesia and moderate sedation training; and

K. place nonsurgical retraction material for gingival displacement. Before placing nonsurgical retraction material, a licensed dental assistant must have successfully completed a course in nonsurgical retraction material for gingival displacement at a

dental, dental hygiene, or dental assisting school accredited by the Commission on Dental Accreditation.

[For text of subps 1c to 3, see M.R.]

3100.8700 DENTAL HYGIENISTS.

Subpart 1. **Duties under general supervision.** A dental hygienist may perform the following procedures without the dentist being present in the dental office or on the premises if the procedures being performed are with prior knowledge and consent of the dentist:

[For text of items A to I, see M.R.]

J. administer local anesthesia. Before administering local anesthesia, a dental hygienist must have successfully completed a didactic and clinical program sponsored by a dental or dental hygiene school accredited by the Commission on Dental Accreditation, resulting in the dental hygienist becoming clinically competent in the administration of local anesthesia; ~~and~~

K. administer nitrous oxide inhalation analgesia according to part 3100.3600, subparts 4 and 5; and

L. obtain informed consent, according to part 3100.9600, subpart 9, for treatments authorized by the supervising dentist pursuant to the dental hygienist's scope of practice.

[For text of subp 2, see M.R.]

Subp. 2a. **Duties under direct supervision.** A dental hygienist may perform the following procedures if a dentist is in the office, personally diagnoses the condition to be treated, personally authorizes the procedure, and evaluates the performance of the dental hygienist before dismissing the patient:

[For text of items A to D, see M.R.]

E. remove bond material from teeth with rotary instruments after removal of orthodontic appliances. Before utilizing rotary instruments for the removal of bond material, a dental hygienist must have successfully completed a course in the use of rotary instruments for the express purpose of the removal of bond material from teeth. The course must be one that is presented by a dental, dental hygiene, or dental assisting school accredited by the Commission on Dental Accreditation;

F. attach prefabricated and preadjusted orthodontic appliances;

G. remove fixed orthodontic bands and brackets; ~~and~~

H. initiate and place an intravenous infusion line in preparation for intravenous medications and sedation while under direct supervision of a dentist who holds a valid general anesthesia or moderate sedation certificate. Before initiating and placing an intravenous infusion line, a dental hygienist must have successfully completed board-approved allied dental personnel courses comprised of intravenous access and general anesthesia and moderate sedation training; and

I. place nonsurgical retraction material for gingival displacement. Before placing nonsurgical retraction material, a dental hygienist must have successfully completed a course in nonsurgical retraction material for gingival displacement at a dental, dental hygiene, or dental assisting school accredited by the Commission on Dental Accreditation.

[For text of subps 2b and 3, see M.R.]

3100.9600 RECORD KEEPING.

[For text of subps 1 to 8, see M.R.]

Subp. 9. **Informed consent.** Dental records must include a notation that:

A. the dentist, advanced dental therapist, ~~or dental therapist~~, dental hygienist, or licensed dental assistant discussed with the patient the treatment options and the

prognosis, benefits, and risks of each treatment that is within the scope of practice of the respective licensee; and

B. the patient has consented to the treatment chosen.

[For text of subps 10 to 14, see M.R.]

REPEALER. Minnesota Rules, part 3100.0100, subpart 8, is repealed.

EFFECTIVE DATE. The amendments to Minnesota Rules, parts 3100.0100; 3100.3600; and 3100.5100, are effective August 1, 2014.