

1.1 **Minnesota Board of Dentistry**

1.2 **Proposed Permanent Rules Relating to Professional Licensure**

1.3 **3100.0100 DEFINITIONS.**

1.4 *[For text of subparts 1 to 2a, see Minnesota Rules]*

1.5 Subp. 2b. **Analgesia.** "Analgesia" means the diminution or elimination of pain as a
1.6 result of the administration of an agent including, but not limited to, local anesthetic, nitrous
1.7 oxide, and pharmacological and nonpharmacological methods.

1.8 *[For text of subparts 2c to 4, see Minnesota Rules]*

1.9 Subp. 5. **Allied dental personnel.** "Allied dental personnel" means an advanced dental
1.10 therapist, dental therapist, dental hygienist, licensed dental assistant, dental assistant with
1.11 a ~~limited-license permit~~ limited radiology registration, assistant without a license or permit,
1.12 and dental technician.

1.13 *[For text of subparts 5a to 8a, see Minnesota Rules]*

1.14 Subp. 8b. [See repealer.]

1.15 *[For text of subpart 9, see Minnesota Rules]*

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

1.22 *[For text of subpart 9b, see Minnesota Rules]*

1.23 Subp. 9c. **Dental assistant with a ~~limited-license permit~~ limited radiology**
1.24 **registration.** "Dental assistant with a ~~limited-license permit~~ limited radiology registration"

2.1 means a person holding a ~~limited-license permit as a dental assistant under part 3100.8500,~~
2.2 ~~subpart 3~~ limited radiology registration to take dental radiographs.

2.3 *[For text of subparts 9d to 12a, see Minnesota Rules]*

2.4 Subp. 12b. **Hospital.**

2.5 A. "Hospital" means an institution licensed by the state commissioner of health
2.6 that:

2.7 ~~A.~~ (1) is adequately and properly staffed and equipped;

2.8 ~~B.~~ (2) provides services, facilities, and beds for use beyond 24 hours by individuals
2.9 requiring diagnosis, treatment, or care for illness, injury, deformity, infirmity, abnormality,
2.10 disease, or pregnancy; and

2.11 ~~C.~~ (3) regularly provides clinical laboratory services, diagnostic x-ray services,
2.12 and treatment facilities for surgery or obstetrical care, or other definitive medical treatment
2.13 of similar extent.

2.14 B. For the purposes of this chapter, diagnostic or treatment centers, physicians'
2.15 offices or clinics, or dentists' offices or clinics are not hospitals.

2.16 *[For text of subparts 12c to 12e, see Minnesota Rules]*

2.17 Subp. 13. **Licensee.** "Licensee" means a dentist, dental therapist, dental hygienist, or
2.18 licensed dental assistant, ~~or dental assistant with a limited-license permit.~~

2.19 *[For text of subparts 13a to 14a, see Minnesota Rules]*

2.20 Subp. 15. [See repealer.]

2.21 *[For text of subparts 15a to 16a, see Minnesota Rules]*

3.1 Subp. 16b. **Professional development.** "Professional development" means activities
 3.2 that include, but are not limited to, continuing education, community services, publications,
 3.3 and career accomplishments throughout a professional's life.

3.4 Subp. 16c. **Registrant.** "Registrant" means a dental assistant with a limited radiology
 3.5 registration.

3.6 *[For text of subparts 17 to 18a, see Minnesota Rules]*

3.7 Subp. 18b. [See repealer.]

3.8 *[For text of subparts 19 to 22, see Minnesota Rules]*

3.9 **3100.1100 ~~APPLICATIONS FOR LICENSE TO PRACTICE DENTISTRY~~**
 3.10 **GENERAL DENTIST.**

3.11 Subpart 1. ~~Form, credentials, and certification~~ **Licensure application and**
 3.12 **examination requirements.** A person seeking licensure to practice general dentistry within
 3.13 in Minnesota must present to the board an application and credentials, as determined by the
 3.14 board, and meet the following requirements: provide the board:

3.15 A. ~~The a completed~~ application ~~must be on a form furnished by the board and~~
 3.16 ~~must be completely filled out.;~~

3.17 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

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

3.20 ~~C. D. The applicant must furnish certification~~ evidence of having passed passing
 3.21 all parts of a national board examination as defined in part 3100.0100, subpart 15. for the
 3.22 practice of dentistry within the past five years;

4.1 ~~D. An applicant who wants the authority under the license to administer a~~
4.2 ~~pharmacological agent for the purpose of general anesthesia, deep sedation, or moderate~~
4.3 ~~sedation or to administer nitrous oxide inhalation analgesia must comply with part 3100.3600.~~

4.4 E. evidence of passing a board-approved clinical examination within the past five
4.5 years;

4.6 F. evidence of passing the board's jurisprudence examination within the past five
4.7 years;

4.8 G. documentation of current CPR certification; and

4.9 H. a criminal background check as required by Minnesota Statutes, section 214.075.

4.10 Subp. 1a. **Additional education for two failed clinical examinations.** If an applicant
4.11 fails twice any part of the clinical examination required by Minnesota Statutes, section
4.12 150A.06, subdivision 1, the applicant must not retake the clinical examination until the
4.13 applicant successfully completes additional education provided by an institution accredited
4.14 by the Commission on Dental Accreditation. The education must cover all of the subject
4.15 areas failed by the applicant in each of the two clinical examinations. The applicant may
4.16 retake the examination only after the institution provides the board information specifying
4.17 the areas failed in the previous examinations and the education provided to address the areas
4.18 failed, and certifies that the applicant has successfully completed the education. The applicant
4.19 must take the additional education required in this subpart each time the applicant fails the
4.20 clinical examination twice.

4.21 Subp. 2. [See repealer.]

4.22 Subp. 2a. **Terms and renewal of license.** A general dentist may renew a general
4.23 dentist license according to the terms of renewal under part 3100.1700.

4.24 Subp. 3. [Repealed, 18 SR 2042]

5.1 Subp. 4. [See repealer.]

5.2 Subp. 4a. **Reinstatement of license.** To reinstate a terminated general dental license,
5.3 the applicant must comply with the requirements of part 3100.1850.

5.4 Subp. 5. [See repealer.]

5.5 Subp. 5a. **Emeritus license.** A general dentist who wishes to apply for an emeritus
5.6 license may apply for an emeritus inactive license under part 3100.1340 or an emeritus
5.7 active license under part 3100.1350.

5.8 Subp. 5b. **Professional development.** A general dentist must complete professional
5.9 development requirements including maintaining a professional portfolio under parts
5.10 3100.5100 to 3100.5300.

5.11 Subp. 6. **Anesthesia, sedation, and nitrous oxide.** A person applying for a general
5.12 dental license to practice dentistry or a dentist already licensed who wants the authority
5.13 under the license to administer a pharmacological agent for the purpose of general anesthesia,
5.14 deep sedation, or moderate sedation or to administer nitrous oxide inhalation analgesia must
5.15 comply with the applicable requirements of part 3100.3600.

5.16 **3100.1120 SPECIALTY DENTIST.**

5.17 Subpart 1. **Licensure application and examination requirements.** A person seeking
5.18 licensure to practice as a specialty dentist in Minnesota must provide the board:

5.19 A. a completed application;

5.20 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

5.21 C. evidence of having graduated from a school of dentistry;

5.22 D. evidence of having graduated from a postdoctoral specialty program accredited
5.23 by the Commission on Dental Accreditation;

6.1 E. evidence of certification from a board-approved specialty board or evidence
6.2 of passing a board-approved clinical examination;

6.3 F. evidence of passing all parts of a national board examination for the practice
6.4 of dentistry;

6.5 G. evidence of completing a postdoctoral specialty program or evidence of
6.6 completing at least 2,000 hours within the past 36 months of active practice in another
6.7 United States jurisdiction, Canadian province, or United States government service;

6.8 H. evidence of passing the board's jurisprudence examination within the past five
6.9 years;

6.10 I. documentation of current CPR certification; and

6.11 J. a criminal background check as required by Minnesota Statutes, section 214.075.

6.12 Subp. 2. **Terms and renewal of license.** A specialty dentist may renew a specialty
6.13 dental license according to the terms of renewal under part 3100.1700.

6.14 Subp. 3. **Reinstatement of license.** To reinstate a terminated specialty dental license,
6.15 the applicant must comply with the requirements of part 3100.1850.

6.16 Subp. 4. **Emeritus license.** A specialty dentist who wishes to apply for an emeritus
6.17 license may apply for an emeritus inactive license under part 3100.1340 or an emeritus
6.18 active license under part 3100.1350.

6.19 Subp. 5. **Professional development.** A specialty dentist must complete professional
6.20 development requirements including maintaining a professional portfolio under parts
6.21 3100.5100 to 3100.5300.

6.22 Subp. 6. **Anesthesia, sedation, and nitrous oxide.** A person applying for a specialty
6.23 dental license who wants the authority under the license to administer a pharmacological
6.24 agent for the purpose of general anesthesia, deep sedation, or moderate sedation or to

7.1 administer nitrous oxide inhalation analgesia must comply with the applicable requirements
 7.2 of part 3100.3600.

7.3 **3100.1130 ~~LICENSE TO PRACTICE DENTISTRY AS A LIMITED GENERAL~~**
 7.4 **~~DENTIST.~~**

7.5 Subpart 1. ~~Initial requirements~~ Credential review to determine educational
 7.6 equivalency and eligibility to take a board-approved clinical examination for limited
 7.7 licensure.

7.8 A. A person who is a graduate of a nonaccredited dental program ~~will be granted~~
 7.9 seeking a limited license to practice general dentistry within in Minnesota upon successfully
 7.10 complying with the requirements in items A to E.

7.11 ~~A.~~ The applicant must ~~initially~~ submit to a onetime credential review by the board
 7.12 ~~and pay the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision 9a to~~
 7.13 determine educational equivalency and eligibility to take a board-approved clinical
 7.14 examination. For the credential review the applicant shall must provide the following
 7.15 documentation board:

7.16 (1) the credential review fee in Minnesota Statutes, section 150A.091,
 7.17 subdivision 9a;

7.18 ~~(1)~~ (2) a completed board-approved evaluation of all international education;

7.19 ~~(2)~~ (3) an original or notarized copy of passing board-approved language
 7.20 testing within the previous two years if English is not the applicant's primary language;

7.21 ~~(3)~~ (4) an original affidavit of licensure;

7.22 ~~(4)~~ (5) a completed dental questionnaire;

7.23 ~~(5)~~ (6) a personal ~~letter/curriculum vitae/resume~~ letter, curriculum vitae, or
 7.24 resume;

8.1 ~~(6)~~ (7) an original or notarized copy of dental diploma and, if necessary,
8.2 professional translation;

8.3 ~~(7)~~ (8) proof of clinical practice in dentistry;

8.4 ~~(8)~~ (9) an original or notarized copy of other credentials in dentistry and, if
8.5 necessary, professional translation;

8.6 ~~(9)~~ (10) completed board-approved infection control training; and

8.7 ~~(10)~~ (11) an original or notarized copy of evidence of passing all parts of a
8.8 national board dental examinations report – Part I and Part II examination for the practice
8.9 of dentistry.

8.10 ~~The applicant is allowed to submit to one credential review by the board.~~

8.11 B. ~~Once a credential review has been completed by~~ If, after reviewing the
8.12 applicant's credentials, the board determines the applicant's credentials are nonequivalent,
8.13 the board, the committee shall officially notify the applicant by letter as to whether permission
8.14 to take the regional clinical examination has been denied or granted by the board deny the
8.15 application to take a board-approved clinical examination for limited licensure. The board
8.16 may also request that the applicant schedule an interview with the credential review
8.17 committee, then notify the applicant by letter as to whether permission to take the regional
8.18 clinical examination has been denied or granted by the committee. shall notify the applicant
8.19 of the denial. An applicant denied permission to take the regional a board-approved clinical
8.20 examination has the option to may appeal the decision to the board within 60 days from the
8.21 notification date.

8.22 C. If, after reviewing the applicant's credentials, the board determines the
8.23 applicant's credentials are equivalent, the board shall require that the applicant complete
8.24 one or more of the following requirements:

8.25 (1) schedule and complete an interview with the board;

9.1 (2) submit a specified number of patient records to the board; or

9.2 (3) take a board-approved dental simulation course to test competency.

9.3 D. After the applicant completes the requirements in item C, the board shall notify
9.4 the applicant as to whether permission to take a board-approved clinical examination for
9.5 limited licensure has been denied or granted. An applicant denied permission to take a
9.6 board-approved clinical examination may appeal the decision to the board within 60 days
9.7 from the notification date.

9.8 E. If the applicant is granted permission by the board to take ~~the regional a~~
9.9 board-approved clinical examination, the applicant must take a board-approved ~~regional~~
9.10 clinical examination, successfully pass the ~~regional~~ board-approved clinical examination,
9.11 and submit evidence of ~~the results of the regional~~ passing the board-approved clinical
9.12 examination within 18 months from the receipt date of the board's notification letter granting
9.13 permission to take the ~~regional~~ board-approved clinical examination.

9.14 Subp. 1a. **Additional education for two failed clinical examinations.** ~~D. When~~ If

9.15 an applicant fails twice any part of a board-approved ~~regional~~ clinical examination, the
9.16 applicant ~~may~~ must not take it again retake the clinical examination until the applicant
9.17 successfully completes additional education provided by an institution accredited by the
9.18 Commission on Dental Accreditation. The education must cover all of the subject areas
9.19 failed by the applicant in each of the two clinical examinations. The applicant may retake
9.20 the examination only after the institution provides ~~to~~ the board information specifying the
9.21 areas failed in the previous examinations and the ~~instruction~~ education provided to address
9.22 the areas failed, and certifies that the applicant has successfully completed the ~~instruction~~
9.23 education. The applicant shall be allowed to retake the clinical examination one time
9.24 following this additional educational instruction. If the applicant fails the clinical examination
9.25 for a third time, the applicant is prohibited from retaking the clinical examination.

10.1 ~~E. An applicant must complete and submit a limited license application for review~~
10.2 ~~by an appropriate committee of the board. The application must include:~~

10.3 ~~(1) the initial and annual application fees in Minnesota Statutes, section~~
10.4 ~~150A.091, subdivision 9b;~~

10.5 ~~(2) evidence of having passed a board-approved regional clinical examination~~
10.6 ~~within five years preceding the limited license application;~~

10.7 ~~(3) evidence of having passed an examination designed to test knowledge of~~
10.8 ~~Minnesota laws relating to the practice of dentistry and the rules of the board within five~~
10.9 ~~years preceding the limited license application;~~

10.10 ~~(4) an acceptable written agreement between the applicant and a~~
10.11 ~~board-approved Minnesota licensed supervising dentist. The written agreement shall include~~
10.12 ~~all information requested by the board. The written agreement shall also include any practice~~
10.13 ~~limitations, and an acknowledgment that the applicant agrees to practice clinical dentistry~~
10.14 ~~at least 1,100 hours annually, for a period of three consecutive years after clinical practice~~
10.15 ~~in Minnesota begins;~~

10.16 ~~(5) documentation of current CPR certification;~~

10.17 ~~(6) a statement from a licensed physician attesting to the applicant's physical~~
10.18 ~~and mental condition completed within 12 months preceding the limited license application;~~
10.19 ~~and~~

10.20 ~~(7) a statement from a licensed ophthalmologist or optometrist attesting to the~~
10.21 ~~applicant's visual acuity completed within 12 months preceding the limited license~~
10.22 ~~application.~~

10.23 Subp. 1b. Limited general license application and examination requirements. After
10.24 passing a board-approved clinical examination, an applicant may apply for a limited general
10.25 license. The applicant must provide the board:

- 11.1 A. a completed application;
- 11.2 B. the application fee in Minnesota Statutes, section 150A.091, subdivision 9b,
- 11.3 clause (1);
- 11.4 C. evidence of passing a board-approved clinical examination within the past five
- 11.5 years;
- 11.6 D. evidence of passing the board's jurisprudence examination within the past five
- 11.7 years;
- 11.8 E. a written agreement between the applicant and a board-approved Minnesota
- 11.9 licensed supervising dentist. The written agreement must include:
- 11.10 (1) all information requested by the board relating to the applicant's written
- 11.11 agreement;
- 11.12 (2) any practice limitations; and
- 11.13 (3) an acknowledgment that the applicant agrees to practice clinical dentistry
- 11.14 at least 1,100 hours annually for a period of three consecutive years after beginning clinical
- 11.15 practice in Minnesota;
- 11.16 F. documentation of current CPR certification; and
- 11.17 G. a criminal background check as required by Minnesota Statutes, section 214.075.

11.18 **Subp. 2. Terms of limited licensure.**

11.19 A. Throughout the three consecutive years while practicing general dentistry in

11.20 Minnesota under the general supervision of a Minnesota licensed dentist, the limited license

11.21 dentist must maintain and comply with the requirements in ~~items A to F~~ this subpart:

- 11.22 ~~A.~~ (1) submit annual payment of the renewal fee in Minnesota Statutes, section
- 11.23 150A.091, subdivision 9b, clause (2);

12.1 ~~B. (2)~~ maintain a consecutive and current CPR certification ~~as required to renew~~
 12.2 ~~a limited license;~~

12.3 ~~C. (3)~~ submit written correspondence and agreement to the board requesting
 12.4 approval of a subsequent supervising dentist and written agreement, within 14 days prior
 12.5 to employment start date with subsequent supervising dentist. The written agreement ~~shall~~
 12.6 must include:

12.7 (a) all information requested by the board. ~~The written agreement shall~~
 12.8 ~~also include~~ relating to the applicant's written agreement;

12.9 (b) any practice limitations; and

12.10 (c) an acknowledgment that the limited license dentist agrees to practice
 12.11 clinical dentistry at least 1,100 hours annually; for a period of three consecutive years or
 12.12 any remaining portion thereof;

12.13 ~~D. (4)~~ within seven business days of an unforeseen event, submit written
 12.14 correspondence for review by an appropriate committee of the board regarding the unforeseen
 12.15 circumstance that may interrupt the three consecutive years of supervision;

12.16 ~~E. (5)~~ maintain with the board a correct and current mailing address and electronic
 12.17 mail address and properly notify the board within 30 days of any changes as described in
 12.18 Minnesota Statutes, section 150A.09, subdivision 3; and

12.19 ~~F. (6)~~ maintain a professional development portfolio containing:

12.20 ~~(1)~~ (a) ~~acceptable~~ documentation of required hours in professional
 12.21 development activities; and

12.22 ~~(2)~~ (b) ~~a minimum of at least two different core subjects~~ fundamental courses
 12.23 as part of the fundamental activities;

12.24 ~~(3)~~ ~~one completed self-assessment examination; and~~

13.1 ~~(4) a consecutive and current CPR certification.~~

13.2 B. The total required hours of professional development activities required in item
 13.3 A, subitem (6), is 75 hours with a ~~minimum of~~ at least 45 hours in fundamental activities
 13.4 and a ~~maximum of~~ no more than 30 hours in elective activities. Completing at least 25 hours
 13.5 each year ~~towards~~ toward the total of 75 hours is required for compliance.

13.6 Subp. 3. **Terms of supervising dentist.** A supervising dentist must be licensed in
 13.7 Minnesota and provide general supervision to a limited license dentist. The supervising
 13.8 dentist is not required to be present in the office or on the premises when supervising the
 13.9 limited license dentist, but does require the supervising dentist to have knowledge and
 13.10 authorize the procedures being performed by the limited license dentist. For the three
 13.11 consecutive years or any portion thereof, the supervising dentist must be eligible to participate
 13.12 and comply with the requirements in items A to I.

13.13 *[For text of items A and B, see Minnesota Rules]*

13.14 C. A supervising dentist must have ~~an acceptable~~ a written agreement between
 13.15 the limited license dentist and the supervising dentist, and the supervising dentist may only
 13.16 supervise one limited license dentist for the duration of the agreement. The written agreement
 13.17 ~~shall~~ must include:

13.18 (1) all information requested by the board. ~~The written agreement shall also~~
 13.19 ~~include~~ relating to the applicant's written agreement;

13.20 (2) any practice limitations; and

13.21 (3) an acknowledgment that the limited license dentist agrees to practice
 13.22 clinical dentistry at least 1,100 hours annually; for a period of three consecutive years.

13.23 *[For text of items D to I, see Minnesota Rules]*

14.1 Subp. 4. **Requirements for licensure.**

14.2 A. Upon completion of the three consecutive years, a dentist with a limited license
14.3 to practice general dentistry in Minnesota shall be prohibited from practicing general dentistry
14.4 in Minnesota due to expiration of the limited license. A dentist who has an expired or nearly
14.5 expired limited license may apply for a dental license to practice general dentistry in
14.6 Minnesota by ~~presenting a license application to the board and meeting the following~~
14.7 ~~requirements in subitems (1) to (6).~~ An applicant providing the board:

14.8 (1) ~~must submit~~ a completed application for a dental license in Minnesota no
14.9 sooner than 90 days preceding the expiration date of the applicant's limited license or no
14.10 later than one year after the expiration date of the applicant's limited license;

14.11 (2) ~~must submit with the application~~ the ~~nonrefundable~~ fees in Minnesota
14.12 Statutes, section 150A.091, subdivisions 2 and 3;

14.13 (3) ~~must submit required~~ documentation of a ~~consecutive~~ and current CPR
14.14 certification;

14.15 (4) ~~shall provide~~ a professional development portfolio for the three consecutive
14.16 years preceding the license application date as described in subpart 2, item ~~F~~ A, subitem
14.17 (6); and

14.18 (5) ~~must submit~~ a written performance evaluation from each supervising
14.19 dentist regarding the applicant while practicing as a limited license dentist; ~~and.~~

14.20 B. (6) A dentist applying for a dental license under item A must not have been
14.21 subject to corrective or disciplinary action by the board while holding a limited license
14.22 during the three consecutive years.

14.23 ~~B. C.~~ An applicant whose license application has been denied may appeal the
14.24 denial by initiating a contested case hearing pursuant to Minnesota Statutes, chapter 14.

15.1 **3100.1150 ~~LICENSE TO PRACTICE DENTISTRY AS A FACULTY DENTIST;~~**
15.2 **FULL OR LIMITED.**

15.3 Subpart 1. **Licensure application and examination requirements.** A person seeking
15.4 licensure to practice as a faculty dentist who is not already licensed to practice dentistry in
15.5 Minnesota must provide the board:

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

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

15.8 A. (1) the person completes and submits to the board an a completed application
15.9 furnished by the board;

15.10 (2) the person is not otherwise licensed to practice dentistry in Minnesota;

15.11 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

15.12 C. evidence of passing the board's jurisprudence examination within the past five
15.13 years;

15.14 D. documentation of current CPR certification;

15.15 E. a criminal background check as required by Minnesota Statutes, section 214.075;
15.16 and

15.17 F. (3) a letter from the dean or program director of a school of dentistry accredited
15.18 by the Commission on Dental Accreditation certifies to the board, in accordance with the
15.19 requirements of item C, dental therapy, dental hygiene, or dental assisting certifying that
15.20 the person seeking licensure is a member of the school's faculty and practices dentistry;
15.21 and. The original letter must include:

15.22 (4) the person has not engaged in behavior for which licensure may be
15.23 suspended, revoked, limited, modified, or denied on any of the grounds specified in

16.1 ~~Minnesota Statutes, sections 150A.08, 214.17 to 214.25, 214.33, subdivision 2, or part~~
16.2 ~~3100.6100, 3100.6200, or 3100.6300.~~

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

16.6 (1) the applicant's full name;

16.7 ~~(2) the applicant's Social Security number;~~

16.8 ~~(3) the applicant's home and work address;~~

16.9 ~~(4)~~ (2) a statement that the applicant is a member of the faculty and practices
16.10 dentistry within the school or its affiliated teaching facilities, but only for purposes of
16.11 instruction or research; and

16.12 ~~(5)~~ (3) the dates of the applicant's employment by the school of dentistry;2
16.13 dental therapy, dental hygiene, or dental assisting.

16.14 ~~(6) a statement that the applicant has been notified of the need to be licensed~~
16.15 ~~by the board as a faculty dentist; and~~

16.16 ~~(7) a statement that the information provided is accurate and complete.~~

16.17 **Subp. 2. Termination of licensure.**

16.18 ~~A. The board shall terminate~~ a person's license to practice dentistry as a faculty
16.19 ~~dentist is terminated~~ when the person is no longer practicing dentistry as a member of the
16.20 faculty of a school of dentistry.

16.21 ~~B. A person licensed to practice dentistry as a faculty dentist must inform the~~
16.22 ~~board when the licensee is no longer practicing dentistry as a member of the faculty of a~~
16.23 ~~school of dentistry.~~

17.1 ~~C. A person who fails to inform the board as required in item B is deemed to have~~
17.2 ~~committed fraud or deception within the meaning of Minnesota Statutes, section 150A.08,~~
17.3 ~~subdivision 1, clause (1).~~

17.4 Subp. 3. **Terms and renewal of license.** A full faculty dentist may renew a full faculty
17.5 license according to the terms of renewal under part 3100.1700. A limited faculty dentist
17.6 may renew a limited faculty license under part 3100.1750.

17.7 Subp. 4. **Reinstatement of terminated license prohibited.** The board shall not
17.8 reinstate a terminated faculty license.

17.9 Subp. 5. **Emeritus license.** A full or limited faculty dentist who wishes to apply for
17.10 an emeritus license may apply for an emeritus inactive license under part 3100.1340. A full
17.11 or limited faculty dentist cannot apply for an emeritus active license under part 3100.1350.

17.12 Subp. 6. **Professional development.** A full faculty dentist must complete professional
17.13 development requirements including maintaining a professional portfolio under parts
17.14 3100.5100 to 3100.5300. A limited faculty dentist is not required to complete the professional
17.15 development requirements under part 3100.5100.

17.16 Subp. 7. **Anesthesia, sedation, and nitrous oxide.** A person applying for a faculty
17.17 license who wants the authority under the license to administer a pharmacological agent
17.18 for the purpose of general anesthesia, deep sedation, or moderate sedation or to administer
17.19 nitrous oxide inhalation analgesia must comply with the applicable requirements of part
17.20 3100.3600.

17.21 **3100.1160 ~~LICENSE TO PRACTICE DENTISTRY AS A RESIDENT DENTIST.~~**

17.22 Subpart 1. **Licensure application and examination requirements.** A person seeking
17.23 licensure to practice as a resident dentist who is not already licensed to practice dentistry
17.24 in Minnesota must provide the board:

18.1 ~~A. In order to practice dentistry as directly related to a respective graduate or~~
18.2 ~~advanced educational clinical experience, an enrolled graduate student or a student of an~~
18.3 ~~advanced education program must be licensed by the board.~~

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

18.5 ~~A. (1) the person completes and submits to the board an a completed application~~
18.6 ~~furnished by the board;~~

18.7 ~~(2) the person is not otherwise licensed to practice dentistry in Minnesota;~~

18.8 ~~B. the application fee in Minnesota Statutes, section 150A.091, subdivision 2;~~

18.9 ~~C. (3) the person provides evidence of having graduated from a dental school~~
18.10 ~~accredited by the Commission on Dental Accreditation;~~

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

18.14 ~~(5) the person has not engaged in behavior for which licensure may be~~
18.15 ~~suspended, revoked, limited, modified, or denied on any of the grounds specified in~~
18.16 ~~Minnesota Statutes, section 150A.08.~~

18.17 ~~E. evidence of passing the board's jurisprudence examination within the past five~~
18.18 ~~years;~~

18.19 ~~F. documentation of current CPR certification; and~~

18.20 ~~G. a criminal background check as required by Minnesota Statutes, section 214.075.~~

18.21 **Subp. 2. Termination of licensure.**

18.22 ~~A. The board shall terminate a person's license to practice dentistry as a resident~~
18.23 ~~dentist is terminated when the person is no longer an enrolled graduate student or a student~~

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

19.3 ~~B. A person licensed to practice dentistry as a resident dentist must inform the~~
19.4 ~~board when the licensee is no longer an enrolled graduate student or a student of an advanced~~
19.5 ~~dental education program accredited by the Commission on Dental Accreditation.~~

19.6 ~~C. A person who fails to inform the board as required in item B is deemed to have~~
19.7 ~~committed fraud or deception within the meaning of Minnesota Statutes, section 150A.08,~~
19.8 ~~subdivision 1, clause (1).~~

19.9 Subp. 3. **Terms and renewal of license.** A resident dentist may renew a resident
19.10 dental license according to the terms of renewal under part 3100.1750.

19.11 Subp. 4. **Reinstatement of terminated license prohibited.** The board shall not
19.12 reinstate a terminated resident dental license.

19.13 Subp. 5. **Professional development.** A resident dentist is not required to meet the
19.14 professional development requirements referenced in part 3100.5100.

19.15 **3100.1170 LICENSE TO PRACTICE AS A RESIDENT DENTAL THERAPIST OR**
19.16 **RESIDENT DENTAL HYGIENIST.**

19.17 Subpart 1. **Licensure application and examination requirements.** A person seeking
19.18 licensure to practice either as a resident dental therapist or resident dental hygienist must
19.19 provide the board:

19.20 ~~A. In order to practice dental therapy or dental hygiene as directly related to a~~
19.21 ~~respective graduate or advanced educational clinical experience, an enrolled graduate student~~
19.22 ~~or a student of an advanced education program must be licensed by the board.~~

19.23 ~~B. The board must license a person to practice dental therapy or dental hygiene~~
19.24 ~~as a resident dental therapist or resident dental hygienist if:~~

20.1 A. (1) the person completes and submits to the board an a completed application
20.2 furnished by the board;

20.3 B. the application fee in Minnesota Statutes, section 150A.091, subdivision 2;

20.4 C. (2) the person provides evidence of being an enrolled graduate student or a
20.5 student of an advanced dental education program approved by the board or accredited by
20.6 the Commission on Dental Accreditation or another board-approved national accreditation
20.7 organization; and

20.8 (3) the person has not engaged in behavior for which licensure may be
20.9 suspended, revoked, limited, modified, or denied on any of the grounds specified in
20.10 Minnesota Statutes, section 150A.08.

20.11 D. evidence of passing the board's jurisprudence examination within the past five
20.12 years;

20.13 E. documentation of current CPR certification; and

20.14 F. a criminal background check as required by Minnesota Statutes, section 214.075.

20.15 **Subp. 2. Termination of licensure.**

20.16 A. The board shall terminate a person's license to practice dental therapy or dental
20.17 hygiene as a resident dental therapist or resident dental hygienist ~~is terminated~~ when the
20.18 person is no longer an enrolled graduate student or a student of an advanced dental education
20.19 program approved by the board or accredited by the Commission on Dental Accreditation
20.20 or another board-approved national accreditation organization.

20.21 B. ~~A person licensed to practice dental therapy or dental hygiene as a resident~~
20.22 ~~dental therapist or resident dental hygienist must inform the board when the licensee is no~~
20.23 ~~longer an enrolled graduate student or a student of an advanced dental education program~~
20.24 ~~approved by the board.~~

21.1 ~~C. A person who fails to inform the board as required in item B within 30 days~~
21.2 ~~of no longer being enrolled as a student or graduate student in a program approved by the~~
21.3 ~~board, is deemed to have committed fraud or deception within the meaning of Minnesota~~
21.4 ~~Statutes, section 150A.08, subdivision 1, clause (1).~~

21.5 Subp. 3. **Terms and renewal of license.** A resident dental therapist or resident dental
21.6 hygienist may renew a resident license for dental therapy or dental hygiene according to
21.7 the terms of renewal under part 3100.1750.

21.8 Subp. 4. **Reinstatement of terminated license prohibited.** The board shall not
21.9 reinstate a terminated resident license for dental therapy or dental hygiene.

21.10 Subp. 5. **Professional development.** A resident dental therapist or resident dental
21.11 hygienist is not required to meet the professional development requirements referenced in
21.12 part 3100.5100.

21.13 **3100.1180 DENTAL THERAPIST AND ADVANCED DENTAL THERAPIST.**

21.14 Subpart 1. **Dental therapist; licensure application and examination requirements.** A
21.15 person seeking licensure to practice dental therapy in Minnesota must provide the board:

21.16 A. a completed application;

21.17 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

21.18 C. evidence of having graduated with a baccalaureate degree or a master's degree
21.19 from a dental therapy education program that has been approved by the board or accredited
21.20 by the Commission on Dental Accreditation or another board-approved national accreditation
21.21 organization;

21.22 D. evidence of passing a board-approved clinical examination in dental therapy
21.23 within the past five years;

22.1 E. evidence of passing the board's jurisprudence examination within the past five
22.2 years;

22.3 F. documentation of current CPR certification; and

22.4 G. a criminal background check as required by Minnesota Statutes, section 214.075.

22.5 Subp. 2. **Additional education for two failed clinical examinations.** If an applicant
22.6 fails twice any part of the clinical examination required by Minnesota Statutes, section
22.7 150A.06, subdivision 1d, the applicant must not retake the examination until the applicant
22.8 successfully completes additional education provided by an institution approved by the
22.9 board. The education must cover all of the subject areas failed by the applicant in the clinical
22.10 examination. The applicant may retake the examination only after the institution provides
22.11 information to the board specifying the areas failed in the previous examinations and the
22.12 education provided to address the areas failed, and certifies that the applicant has successfully
22.13 completed the education. The applicant must take the additional education provided above
22.14 each time the applicant fails the clinical examination twice.

22.15 Subp. 3. **Advanced dental therapist; certification requirements.** A person who is
22.16 currently licensed as a dental therapist in Minnesota and seeking certification to practice as
22.17 an advanced dental therapist in Minnesota must provide the board:

22.18 A. a completed application;

22.19 B. the application fee in Minnesota Statutes, section 150A.091, subdivision 2;

22.20 C. evidence of having completed at least 2,000 hours of dental therapy clinical
22.21 practice under direct or indirect supervision;

22.22 D. evidence of having graduated with a baccalaureate degree or a master's degree
22.23 from a dental therapy education program that has been approved by the board or accredited
22.24 by the Commission on Dental Accreditation or another board-approved national accreditation
22.25 organization;

23.1 E. evidence of having graduated from a master's advanced dental therapy education
23.2 program; and

23.3 F. evidence of passing a board-approved certification examination in advanced
23.4 dental therapy.

23.5 Subp. 4. **Terms and renewal of license.** A dental therapist may renew a dental therapy
23.6 license according to the terms of renewal under part 3100.1700. The onetime certification
23.7 for an advanced dental therapist does not require renewal once obtained.

23.8 Subp. 5. **Reinstatement of license.** To reinstate a terminated dental therapy license,
23.9 the applicant must comply with the requirements of part 3100.1850.

23.10 Subp. 6. **Emeritus license.** A dental therapist who wishes to apply for an emeritus
23.11 license may apply for an emeritus inactive license under part 3100.1340 or an emeritus
23.12 active license under part 3100.1350.

23.13 Subp. 7. **Professional development.** A dental therapist must complete professional
23.14 development requirements including maintaining a professional portfolio under parts
23.15 3100.5100 to 3100.5300.

23.16 Subp. 8. **Nitrous oxide.** A person applying for a dental therapy license who wants
23.17 the authority under the license to administer nitrous oxide inhalation analgesia must comply
23.18 with the requirements of part 3100.3600, subpart 13.

23.19 Subp. 9. **Delegated procedures.** A dental therapist can perform the delegated
23.20 procedures indicated within Minnesota Statutes, section 150A.105. An advanced dental
23.21 therapist can perform the delegated procedures indicated within Minnesota Statutes, sections
23.22 150A.105 and 150A.106.

24.1 **3100.1200 APPLICATION FOR LICENSE TO PRACTICE DENTAL HYGIENE**
24.2 **HYGIENIST.**

24.3 Subpart 1. Licensure application and examination requirements. A person seeking
24.4 licensure to practice dental hygiene in Minnesota must ~~present an application and credentials~~
24.5 ~~as determined by the board and meet the following requirements of~~ provide the board.:

24.6 A. ~~The a completed~~ application ~~must be on a form furnished by the board and~~
24.7 ~~must be completely filled out.;~~

24.8 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

24.9 B. C. ~~The applicant must furnish certification of having passed the~~ evidence of
24.10 passing a national board examination as defined in part 3100.0100, subpart 15. for the
24.11 practice of dental hygiene within the past five years;

24.12 C. D. ~~The applicant shall submit evidence of satisfactorily passing a board~~
24.13 ~~approved~~ clinical examination designed to determine the applicant's level of clinical skills.
24.14 within the past five years;

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

24.18 E. F. ~~For identification purposes, the applicant shall furnish one notarized~~
24.19 ~~unmounted passport-type photograph, three inches by three inches, taken not more than six~~
24.20 ~~months before the date of the application.~~ evidence of passing the board's jurisprudence
24.21 examination within the past five years;

24.22 F. G. ~~The applicant shall furnish evidence of good moral character satisfactory~~
24.23 ~~to the board and certification from the Board of Dental Examiners in the state or Canadian~~
24.24 ~~province in which the applicant is already licensed.~~ documentation of current CPR
24.25 certification; and

25.1 H. a criminal background check as required by Minnesota Statutes, section 214.075.

25.2 Subp. 2. **Additional education for two failed clinical examinations.** If an applicant
25.3 fails twice any part of the clinical examination required by Minnesota Statutes, section
25.4 150A.06, subdivision 2, the applicant must not retake the examination until the applicant
25.5 successfully completes additional education provided by an institution accredited by the
25.6 Commission on Dental Accreditation. The education must cover all of the subject areas
25.7 failed by the applicant in each of the two clinical examinations. The applicant may retake
25.8 the examination only after the institution provides to the board information specifying the
25.9 areas failed in the previous examinations and the education provided to address the areas
25.10 failed, and certifies that the applicant has successfully completed the education. The applicant
25.11 must take the additional education provided above each time the applicant fails the clinical
25.12 examination twice.

25.13 Subp. 3. **Terms and renewal of license.** A dental hygienist may renew a dental
25.14 hygiene license according to the terms of renewal under part 3100.1700.

25.15 Subp. 4. **Reinstatement of license.** To reinstate a terminated dental hygiene license,
25.16 the applicant must comply with the requirements of part 3100.1850.

25.17 Subp. 5. **Emeritus license.** A dental therapist who wishes to apply for an emeritus
25.18 license may apply for an emeritus inactive license under part 3100.1340 or an emeritus
25.19 active license under part 3100.1350.

25.20 Subp. 6. **Professional development.** A dental therapist must complete professional
25.21 development requirements including maintaining a professional portfolio under parts
25.22 3100.5100 to 3100.5300.

25.23 Subp. 7. **Nitrous oxide.** A person applying for a dental hygiene license who wants
25.24 the authority under the license to administer nitrous oxide inhalation analgesia must comply
25.25 with the requirements of part 3100.3600, subpart 14.

26.1 Subp. 8. Delegated procedures. A dental hygienist can perform the delegated
 26.2 procedures indicated within part 3100.8700.

26.3 **3100.1300 APPLICATION FOR LICENSE TO PRACTICE LICENSED DENTAL**
 26.4 **ASSISTING ASSISTANT.**

26.5 Subpart 1. Licensure application and examination requirements. A person ~~desiring~~
 26.6 ~~to be licensed as a~~ seeking licensure to practice dental assistant shall submit to the board
 26.7 ~~an application and credentials as prescribed by the act and shall conform to the following~~
 26.8 assisting in Minnesota must provide the board:

26.9 A. ~~An a completed~~ application ~~on a form furnished by the board shall be completely~~
 26.10 ~~filled out;~~

26.11 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

26.12 ~~B. C. The applicant shall furnish a certified copy or its equivalent of a diploma~~
 26.13 ~~or certificate of satisfactory completion of a training program approved~~ evidence of having
 26.14 graduated from a school of dental assisting accredited by the Commission on Dental
 26.15 ~~Accreditation or other program which, in the judgment of the board, is equivalent. If the~~
 26.16 ~~curriculum of the training program school~~ does not include training in the expanded ~~duties~~
 26.17 procedures specified in part 3100.8500, the applicant must successfully complete a
 26.18 board-approved course in these functions which has been approved by the board. ~~procedures;~~

26.19 ~~C. D. Submission of evidence of satisfactorily passing both the board's state~~
 26.20 ~~licensing examination and the board-approved nationally recognized examination designed~~
 26.21 ~~to determine the applicant's knowledge of the clinical duties in part 3100.8500, subparts 1~~
 26.22 ~~to 1b.~~ within the past five years;

26.23 ~~D. E. For identification purposes, the applicant shall furnish one notarized~~
 26.24 ~~unmounted passport-type photograph, three inches by three inches, taken not more than six~~

27.1 ~~months before the date of the application.~~ evidence of passing a national board examination
27.2 for the practice of dental assisting within the past five years;

27.3 ~~E. F. The applicant shall furnish evidence of good moral character satisfactory to~~
27.4 ~~the board.~~ evidence of passing the board's jurisprudence examination within the past five
27.5 years;

27.6 ~~F. A dental assistant who received and maintained registration in Minnesota prior~~
27.7 ~~to January 1, 2010, will continue to practice as a licensed dental assistant thereafter without~~
27.8 ~~completing any further examinations as required by this part. The licensed dental assistant~~
27.9 ~~must submit the applicable fee for an original license to the board at the time of the~~
27.10 ~~subsequent biennial renewal as specified in the board's notice. If the applicable fee for the~~
27.11 ~~original license is not received by the board, the licensee's registration will expire and the~~
27.12 ~~licensee's right to practice as a licensed dental assistant will be terminated by the board.~~

27.13 ~~G.~~ documentation of current CPR certification; and

27.14 ~~H.~~ a criminal background check as required by Minnesota Statutes, section 214.075.

27.15 Subp. 2. Additional education for two failed board's state licensing examinations. If
27.16 an applicant fails twice any part of the board's state licensing examination required by
27.17 Minnesota Statutes, section 150A.06, subdivision 2a, the applicant must not retake the
27.18 examination until the applicant successfully completes additional education provided by an
27.19 institution accredited by the Commission on Dental Accreditation or an independent instructor
27.20 approved by the board. The education must cover all of the subject areas failed by the
27.21 applicant in each of the two examinations. The applicant may retake the examination only
27.22 after the institution or independent instructor provides to the board information specifying
27.23 the areas failed in the previous examinations and the education provided to address the areas
27.24 failed, and certifies that the applicant has successfully completed the education. The applicant
27.25 must take the additional education required in this subpart each time the applicant fails the
27.26 board's state licensing examination twice.

28.1 Subp. 3. **Terms and renewal of license.** A licensed dental assistant may renew a
28.2 dental assisting license according to the terms of renewal under part 3100.1700.

28.3 Subp. 4. **Reinstatement of license.** To reinstate a terminated dental assisting license,
28.4 the applicant must comply with the requirements of part 3100.1850.

28.5 Subp. 5. **Emeritus license.** A licensed dental assistant who wishes to apply for an
28.6 emeritus license may apply for an emeritus inactive license under part 3100.1340 or an
28.7 emeritus active license under part 3100.1350.

28.8 Subp. 6. **Professional development.** A licensed dental assistant must complete
28.9 professional development requirements including maintaining a professional portfolio under
28.10 parts 3100.5100 to 3100.5300.

28.11 Subp. 7. **Nitrous oxide.** A person applying for a dental assisting license who wants
28.12 the authority under the license to administer nitrous oxide inhalation analgesia must comply
28.13 with the requirements of part 3100.3600, subpart 15.

28.14 Subp. 8. **Delegated procedures.** A licensed dental assistant can perform the delegated
28.15 procedures indicated within part 3100.8500.

28.16 **3100.1320 LIMITED RADIOLOGY REGISTRATION.**

28.17 Subpart 1. **Registration application and examination requirements.** A person
28.18 seeking registration in Minnesota to take dental radiographs under general supervision of
28.19 a dentist must provide the board:

28.20 A. a completed application;

28.21 B. the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

28.22 C. evidence of having completed a board-approved course on dental radiology
28.23 offered through a school accredited by the Commission on Dental Accreditation;

29.1 D. evidence of passing a board-approved nationally recognized radiation
29.2 examination within the past five years;

29.3 E. evidence of passing the board's jurisprudence examination within the past five
29.4 years;

29.5 F. documentation of current CPR certification; and

29.6 G. a criminal background check as required by Minnesota Statutes, section 214.075.

29.7 Subp. 2. Grandfather provision. The requirements of subpart 1 do not apply to an
29.8 individual who was registered in Minnesota to take dental radiographs under general
29.9 supervision of a dentist prior to January 1, 2021.

29.10 Subp. 3. Terms and renewal of registration. A person with a limited radiology
29.11 registration may renew the limited radiology registration according to the terms of renewal
29.12 under part 3100.1700.

29.13 Subp. 4. Reinstatement requirements.

29.14 A. A person seeking reinstatement of a registration terminated by the board
29.15 according to part 3100.1700, subpart 3, or voluntarily terminated by the person must:

29.16 (1) provide the board a completed reinstatement application;

29.17 (2) provide the board the biennial renewal and reinstatement fees in Minnesota
29.18 Statutes, section 150A.091, subdivisions 5 and 10; and

29.19 (3) comply with the applicable provisions of items B to D.

29.20 B. If the license was terminated six months ago or less, the person must provide
29.21 the board:

29.22 (1) evidence of completing the professional development requirements in
29.23 subpart 6 within 24 months prior to the board's receipt of the application; and

30.1 (2) documentation of current CPR certification.

30.2 C. If the license was terminated more than six months but less than 24 months
30.3 ago the person must provide the board:

30.4 (1) evidence of completing the professional development requirements in
30.5 subpart 6 within 24 months prior to the board's receipt of the application;

30.6 (2) documentation of current CPR certification;

30.7 (3) evidence of passing the board's jurisprudence examination within 12
30.8 months prior to the board's receipt of the application; and

30.9 (4) a criminal background check if terminated more than one year as required
30.10 by Minnesota Statutes, section 214.075.

30.11 D. If the license was terminated 24 months or more ago the person must provide
30.12 the board:

30.13 (1) evidence of completing the professional development requirement in
30.14 subpart 6 within 24 months prior to the board's receipt of the application;

30.15 (2) documentation of current CPR certification;

30.16 (3) evidence of passing the board's jurisprudence examination within 12
30.17 months prior to the board's receipt of the application;

30.18 (4) a criminal background check if terminated more than one year as required
30.19 by Minnesota Statutes, section 214.075;

30.20 (5) evidence of successfully completing the dental radiology course described
30.21 in subpart 1, item C, within 24 months prior to the board's receipt of the application; and

30.22 (6) evidence of passing the radiation examination described in subpart 1, item
30.23 D, within 24 months prior to the board's receipt of the application.

31.1 Subp. 5. **Emeritus prohibition.** A person with a limited radiology registration cannot
31.2 apply for an emeritus inactive or an emeritus active license in parts 3100.1340 and 3100.1350.

31.3 Subp. 6. **Professional development.** A person with a limited radiology registration
31.4 must complete two hours of infection control education and maintain compliance with the
31.5 most current infection control practices for a dental setting.

31.6 **3100.1340 EMERITUS INACTIVE.**

31.7 Subpart 1. **Licensure application requirements.**

31.8 A. A person licensed to practice dentistry, dental therapy, dental hygiene, or dental
31.9 assisting in Minnesota who retires from active practice may apply for an emeritus inactive
31.10 license by providing the board:

31.11 (1) a completed application; and

31.12 (2) the onetime application fee in Minnesota Statutes, section 150A.091,
31.13 subdivision 19.

31.14 B. A person applying under this subpart must not currently be subject to any
31.15 disciplinary action resulting in suspension, revocation, disqualification, condition, or
31.16 restriction of the person's license.

31.17 Subp. 2. **Terms of emeritus inactive license.**

31.18 A. An emeritus inactive license is not a license to practice dentistry, dental therapy,
31.19 dental hygiene, or dental assisting. This formal license recognizes the completion of a
31.20 licensee's dental career in good standing.

31.21 B. An emeritus inactive license is not renewable according to Minnesota Statutes,
31.22 section 150A.06, subdivision 10.

32.1 C. Once an emeritus inactive license is issued by the board, the licensee cannot
32.2 seek reinstatement of the licensee's prior license in dentistry, dental therapy, dental hygiene,
32.3 or dental assisting.

32.4 **3100.1350 EMERITUS ACTIVE.**

32.5 **Subpart 1. Licensure application requirements.**

32.6 A. A person licensed to practice dentistry, dental therapy, dental hygiene, or dental
32.7 assisting in Minnesota who retires from active practice may apply for an emeritus active
32.8 license by providing the board:

32.9 (1) a completed application; and

32.10 (2) the application fee in Minnesota Statutes, section 150A.091, subdivision
32.11 20.

32.12 B. A person applying under this subpart must not currently be subject to any
32.13 disciplinary action resulting in suspension, revocation, disqualification, condition, or
32.14 restriction of the person's license.

32.15 Subp. 2. Right to practice. An emeritus active license allows the applicant to engage
32.16 in:

32.17 A. pro bono or volunteer dental practice;

32.18 B. paid practice not to exceed 500 hours per calendar year for the exclusive purpose
32.19 of providing licensing supervision to meet the board's requirements; and

32.20 C. paid consulting services not to exceed 500 hours per calendar year.

32.21 **Subp. 3. Renewal and prohibition on reinstatement.**

32.22 A. An emeritus active license is renewed biennially and continues on with the
32.23 licensee's same renewal cycle according to Minnesota Statutes, section 150A.06, subdivision

33.1 11. If the licensee fails to renew an emeritus active license by the deadline, the license
33.2 expires and the board shall terminate the licensee's right to practice.

33.3 B. If an emeritus active license is terminated, the licensee cannot seek reinstatement
33.4 of that license or of the licensee's prior license in dentistry, dental therapy, dental hygiene,
33.5 or dental assisting.

33.6 Subp. 4. **Professional development.** For each biennial professional development
33.7 cycle, the licensee must comply with the professional development requirements including
33.8 a portfolio audit described within parts 3100.5100 to 3100.5300, with the following
33.9 modifications:

33.10 A. For each biennial cycle, instead of the requirements under part 3100.5100,
33.11 subpart 2, the required number of hours of fundamental and elective activities is 25 hours
33.12 for a dentist and dental therapist and 13 hours for a dental hygienist and licensed dental
33.13 assistant, delineated as follows:

33.14 (1) of the 25 hours for a dentist and dental therapist, at least 15 hours must
33.15 be fundamental activities and no more than ten hours can be elective activities; and

33.16 (2) of the 13 hours for a dental hygienist and licensed dental assistant, at least
33.17 seven hours must be fundamental activities and no more than six hours can be elective
33.18 activities.

33.19 B. Fundamental activities for each biennial cycle must include:

33.20 (1) at least two different fundamental courses; and

33.21 (2) an infection control course.

33.22 **3100.1370 GUEST LICENSE.**

33.23 Subpart 1. **Licensure application requirements.** A person who is currently a licensed
33.24 dentist, dental therapist, dental hygienist, or dental assistant in good standing and engaged

34.1 in the practice of dentistry in another United States jurisdiction may apply for a guest license
34.2 by providing the board:

34.3 A. a completed application;

34.4 B. the application fee in Minnesota Statutes, section 150A.06, subdivision 2c;

34.5 C. evidence of having graduated from either a school of dentistry, dental therapy,
34.6 dental hygiene, or dental assisting accredited by the Commission on Dental Accreditation;

34.7 D. evidence that the clinic at which the licensee practices is a nonprofit organization
34.8 that is a public health setting;

34.9 E. documentation of current CPR certification; and

34.10 F. a criminal background check as required by Minnesota Statutes, section 214.075.

34.11 Subp. 2. **Terms of license renewal.** A guest license may be renewed annually at the
34.12 end of the calendar year according to Minnesota Statutes, section 150A.06, subdivision 2c.

34.13 Subp. 3. **Professional development.** A person holding a guest license must complete
34.14 professional development requirements under part 3100.5100.

34.15 Subp. 4. **Anesthesia, sedation, and nitrous oxide.** A person applying for a guest
34.16 license to practice dentistry, dental therapy, dental hygiene, or dental assisting who wants
34.17 the authority under the license to administer a pharmacological agent for the purpose of
34.18 general anesthesia, deep sedation, or moderate sedation or to administer nitrous oxide
34.19 inhalation analgesia must comply with the applicable requirements of part 3100.3600.

34.20 **3100.1380 GUEST-VOLUNTEER LICENSE.**

34.21 Subpart 1. **Licensure application requirements.** A person who is currently a licensed
34.22 dentist, dental therapist, dental hygienist, or dental assistant in good standing in another
34.23 United States jurisdiction may apply for a guest-volunteer license without compensation
34.24 by providing the board:

35.1 A. a completed application;

35.2 B. evidence of having graduated from either a school of dentistry, dental therapy,
35.3 dental hygiene, or dental assisting accredited by the Commission on Dental Accreditation;

35.4 C. evidence that the clinic at which the licensee practices is a nonprofit organization
35.5 that is a public health setting; and

35.6 D. documentation of current CPR certification.

35.7 Subp. 2. **Terms and renewal of license.** A person issued a guest volunteer license
35.8 must not practice more than ten days in a calendar year. The license expires December 31
35.9 according to Minnesota Statutes, section 150A.06, subdivision 2c, and cannot be renewed.

35.10 Subp. 3. **Professional development.** A licensed guest-volunteer is not required to
35.11 meet the professional development requirements referenced in part 3100.5100.

35.12 Subp. 4. **Nitrous oxide.** A person applying for a guest-volunteer license to practice
35.13 dentistry, dental therapy, dental hygiene, or dental assisting who wants the authority under
35.14 the license to administer nitrous oxide inhalation analgesia must comply with the applicable
35.15 requirements of part 3100.3600.

35.16 Subp. 5. **Mini licenses.** The board shall provide a licensed guest volunteer a free mini
35.17 license under this part.

35.18 **3100.1400 APPLICATION FOR LICENSURE BY CREDENTIALS.**

35.19 Subpart 1. **Licensure application requirements.** A person who is ~~already~~ currently
35.20 a licensed dentist, dental therapist, or dental hygienist in another state United States
35.21 jurisdiction or Canadian province ~~desiring~~ seeking to be licensed to practice dentistry, dental
35.22 therapy, or dental hygiene in Minnesota ~~shall, in order to demonstrate the person's knowledge~~
35.23 ~~of dental subjects and ability to practice dentistry or dental hygiene in Minnesota, comply~~
35.24 with the requirements in items A to N, must provide the board:

36.1 A. ~~The applicant shall complete an~~ a completed application furnished by the
36.2 ~~board;~~

36.3 B. the fee in Minnesota Statutes, section 150A.091, subdivision 9;

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

36.7 D. evidence of having graduated with a baccalaureate degree or a master's degree
36.8 from a dental therapy education program that has been approved by the board or accredited
36.9 by the Commission on Dental Accreditation or another board-approved national accreditation
36.10 organization;

36.11 E. evidence of having graduated from a master's advanced dental therapy education
36.12 program;

36.13 C. F. ~~An applicant for licensure as a dentist must have been~~ proof of completing
36.14 at least 2,000 hours within the past 36 months in active practice in another state United
36.15 States jurisdiction, Canadian province, or United States government service for at least
36.16 2,000 hours within 36 months prior to the board receiving a completed application and must
36.17 submit at least three references from other practicing dentists;

36.18 D. ~~An applicant for licensure as a dental hygienist must have been in active practice~~
36.19 ~~in another state, Canadian province, or United States government service for at least 2,000~~
36.20 ~~hours within 36 months prior to the board receiving a completed application. The applicant~~
36.21 ~~must submit at least two character references from dentists and two references from practicing~~
36.22 ~~dental hygienists.~~

36.23 E. G. ~~An applicant must provide evidence of having passed~~ passing a clinical
36.24 examination for licensure in another state United States jurisdiction or Canadian province;
36.25 ~~where the licensure requirements are substantially equivalent to that of Minnesota;~~

37.1 ~~F. H. An applicant shall include a physician's statement attesting to the applicant's~~
37.2 ~~physical and mental condition and a statement from a licensed ophthalmologist or optometrist~~
37.3 ~~attesting to the applicant's visual acuity. evidence of passing all parts of a national board~~
37.4 ~~examination for the practice of dentistry, dental therapy, or dental hygiene;~~

37.5 ~~G. An applicant must submit with the application a fee as prescribed in Minnesota~~
37.6 ~~Statutes, section 150A.091, subdivision 9.~~

37.7 ~~H. For identification purposes, the applicant shall furnish one notarized unmounted~~
37.8 ~~passport-type photograph, three inches by three inches, taken not more than six months~~
37.9 ~~before the date of application.~~

37.10 ~~I. In advance of the appearance required by item J, an applicant for licensure by~~
37.11 ~~credentials as a dentist shall submit complete records on a sample of patients treated by the~~
37.12 ~~applicant. The sample must be drawn from patients treated by the applicant during the five~~
37.13 ~~years preceding the date of application. The number of records requested of the applicant~~
37.14 ~~shall be established by resolution of the board. The records submitted shall be reasonably~~
37.15 ~~representative of the treatment typically provided by the applicant.~~

37.16 ~~J. An applicant must appear before the board and satisfactorily respond to questions~~
37.17 ~~designed to determine the applicant's knowledge of dental subjects and ability to practice~~
37.18 ~~dentistry or dental hygiene pursuant to Minnesota Statutes, section 150A.06, subdivision~~
37.19 ~~4. Questions may be based on the records submitted pursuant to item I.~~

37.20 ~~K. I. An applicant shall successfully complete an evidence of passing the board's~~
37.21 ~~jurisprudence examination designed to test knowledge of Minnesota laws relating to the~~
37.22 ~~practice of dentistry and the rules of the board. within the past five years; and~~

37.23 ~~L. If the board adopts simulated dental patient examinations as part of the~~
37.24 ~~application process, applicants shall complete simulated dental patient examinations designed~~
37.25 ~~to test their knowledge of dental subjects.~~

38.1 ~~M. An applicant shall provide adequate documentation of attained professional~~
38.2 ~~development or continuing dental education for the 60 months preceding the date of~~
38.3 ~~application.~~

38.4 ~~N. An applicant may apply for licensure by credentials only once within any~~
38.5 ~~five-year period of time.~~

38.6 J. documentation of current CPR certification.

38.7 Subp. 2. **Disciplinary action.** A person seeking licensure under subpart 1 must not
38.8 be subject to any pending or final disciplinary action in another United States jurisdiction
38.9 or Canadian province.

38.10 **3100.1700 TERMS AND RENEWAL OF LICENSE OR PERMIT REGISTRATION;**
38.11 **GENERAL.**

38.12 Subpart 1. **Requirements.** The requirements of this part apply to the terms and renewal
38.13 of a license or ~~limited license permit of an applicant other than a limited faculty or resident~~
38.14 ~~dentist registration.~~ The requirements for the terms and renewal of licensure as a limited
38.15 faculty ~~or dentist~~, resident dentist, resident dental therapist, or resident dental hygienist are
38.16 specified in part 3100.1750.

38.17 Subp. 1a. **Initial term.** An initial license or permit registration issued by the board is
38.18 valid from the date issued until the last day of the licensee's or registrant's birth month in
38.19 either the following even-numbered year for an even-numbered birthdate year or the
38.20 following odd-numbered year for an odd-numbered birthdate year, or terminated according
38.21 to the procedures in this part.

38.22 Subp. 1b. **Biennial term.** A properly renewed license or permit registration issued
38.23 by the board is valid from the first day of the month following expiration for 24 months
38.24 until renewed or terminated according to the procedures in this part.

39.1 Subp. 1c. Fees. The initial, biennial renewal, and late fee amounts are in Minnesota
39.2 Statutes, section 150A.091, subdivisions 3, 5, and 7.

39.3 Subp. 2. **Biennial renewal applications.** Each licensee ~~shall~~ or registrant must submit
39.4 an application for biennial renewal of a license or ~~permit together with~~ registration by paying
39.5 ~~the necessary~~ required fee to the board no later than the last day of the licensee's or registrant's
39.6 birth month, which is the application deadline. ~~An application for renewal is deemed timely~~
39.7 ~~if received by the board or postmarked no later than the last day of the licensee's birth month.~~
39.8 The application form must ~~provide a place for the renewal applicant's signature certifying~~
39.9 ~~compliance with the applicable professional development requirements including~~ require
39.10 the licensee or registrant to certify compliance with maintaining a consecutive and current
39.11 CPR certification ~~and information including the applicant's office address or addresses, the~~
39.12 ~~license number, whether the licensee has been engaged in the active practice of dentistry~~
39.13 ~~during the two years preceding the period for which renewal is sought as a licensee, and if~~
39.14 ~~so, whether within or without the state, and any other information that may be reasonably~~
39.15 ~~requested by the board.~~ Failure by a licensee or registrant to maintain a consecutive and
39.16 current CPR certification subjects the licensee or registrant to disciplinary proceedings
39.17 under parts 3100.6100 and 3100.6200 and Minnesota Statutes, section 150A.08, subdivision
39.18 1.

39.19 Subp. 3. **Failure to submit biennial renewal application.** ~~The procedures in this~~
39.20 ~~subpart shall be followed by the board for all licensees who have failed to submit the biennial~~
39.21 ~~renewal application according to subpart 2 and applicable fees, except as provided in subpart~~
39.22 ~~5.~~

39.23 A. ~~Any time~~ If a licensee or registrant fails to biennially renew their license or
39.24 registration, the board shall, after the application deadline, ~~the board will send, to the last~~
39.25 ~~address on file with the board,~~ a notice to a the licensee who has not made application for

40.1 ~~the renewal of a license or permit or registrant. The notice will~~ must state ~~that licensee has~~
40.2 ~~failed to make application for renewal; the amount of the renewal and late fees; that.~~

40.3 B. A licensee may voluntarily or registrant must renew their license or registration
40.4 within 30 days of the license's or registration's expiration date.

40.5 C. If the licensee or registrant fails to renew their license or registration according
40.6 to item B, the board shall administratively terminate the license or permit by notifying the
40.7 board; and that failure to respond to the notice by the date specified, which date must be at
40.8 least 33 days after the notice is sent out by the board, either by submitting the renewal
40.9 application and applicable fees, or by notifying the board that licensee has voluntarily
40.10 terminated the license or permit will result in the expiration of the license or permit and
40.11 termination of registration and the right to practice. The board shall not consider an
40.12 administrative termination of a license or registration to be a disciplinary action against the
40.13 licensee or registrant.

40.14 ~~B. D. If the application for renewal, including the applicant's signature certifying~~
40.15 ~~compliance with the applicable professional development requirements, and the applicable~~
40.16 ~~biennial and late fees or notice of voluntary termination is not received by the board by the~~
40.17 ~~date specified in the notice, a licensee or registrant elected not to renew the license or~~
40.18 ~~registration, the licensee or registrant may:~~

40.19 (1) voluntarily terminate the license or permit will expire and the licensee's
40.20 right to practice will terminate as of the date specified in the notice. The expiration and
40.21 termination will not be considered a disciplinary action against the licensee. registration;
40.22 or

40.23 (2) apply for an emeritus inactive or emeritus active license through the board,
40.24 except for individuals with a limited radiology registration.

41.1 Subp. 4. **Reinstatement.** A license ~~which has expired according to~~ terminated in this
41.2 part may be reinstated according to part 3100.1850. A limited radiology registration
41.3 terminated in subpart 3 may be reinstated according to part 3100.1320.

41.4 Subp. 5. [See repealer.]

41.5 **3100.1750 TERMS AND RENEWAL OF ~~LICENSURE~~ LICENSE; LIMITED**
41.6 **FACULTY AND DENTIST, RESIDENT DENTISTS DENTIST, RESIDENT DENTAL**
41.7 **THERAPIST, AND RESIDENT DENTAL HYGIENIST.**

41.8 Subpart 1. **Requirements.** The requirements of this part apply to the terms and renewal
41.9 of licensure as a limited faculty ~~or~~ dentist, resident dentist, resident dental therapist, or
41.10 resident dental hygienist.

41.11 Subp. 2. **Terms.** An initial license issued by the board is valid from the date issued
41.12 until renewed or terminated in accordance with the procedures specified in this part. An
41.13 annually renewed license ~~issued by the board~~ is valid from July 1 ~~of the year for which it~~
41.14 ~~was issued~~ until renewed no later than the following June 30 or terminated in accordance
41.15 with the procedures specified in this part.

41.16 Subp. 2a. **Annual license fees.** The annual renewal and late fee amounts are in
41.17 Minnesota Statutes, section 150A.091, subdivisions 4 and 6.

41.18 Subp. 3. **Annual license renewal applications.**

41.19 ~~A.~~ A limited faculty ~~or~~ dentist, resident dentist, resident dental therapist, or resident
41.20 dental hygienist must ~~complete and submit to the board an application form furnished by~~
41.21 ~~the board, together with the applicable annual renewal~~ annually renew their license by
41.22 paying the required fee; no later than June 30 for the 12-month period for which licensure
41.23 renewal is requested. ~~Applications for renewal will be considered timely if received by the~~
41.24 ~~board no later than June 30 or postmarked on June 30. If the postmark is illegible, the~~
41.25 ~~application will be considered timely if received in the board office via United States first~~

42.1 ~~class mail on the first workday after June 30.~~ The renewal requires maintaining a consecutive
 42.2 and current CPR certification.

42.3 ~~B. An applicant must submit on the application form the following:~~

42.4 ~~(1) the applicant's signature;~~

42.5 ~~(2) the applicant's institutional addresses;~~

42.6 ~~(3) the applicant's license number; and~~

42.7 ~~(4) any additional information requested by the board.~~

42.8 Subp. 4. [See repealer.]

42.9 Subp. 5. [See repealer.]

42.10 Subp. 6. [See repealer.]

42.11 Subp. 7. **Failure to submit annual license renewal.** After a license for a limited
 42.12 faculty dentist, resident dentist, resident dental therapist, or resident dental hygienist expires,
 42.13 the board shall send a notice to the licensee who has not renewed their license. The notice
 42.14 must state the amount of the renewal and late fees. The licensee must renew within 30 days
 42.15 of the expiration date of the license or the board shall administratively terminate the license
 42.16 and the right to practice. The board shall not consider an administrative termination of a
 42.17 license to be a disciplinary action against the licensee.

42.18 **3100.1850 REINSTATEMENT OF LICENSE.**

42.19 Subpart 1. **Requirements.** ~~A. A person desiring the~~ seeking reinstatement of a license
 42.20 after the board has terminated the license according to part 3100.1700, subpart 3, or the
 42.21 person has voluntarily terminated the license, must:

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

43.1 B. (2) submit with provide the board the biennial renewal and reinstatement
43.2 application the fee specified fees in Minnesota Statutes, section 150A.091, subdivision
43.3 subdivisions 5 and 10; and

43.4 (3) include with the reinstatement application a letter stating the reasons for
43.5 applying for reinstatement; and

43.6 C. (4) comply with the applicable provisions of subparts 2 to 5 3.

43.7 ~~B. Once the requirements of this subpart have been reviewed by the board, the~~
43.8 ~~board shall officially notify the applicant by letter as to whether the reinstatement of a license~~
43.9 ~~has been denied or granted by the board. If granted reinstatement, the person shall be assigned~~
43.10 ~~to the biennial term to which the licensee was assigned prior to termination of the license.~~
43.11 ~~An applicant denied reinstatement of a license may appeal the denial by initiating a contested~~
43.12 ~~case hearing pursuant to Minnesota Statutes, chapter 14.~~

43.13 Subp. 2. ~~Expiration or voluntary termination of~~ If terminated for six months or
43.14 less. ~~An applicant whose license has expired according to part 3100.1700, subpart 3, or~~
43.15 ~~who voluntarily terminated the license six months or less previous to the application for~~
43.16 ~~reinstatement~~ If the person's license is terminated for six months or less, the person must
43.17 provide the board:

43.18 A. ~~provide evidence of having completed~~ completing the professional development
43.19 requirements described under part 3100.5200 ~~that would have applied to the applicant had~~
43.20 ~~the license not expired. Professional development requirements must have been completed~~
43.21 3100.5100 within 24 months prior to the board's receipt of the application; and

43.22 B. ~~pay the biennial renewal fee and file a reinstatement application specified in~~
43.23 ~~subpart 1.~~

43.24 B. documentation of current CPR certification.

44.1 Subp. 2a. ~~Expiration or voluntary termination of~~ If terminated for more than six
44.2 months but less than 24 months. ~~An applicant whose license has expired according to~~
44.3 ~~part 3100.1700, subpart 3, or who voluntarily terminated the license more than six months~~
44.4 ~~but less than 24 months previous to the application for reinstatement~~ If the person's license
44.5 is terminated for more than six months but less than 24 months, the person must provide
44.6 the board:

44.7 A. ~~provide evidence of having completed~~ completing the professional development
44.8 requirements ~~in part 3100.5200 that would have applied to the applicant had the license not~~
44.9 ~~expired. Professional development requirements must have been completed~~ under part
44.10 3100.5100 within 24 months prior to the board's receipt of the application;

44.11 B. ~~pay the biennial renewal fee and file a reinstatement application specified in~~
44.12 ~~subpart 1;~~

44.13 B. documentation of current CPR certification;

44.14 C. ~~submit evidence of having successfully completed the~~ passing the board's
44.15 jurisprudence examination of the laws of Minnesota relating to dentistry and the rules of
44.16 the board. ~~The examination must have been completed~~ within 12 months prior to the board's
44.17 receipt of the application; and

44.18 D. a criminal background check if terminated more than one year as required by
44.19 Minnesota Statutes, section 214.075.

44.20 ~~submit evidence of having had a complete physical examination to include a~~
44.21 ~~physician's statement attesting to the applicant's physical and mental condition. The physical~~
44.22 ~~examination must have been completed within 12 months prior to the board's receipt of the~~
44.23 ~~application; and~~

45.1 ~~E. submit evidence of having had a complete optical examination and having~~
45.2 ~~complied with required optical prescriptions. The optical examination must have been~~
45.3 ~~completed within 12 months prior to the board's receipt of the application.~~

45.4 Subp. 3. ~~Expiration or voluntary termination of~~ **If terminated for 24 months or**
45.5 **more.** ~~An applicant whose license has expired according to part 3100.1700, subpart 3, or~~
45.6 ~~who voluntarily terminated the license 24 months or more previous to the application for~~
45.7 ~~reinstatement~~ **If the person's license is terminated for 24 months or more, the person must**
45.8 **provide the board:**

45.9 ~~A. comply with subpart 2a;~~

45.10 **A. evidence of completing the professional development requirements under part**
45.11 **3100.5100 within 24 months prior to the board's receipt of the application;**

45.12 **B. documentation of current CPR certification;**

45.13 **C. evidence of passing the board's jurisprudence examination within 12 months**
45.14 **prior to the board's receipt of the application;**

45.15 **D. a criminal background check as required by Minnesota Statutes, section**
45.16 **214.075; and**

45.17 ~~B. E. submit either~~ **evidence of passing the following examinations within 24**
45.18 **months prior to the board's receipt of the application:**

45.19 ~~(1) evidence of having successfully completed part II of the national board~~
45.20 ~~examination or the clinical examination in part 3100.1100, subpart 2, for dentists; the~~
45.21 ~~examinations in Minnesota Statutes, section 150A.106, subdivision 1, clauses (2) and (6),~~
45.22 ~~for advanced dental therapists; the clinical examination in Minnesota Statutes, section~~
45.23 ~~150A.06, subdivision 1d, for dental therapists; the national board examination or the clinical~~
45.24 ~~examination in part 3100.1200, item C, for dental hygienists; and the two examinations in~~

46.1 ~~part 3100.1300, item C, for licensed dental assistants. The examination must have been~~
46.2 ~~completed within 24 months prior to the board's receipt of the application; or~~

46.3 ~~(2) evidence of having successfully completed applicable board-approved~~
46.4 ~~coursework with minimal hour requirements directly relating to the practice of dentistry,~~
46.5 ~~advanced dental therapy, dental therapy, dental hygiene, or dental assisting as indicated in~~
46.6 ~~the reinstatement application. The board-approved coursework must have been completed~~
46.7 ~~within 24 months prior to the board's receipt of the application. The coursework completed~~
46.8 ~~under this subpart may not be used to fulfill any of the applicable professional development~~
46.9 ~~requirements in part 3100.5100; and~~

46.10 ~~(1) a nationally recognized objective structured clinical examination for~~
46.11 ~~general dentists;~~

46.12 ~~(2) a written specialty board examination or a nationally recognized objective~~
46.13 ~~structured clinical examination for specialty dentists;~~

46.14 ~~(3) a nationally recognized objective structured clinical examination for dental~~
46.15 ~~therapists;~~

46.16 ~~(4) a nationally recognized objective structured clinical examination for dental~~
46.17 ~~hygienists; and~~

46.18 ~~(5) the examination in part 3100.1300, subpart 1, item D, for licensed dental~~
46.19 ~~assistants.~~

46.20 ~~C. be available for an interview with the appropriate board committee to determine~~
46.21 ~~the applicant's knowledge of dental subjects and ability to practice dentistry, dental therapy,~~
46.22 ~~dental hygiene, or dental assisting under this subpart.~~

46.23 Subp. 4. [Repealed, 20 SR 2316]

47.1 Subp. 4a. **Board review and appeals.**

47.2 A. Once the requirements of subpart 1 have been reviewed by the board, the board
47.3 shall notify the applicant as to whether the reinstatement of a license has been denied or
47.4 granted by the board. If granted reinstatement, the person shall be assigned to the biennial
47.5 term to which the licensee was assigned prior to termination of the license.

47.6 B. An applicant denied reinstatement of a license may appeal the denial by
47.7 initiating a contested case hearing pursuant to Minnesota Statutes, chapter 14.

47.8 Subp. 5. **Scope.** Nothing in this part prohibits a dentist, dental therapist, or dental
47.9 hygienist from applying for licensure by credentials according to part 3100.1400.

47.10 **3100.3600 ADMINISTRATION OF NITROUS OXIDE INHALATION ANALGESIA,**
47.11 **GENERAL ANESTHESIA, DEEP SEDATION, AND MODERATE SEDATION;**
47.12 **~~MINIMAL SEDATION, AND NITROUS OXIDE INHALATION ANALGESIA.~~**

47.13 Subpart 1. **Prohibitions.** A dental therapist, dental hygienist, or licensed dental assistant
47.14 ~~may~~ must not administer general anesthesia, deep sedation, moderate sedation, or minimal
47.15 sedation.

47.16 Subp. 1a. **Reporting of incidents required.**

47.17 A. A dentist, dental therapist, dental hygienist, or licensed dental assistant must
47.18 report to the board any incident that arises from the administration of nitrous oxide inhalation
47.19 analgesia, general anesthesia, deep sedation, moderate sedation, local anesthesia, analgesia,
47.20 or minimal sedation that results in:

47.21 (1) a serious or unusual outcome that produces a temporary or permanent
47.22 physiological injury, harm, or other detrimental effect to one or more of a patient's body
47.23 systems; or

48.1 (2) minimal sedation unintentionally becoming moderate sedation, deep
48.2 sedation, or general anesthesia when the licensee does not have a certificate for administering
48.3 general anesthesia or moderate sedation described in subparts 18 and 20.

48.4 B. The report required under item A must be submitted to the board on forms
48.5 provided by the board within ten business days of the incident by the dentist, dental therapist,
48.6 dental hygienist, or licensed dental assistant. The requirements of this subpart apply even
48.7 when another licensed health care professional who, under contract or employment with
48.8 the dentist, was the actual person administering the analgesia or pharmacological or
48.9 nonpharmacological method. A licensee who fails to comply with this subpart is subject to
48.10 disciplinary proceedings on grounds specified in parts 3100.6100 and 3100.6200 and
48.11 Minnesota Statutes, section 150A.08, subdivision 1.

48.12 Subp. 2. [See repealer.]

48.13 Subp. 3. [See repealer.]

48.14 Subp. 4. [See repealer.]

48.15 Subp. 5. [See repealer.]

48.16 Subp. 6. [See repealer.]

48.17 Subp. 7. [See repealer.]

48.18 Subp. 8. [See repealer.]

48.19 Subp. 9. [See repealer.]

48.20 Subp. 9a. [See repealer.]

48.21 Subp. 9b. [See repealer.]

48.22 Subp. 10. [See repealer.]

48.23 Subp. 11. [See repealer.]

49.1 Subp. 12. Nitrous oxide inhalation analgesia requirement for a dentist. A dentist
49.2 licensed by the board is allowed to administer nitrous oxide inhalation analgesia.

49.3 Subp. 13. Nitrous oxide inhalation analgesia; application and educational training
49.4 requirements for a dental therapist.

49.5 A. A dental therapist who administers nitrous oxide inhalation analgesia must be
49.6 under the supervision of a licensed dentist.

49.7 B. A dental therapist who graduated from a board-approved dental therapy program
49.8 in Minnesota after August 1, 2013, may administer nitrous oxide inhalation analgesia without
49.9 completing any further requirements.

49.10 C. A dental therapist who graduated from a board-approved dental therapy program
49.11 in Minnesota prior to August 1, 2013, or graduated from another United States jurisdiction
49.12 or Canadian province, may administer nitrous oxide inhalation analgesia after providing
49.13 the board:

49.14 (1) a completed application;

49.15 (2) evidence of having completed a course in administering nitrous oxide
49.16 inhalation analgesia from an institution accredited by the Commission on Dental
49.17 Accreditation. The course must be at least 12 hours total and contain didactic instruction,
49.18 personal administration and management of at least three individual supervised cases of
49.19 analgesia, and supervised clinical experience using fail-safe anesthesia equipment capable
49.20 of positive pressure respiration; and

49.21 (3) documentation of current CPR certification.

50.1 **Subp. 14. Nitrous oxide inhalation analgesia; application and educational training**
50.2 **requirements for a dental hygienist.**

50.3 A. A dental hygienist who administers nitrous oxide inhalation analgesia must be
50.4 under the supervision of a licensed dentist.

50.5 B. A dental hygienist who graduated from a dental hygiene program in Minnesota
50.6 after September 2, 2004, may administer nitrous oxide inhalation analgesia without
50.7 completing any further requirements.

50.8 C. A dental hygienist who graduated from a dental hygiene program in Minnesota
50.9 prior to September 2, 2004, or graduated from another United States jurisdiction or Canadian
50.10 province, may administer nitrous oxide inhalation analgesia after providing the board:

50.11 (1) a completed application;

50.12 (2) evidence of having completed a course in administering nitrous oxide
50.13 inhalation analgesia from an institution accredited by the Commission on Dental
50.14 Accreditation. The course must be at least 12 hours total and contain didactic instruction,
50.15 personal administration and management of at least three individual supervised cases of
50.16 analgesia, and supervised clinical experience using fail-safe anesthesia equipment capable
50.17 of positive pressure respiration; and

50.18 (3) documentation of current CPR certification.

50.19 **Subp. 15. Nitrous oxide inhalation analgesia; application and educational training**
50.20 **requirements for a licensed dental assistant.**

50.21 A. A licensed dental assistant who administers nitrous oxide inhalation analgesia
50.22 must be under the supervision of a licensed dentist.

51.1 B. A licensed dental assistant who graduated from a dental assisting program in
51.2 Minnesota after September 2, 2004, may administer nitrous oxide inhalation analgesia
51.3 without completing any further requirements.

51.4 C. A licensed dental assistant who graduated from a dental assisting program in
51.5 Minnesota prior to September 2, 2004, or graduated from another United States jurisdiction
51.6 or Canadian province, may administer nitrous oxide inhalation analgesia after providing
51.7 the board:

51.8 (1) a completed application;

51.9 (2) evidence of having completed a course in administering nitrous oxide
51.10 inhalation analgesia from an institution accredited by the Commission on Dental
51.11 Accreditation. The course must be at least 12 hours total and contain didactic instruction,
51.12 personal administration and management of at least three individual supervised cases of
51.13 analgesia, and supervised clinical experience using fail-safe anesthesia equipment capable
51.14 of positive pressure respiration; and

51.15 (3) documentation of current CPR certification.

51.16 **Subp. 16. Initial certification for general anesthesia or deep sedation; application**
51.17 **and educational training requirements for a dentist.**

51.18 A. A dentist may administer general anesthesia or deep sedation only after
51.19 providing the board:

51.20 (1) a completed initial application;

51.21 (2) the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision
51.22 11;

51.23 (3) evidence of having completed:

52.1 (a) a didactic and clinical program at a dental school, hospital, or graduate
52.2 medical or dental program accredited by the Commission on Dental Accreditation, resulting
52.3 in the dentist becoming clinically competent in the administration of general anesthesia.

52.4 The program must be equivalent to a program for advanced specialty education in oral and
52.5 maxillofacial surgery; or

52.6 (b) a one-year residency in general anesthesia at an institution certified
52.7 by the American Society of Anesthesiology, the American Medical Association, or the Joint
52.8 Commission on Hospital Accreditation, resulting in the dentist becoming clinically competent
52.9 in the administration of general anesthesia. The residency must include a minimum of 390
52.10 hours of didactic study, 1,040 hours of clinical anesthesiology, and 260 cases of
52.11 administration of general anesthesia to an ambulatory outpatient;

52.12 (4) documentation of current certification in ACLS or PALS;

52.13 (5) documentation of current CPR certification;

52.14 (6) attestation of compliance with the practice and equipment requirements
52.15 in subpart 22; and

52.16 (7) attestation of compliance with an on-site inspection described in subpart
52.17 23.

52.18 B. Once a dentist possesses a valid certificate for general anesthesia, the dentist
52.19 is not required to possess an additional certificate for deep or moderate sedation.

52.20 C. A dentist who administers general anesthesia or deep sedation without a general
52.21 anesthesia certificate shall be subject to disciplinary proceedings by the board on the grounds
52.22 specified in parts 3100.6100 and 3100.6200 and Minnesota Statutes, section 150A.08,
52.23 subdivision 1.

53.1 Subp. 17. Initial certification for moderate sedation; application and educational
53.2 training requirements for a dentist.

53.3 A. A dentist may administer moderate sedation only after providing the board:

53.4 (1) a completed initial application;

53.5 (2) the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision
53.6 11;

53.7 (3) evidence of having completed a course of education resulting in the dentist
53.8 becoming clinically competent in the administration of moderate sedation. The course must
53.9 include a minimum of 60 hours of didactic education in both enteral and parenteral
53.10 administration and personal administration and management of at least ten individual
53.11 supervised cases of parenteral moderate sedation of which a maximum of five cases may
53.12 be performed on a patient simulation manikin;

53.13 (4) documentation of current certification in ACLS or PALS;

53.14 (5) documentation of current CPR certification;

53.15 (6) attestation of compliance with the practice and equipment requirements
53.16 in subpart 22; and

53.17 (7) attestation of compliance with an on-site inspection described in subpart
53.18 23.

53.19 B. A dentist who administers moderate sedation without a moderate sedation
53.20 certificate shall be subject to disciplinary proceedings by the board on the grounds specified
53.21 in parts 3100.6100 and 3100.6200 and Minnesota Statutes, section 150A.08, subdivision
53.22 1.

54.1 Subp. 18. Board-issued certificates for general anesthesia or moderate sedation.

54.2 A. The board shall issue the following certificates for general anesthesia and
54.3 moderate sedation:

54.4 (1) general anesthesia, which authorizes a dentist to either administer general
54.5 anesthesia, deep sedation, or moderate sedation, or to provide dental services to patients
54.6 under general anesthesia, deep sedation, or moderate sedation when a dentist employs or
54.7 contracts another licensed health care professional with the qualified training and legal
54.8 qualification to administer general anesthesia, deep sedation, or moderate sedation; and

54.9 (2) moderate sedation, which authorizes a dentist to either administer moderate
54.10 sedation or to provide dental services to patients under moderate sedation when a dentist
54.11 employs or contracts another licensed health care professional with the qualified training
54.12 and legal qualification to administer moderate sedation.

54.13 B. A dentist holding a certificate issued by the board must conspicuously display
54.14 the certificate in plain sight of patients in every office in which the dentist administers
54.15 general anesthesia, deep sedation, or moderate sedation.

54.16 C. A dentist may submit to the board a request for a duplicate general anesthesia
54.17 or moderate sedation certificate. The request must include the fee in Minnesota Statutes,
54.18 section 150A.091, subdivision 12.

54.19 D. To renew a general anesthesia or moderate sedation certificate, the dentist must
54.20 provide the board:

54.21 (1) a completed application;

54.22 (2) the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision
54.23 11;

54.24 (3) documentation of current certification in ACLS or PALS;

- 55.1 (4) documentation of current CPR certification;
55.2 (5) attestation of compliance with the practice and equipment requirements
55.3 in subpart 22; and
55.4 (6) attestation of compliance with an on-site inspection described in subpart
55.5 23.

55.6 E. A dentist's general anesthesia or moderate sedation certificate expires if the
55.7 completed application and fee are not received by the board by the dentist's license renewal
55.8 date. Immediately upon expiration, the dentist is prohibited from administering general
55.9 anesthesia, deep sedation, or moderate sedation in the practice of dentistry until the board
55.10 issues a current general anesthesia or moderate sedation certificate to the dentist described
55.11 in subpart 19. After 30 days, the board shall terminate the dentist's general anesthesia or
55.12 moderate sedation certificate.

55.13 Subp. 19. Expiration or termination of general anesthesia or moderate sedation
55.14 certificate; requirements.

55.15 A. A dentist requesting renewal or recertification of a general anesthesia or
55.16 moderate sedation certificate following expiration or termination must comply with the
55.17 requirements for the applicable interval specified in subitem (1) or (2) and the requirements
55.18 of this subpart.

55.19 (1) A dentist whose anesthesia or moderate sedation certificate that, within
55.20 30 calendar days, expired or was terminated by the board, must provide the board:

55.21 (a) a completed renewal application;

55.22 (b) the nonrefundable fee in Minnesota Statutes, section 150A.091,
55.23 subdivision 11;

- 56.1 (c) the nonrefundable late fee in Minnesota Statutes, section 150A.091,
56.2 subdivision 11a;
- 56.3 (d) documentation of current certification in ACLS or PALS;
56.4 (e) documentation of current CPR certification;
56.5 (f) attestation of compliance with the practice and equipment
56.6 requirements in subpart 22; and
- 56.7 (g) attestation of compliance with an on-site inspection described in
56.8 subpart 23.
- 56.9 (2) A dentist whose anesthesia or moderate sedation certificate that, for more
56.10 than 30 calendar days prior, expired or was terminated by the board, must provide the board:
- 56.11 (a) a completed recertification application;
56.12 (b) the nonrefundable recertification fee in Minnesota Statutes, section
56.13 150A.091, subdivision 11b;
- 56.14 (c) the dentist's written attestation that the dentist has successfully
56.15 completed the educational requirements for either general anesthesia described in subpart
56.16 16 or moderate sedation described in subpart 17;
- 56.17 (d) documentation of current certification in ACLS or PALS;
56.18 (e) documentation of current CPR certification; and
56.19 (f) attestation of compliance with the practice and equipment
56.20 requirements in subpart 22.
- 56.21 B. Upon receipt of a recertification application for general anesthesia or moderate
56.22 sedation, the board shall require that the dentist undergo an on-site inspection described in
56.23 subpart 23.

57.1 C. A dentist whose anesthesia or moderate sedation certificate has expired or been
57.2 terminated must not administer general anesthesia, deep sedation, or moderate sedation
57.3 until the board issues a renewed or recertified general anesthesia or moderate sedation
57.4 certificate to the dentist.

57.5 Subp. 20. Initial certification to provide dentistry with contracted sedation
57.6 provider; application requirements for a dentist.

57.7 A. A dentist must not provide dental services to a patient who is under general
57.8 anesthesia, deep sedation, or moderate sedation at any location other than a hospital, unless
57.9 the dentist possesses the applicable contracted sedation services certificate for general
57.10 anesthesia or moderate sedation issued by the board.

57.11 B. If a dentist possesses a moderate sedation certificate described in subpart 18
57.12 and desires to provide dental services to a patient under general anesthesia or deep sedation
57.13 at any location other than a hospital, the dentist must contract with a sedation provider and
57.14 obtain a contracted sedation services certificate for general anesthesia.

57.15 C. If a dentist possesses a moderate sedation certificate described in subpart 18
57.16 and desires to provide dental services to a patient under moderate sedation by a contracted
57.17 sedation provider, the dentist is not required to possess an additional certificate for contracting
57.18 with a sedation provider but is limited to moderate sedation.

57.19 D. To apply for a contracted sedation services certificate, the dentist must provide
57.20 the board:

57.21 (1) a completed application;

57.22 (2) the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision
57.23 11;

57.24 (3) a copy of the contracted healthcare professional's current license;

58.1 (4) documentation of the contracted healthcare professional's current
58.2 certification in ACLS or PALS;

58.3 (5) documentation of the contracted healthcare professional's current CPR
58.4 certification;

58.5 (6) documentation of the dentist's current CPR certification;

58.6 (7) attestation of compliance with the practice and equipment requirements
58.7 in subpart 22; and

58.8 (8) attestation of compliance with an on-site inspection described in subpart
58.9 23.

58.10 E. A dentist who does not comply with the requirements of this subpart is subject
58.11 to disciplinary proceedings by the board on grounds specified in parts 3100.6100 and
58.12 3100.6200, and Minnesota Statutes, section 150A.08, subdivision 1.

58.13 Subp. 21. **Board-issued certificates to provide dentistry with a contracted sedation**
58.14 **provider.**

58.15 A. The board shall issue the following certificates to provide dentistry with a
58.16 contracted sedation provider:

58.17 (1) dentistry with contracted sedation services: general anesthesia, which
58.18 authorizes a dentist to provide dental services to patients under general anesthesia, deep
58.19 sedation, or moderate sedation when a dentist employs or contracts another licensed health
58.20 care professional with the qualified training and legal authority to administer general
58.21 anesthesia, deep sedation, or moderate sedation; and

58.22 (2) dentistry with contracted sedation services: moderate sedation, which
58.23 authorizes a dentist to provide dental services to patients under moderate sedation when a

59.1 dentist employs or contracts another licensed health care professional with the qualified
59.2 training and legal qualification to administer moderate sedation.

59.3 B. A dentist holding a certificate issued by the board must conspicuously display
59.4 the certificate in plain sight of patients in every office in which the dentist provides dental
59.5 services to patients under general anesthesia, deep sedation, or moderate sedation.

59.6 C. A dentist may submit to the board a request for a duplicate contracted sedation
59.7 services certificate. The request must include the fee in Minnesota Statutes, section 150A.091,
59.8 subdivision 12.

59.9 D. To renew a contracted sedation services certificate, the dentist must provide
59.10 the board:

59.11 (1) a completed application;

59.12 (2) the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision
59.13 11;

59.14 (3) a copy of the contracted healthcare professional's current license;

59.15 (4) documentation of the contracted healthcare professional's current
59.16 certification in ACLS or PALS;

59.17 (5) documentation of the contracted healthcare professional's current CPR
59.18 certification;

59.19 (6) documentation of the dentist's current CPR certification;

59.20 (7) attestation of compliance with the practice and equipment requirements
59.21 in subpart 22; and

59.22 (8) attestation of compliance with an on-site inspection described in subpart
59.23 23.

60.1 E. A dentist's contracted sedation services certificate expires if the completed
60.2 application and fee are not received by the board by the dentist's license renewal date.
60.3 Immediately upon the certificate's expiration, the dentist must not provide dental services
60.4 to patients under general anesthesia, deep sedation, or moderate sedation until the board
60.5 issues a current contracted sedation services certificate to the dentist under item F.

60.6 F. To renew a contracted sedation services certificate within 30 calendar days of
60.7 the certificate's expiration, a dentist must provide the board:

60.8 (1) a completed renewal application;

60.9 (2) the nonrefundable renewal fee in Minnesota Statutes, section 150A.091,
60.10 subdivision 11;

60.11 (3) the nonrefundable late fee in Minnesota Statutes, section 150A.091,
60.12 subdivision 11a;

60.13 (4) a copy of the contracted healthcare professional's current license;

60.14 (5) documentation of the contracted healthcare professional's current
60.15 certification in ACLS or PALS;

60.16 (6) documentation of the contracted healthcare professional's current CPR
60.17 certification;

60.18 (7) documentation of the dentist's current CPR certification;

60.19 (8) attestation of compliance with the practice and equipment requirements
60.20 in subpart 22; and

60.21 (9) attestation of compliance with an on-site inspection described in subpart
60.22 23.

61.1 G. The board shall terminate an expired contracted sedation services certificate
61.2 that is not renewed under item F. The dentist may still apply for a contracted sedation
61.3 services certificate by completing the application requirements in subpart 20, item D.

61.4 Subp. 22. Practice and equipment requirements.

61.5 A. Dentists who administer general anesthesia, deep sedation, or moderate sedation
61.6 or who provide dental services to patients under general anesthesia, deep sedation, or
61.7 moderate sedation must ensure that the practice requirements in this item are followed.

61.8 (1) A dentist must be prepared and competent to diagnose, resolve, and prevent
61.9 any untoward reaction or medical emergency that may develop any time after the
61.10 administration of general anesthesia, deep sedation, or moderate sedation. A dentist must
61.11 apply the current standard of care to continuously monitor and evaluate a patient's blood
61.12 pressure, pulse, respiratory function, and cardiac activity. The current standard of care to
61.13 assess respiratory function requires the monitoring of tissue oxygenation or ventilation.

61.14 (2) A dentist who employs or contracts another licensed health care
61.15 professional with the qualified training and legal qualification to administer general
61.16 anesthesia, deep sedation, or moderate sedation, including a dentist, nurse anesthetist, or
61.17 physician anesthesiologist, must notify the board that these services are being provided in
61.18 the office facility. The dentist is also responsible for maintaining the facilities, equipment,
61.19 emergency supplies, and a record of all general anesthesia, deep sedation, or moderate
61.20 sedation procedures performed in the facility.

61.21 (3) An individual qualified to administer general anesthesia, deep sedation,
61.22 or moderate sedation, who is in charge of the administration of the anesthesia or sedation,
61.23 must remain in the operatory room to continuously monitor the patient once general
61.24 anesthesia, deep sedation, or moderate sedation is achieved and until all dental services are
61.25 completed on the patient. Prior to discharge, an individual qualified to administer anesthesia
61.26 or sedation must assess the patient to ensure that the patient is no longer at risk for

62.1 cardiorespiratory depression. The patient must be discharged into the care of a responsible
62.2 adult.

62.3 (4) A dentist administering general anesthesia, deep sedation, or moderate
62.4 sedation to a patient must have in attendance personnel who are currently certified in CPR.

62.5 B. Dentists who administer general anesthesia, deep sedation, or moderate sedation
62.6 or who provide dental services to patients under general anesthesia, deep sedation, or
62.7 moderate sedation must ensure that the offices in which it is conducted have:

62.8 (1) an immediately accessible automated external defibrillator or immediately
62.9 accessible full-function defibrillator;

62.10 (2) a positive pressure oxygen delivery system and a backup system;

62.11 (3) a functional suctioning device and a backup suction device;

62.12 (4) auxiliary lighting;

62.13 (5) a gas storage facility;

62.14 (6) a recovery area;

62.15 (7) a method to monitor respiratory function; and

62.16 (8) an emergency cart or kit that must be available and readily accessible and
62.17 includes the necessary and appropriate drugs and equipment to resuscitate a nonbreathing
62.18 and unconscious patient and provide continuous support while the patient is transported to
62.19 a medical facility. There must be documentation that all emergency equipment and drugs
62.20 are checked and maintained on a prudent and regularly scheduled basis.

62.21 Subp. 23. On-site inspection; requirements and procedures. All offices in which
62.22 general anesthesia, deep sedation, or moderate sedation is conducted under the terms of this
62.23 part must be in compliance with this subpart.

63.1 A. A dentist who applies for an initial general anesthesia or moderate sedation
63.2 certificate or who provides dental services to patients under general anesthesia, deep sedation,
63.3 or moderate sedation must have an on-site inspection conducted at one primary office facility
63.4 within 12 months following receipt of a certificate from the board. Thereafter, a dentist
63.5 must have an on-site inspection conducted at one primary office facility at least once every
63.6 five years.

63.7 B. A dentist must have an on-site inspection conducted at one primary office
63.8 facility if the board receives a complaint alleging violation of this part and the board finds
63.9 the complaint warrants further investigation.

63.10 C. If a dentist fails to meet the on-site inspection requirements of item A and, if
63.11 applicable, item B because of extenuating circumstances, the dentist may apply for an
63.12 extension of time to complete the requirements by making a written request to the board.
63.13 If the board grants an extension, the board shall establish the length of the extension to
63.14 obtain the on-site inspection requirements.

63.15 D. A dentist must pay all costs associated with an on-site inspection.

63.16 E. The board must notify the dentist if an on-site inspection is required. The board
63.17 shall provide the dentist with the name of a sedation inspector or organization to arrange
63.18 and perform the on-site inspection. The dentist may have an on-site inspection performed
63.19 by another board-approved individual or board-approved organization. The dentist must
63.20 ensure that the inspection is completed within 30 calendar days of the board's notice.

63.21 F. Within 30 calendar days following an on-site inspection, the dentist must direct
63.22 the individual or organization conducting the inspection to provide the board with the written
63.23 results of the inspection.

64.1 G. If a dentist fails or refuses an on-site inspection, the board shall suspend the
64.2 dentist's general anesthesia or moderate sedation certificate and subject the dentist to
64.3 disciplinary proceedings.

64.4 **3100.5100 PROFESSIONAL DEVELOPMENT; DENTISTS, DENTAL**
64.5 **THERAPISTS, DENTAL HYGIENISTS, AND LICENSED DENTAL ASSISTANTS.**

64.6 Subpart 1. **Professional development cycles.**

64.7 A. The initial professional development cycle ~~must coincide with the initial~~
64.8 ~~licensure period for each dentist, dental therapist, dental hygienist, or licensed dental assistant.~~
64.9 ~~The initial cycle for each licensee begins on the date of initial licensure~~ is granted by the
64.10 board and ends on the last day of the licensee's birth month in either an even-numbered or
64.11 odd-numbered year that corresponds with the licensee's year of birth. The initial cycle varies
64.12 in the number of months depending on the date of initial licensure ~~for each licensee~~ is
64.13 granted.

64.14 B. A biennial professional development cycle coincides with the biennial ~~licensure~~
64.15 ~~periods for each dentist, dental therapist, dental hygienist, or licensed dental assistant~~ renewal
64.16 period. Each biennial renewal cycle consists of a 24-month period beginning on the first
64.17 day of the month following expiration of the previous ~~professional development~~ cycle. An
64.18 established biennial cycle continues to apply even if the license is revoked, suspended,
64.19 conditioned, or not renewed for any reason for any length of time.

64.20 Subp. 2. **Professional development requirements.**

64.21 A. ~~For the initial professional development requirements,~~ Each dentist, dental
64.22 ~~therapist, dental hygienist, and licensed dental assistant~~ licensee shall establish a portfolio
64.23 to record, monitor, and retain ~~acceptable~~ documentation of fundamental and elective
64.24 professional development activities, ~~CPR certification, and self-assessments.~~

65.1 B. The minimum number of required hours of fundamental and elective
65.2 ~~professional development activities~~ for each initial or biennial cycle is 50 hours for dentists
65.3 and dental therapists; and 25 hours for dental hygienists and licensed dental assistants. ~~Each~~
65.4 ~~dentist, dental therapist, dental hygienist, and licensed dental assistant shall establish a~~
65.5 ~~portfolio to record, monitor, and retain acceptable documentation of fundamental and elective~~
65.6 ~~professional development activities, CPR certification, and self-assessments.~~ Any professional
65.7 development hours earned in excess of the required hours for a an initial or biennial cycle
65.8 must not be carried forward to the subsequent next biennial cycle. ~~The requirements for the~~
65.9 ~~fundamental and elective professional development activities are described in subitems (1)~~
65.10 ~~and (2).~~

65.11 (1) ~~Each~~ Of the 50 hours required for a dentist, and dental therapist, dental
65.12 ~~hygienist, and licensed dental assistant must complete a minimum of 60 percent of the~~
65.13 ~~required biennial hours in fundamental activities directly related to the provision of clinical~~
65.14 ~~dental services as follows: a minimum of, at least 30 hours for dentists and dental therapists,~~
65.15 ~~and a minimum of 15 hours for dental hygienists and licensed dental assistants~~ must be
65.16 fundamental activities and no more than 20 hours can be elective activities. ~~A licensee may~~
65.17 ~~earn all required biennial hours in fundamental activities only.~~

65.18 (2) ~~Dentists, dental therapists,~~ Of the 25 hours required for a dental hygienists,
65.19 hygienist and licensed dental assistants are allowed a maximum of 40 percent of the required
65.20 ~~biennial hours in elective activities directly related to, or supportive of, the practice of~~
65.21 ~~dentistry, dental therapy, dental hygiene, or dental assisting as follows: a maximum of 20~~
65.22 ~~assistant, at least 15 hours for dentists and dental therapists, and a maximum of~~ must be
65.23 fundamental activities and no more than ten hours for dental hygienists and licensed dental
65.24 ~~assistants~~ can be elective activities.

65.25 C. Professional development is credited on an hour-for-hour basis.

66.1 D. If a licensee fails to meet the professional development requirements because
66.2 of extenuating circumstances, the licensee may ~~apply for~~ request to the board in writing an
66.3 ~~extension of time to complete the requirements by making a written request to the board at~~
66.4 least seven days before the end of the licensee's biennial cycle. The licensee's written request
66.5 ~~shall include a complete explanation of~~ must explain the circumstances, the renewal period,
66.6 ~~the number of hours earned,~~ and the licensee's plan for completing ~~the balance of the~~
66.7 requirement. ~~If an extension is granted after review~~ the board grants the extension, the board
66.8 shall ~~establish the length~~ notify the licensee of the extension ~~to obtain the professional~~
66.9 ~~development requirements which must be completed concurrently with the subsequent~~
66.10 ~~renewal period.~~ If the licensee fails to submit a written extension request to the board by
66.11 the seven-day deadline or fails to complete the professional development requirements by
66.12 the end of the extension period, the board shall administratively terminate the licensee's
66.13 license. A licensee may reinstate a license that has been terminated under this subpart
66.14 according to part 3100.1850.

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

66.19 A. Fundamental activities ~~include, but are not limited to, clinical subjects, core~~
66.20 ~~subjects, CPR training, and the self-assessment examination.~~ Examples of fundamental
66.21 ~~activities for an initial or biennial cycle are described in subitems (1) to (6).~~ must directly
66.22 relate to clinical dental services to patients. Fundamental activities include:

66.23 (1) clinical subjects. Clinical subjects are ~~those~~ covered through seminars,
66.24 webinars, symposiums, lectures, college courses pertaining to basic sciences, or programs
66.25 whose contents directly relate to the provision of dental care and treatment to patients.

67.1 College course credit is limited to five hours for each college course completed within a
67.2 cycle with a maximum of 15 college credit hours per cycle;

67.3 (2) ~~Core subjects are those~~ other fundamental courses listed in units (a) to (f)
67.4 that are offered through seminars, webinars, symposiums, lectures, or programs that relate
67.5 to public safety and professionalism. Each licensee shall complete a minimum of two of
67.6 the categories of core subjects must complete at least two courses out of the following list
67.7 for each initial or biennial cycle. Examples of core subject categories include, but are not
67.8 limited to:

67.9 *[For text of units (a) to (c), see Minnesota Rules]*

67.10 (d) management of medical emergencies; ~~and~~

67.11 (e) treatment and diagnosis; and

67.12 (f) Health Insurance Portability and Accountability Act (HIPAA);

67.13 (3) ~~a CPR certification course is mandatory for each licensee to maintain~~
67.14 ~~licensure. The CPR course must be the American Heart Association healthcare provider~~
67.15 ~~course or the American Red Cross professional rescuer course. The licensee must maintain~~
67.16 ~~a consecutive and current CPR certificate when renewing a license or permit each biennial~~
67.17 ~~term.~~

67.18 (4) (3) an infection control course. An infection control course is mandatory
67.19 for each licensee to maintain licensure. The course will must primarily address patient safety
67.20 and health issues as referenced in part 3100.6300 and chapter 6950; and

67.21 (5) ~~A licensee must complete one self-assessment examination obtainable~~
67.22 ~~through the board for each cycle.~~

67.23 (6) (4) The board shall approve other additional fundamental activities
67.24 approved by the board. Fundamental activities under this subitem shall be approved by the

68.1 board only if the board finds the activity ~~to be a seminar, symposium, lecture, or program~~
68.2 ~~whose~~ contents are directly related to dental care and treatment to patients or public safety
68.3 and professionalism.

68.4 B. Elective activities for an initial or biennial cycle ~~include, but are not limited~~
68.5 ~~to, the examples described in subitems (1) to (7)~~ must directly relate to or support dentistry
68.6 and include:

68.7 (1) general attendance at a multiday state or national dental convention for
68.8 a maximum of three credit hours per convention;

68.9 (2) volunteerism or community service directly relating to ~~the practice of~~
68.10 ~~dentistry, dental therapy, dental hygiene, or dental assisting~~ such as international or national
68.11 mission work, voluntary clinic work, or dental health presentations to students or groups;

68.12 (3) professional reading of published articles or other forms of self-study
68.13 directly relating to ~~the practice of dentistry, dental therapy, dental hygiene, or dental assisting~~;

68.14 (4) scholarly activities ~~include, but are not limited to,~~ including:

68.15 (a) teaching a professional course directly related to ~~the practice of~~
68.16 ~~dentistry, dental therapy, dental hygiene, or dental assisting~~; or presenting a continuing
68.17 dental education program;

68.18 (b) presenting a table clinic directly related to ~~the practice of dentistry,~~
68.19 ~~dental therapy, dental hygiene, or dental assisting~~;

68.20 (c) authoring a published dental article or text in a recognized publication;

68.21 (d) participating in test construction for an accredited state or nationally
68.22 recognized dental association or organization; ~~and~~

68.23 (e) participating in a scientific dental research program from an accredited
68.24 institution or program or an evidence-based clinical study; and

69.1 (f) similar academic activities relating to dentistry;

69.2 (5) dental practice management courses ~~include, but are not limited to,~~
69.3 ~~computer, insurance claims or billing, and Health Insurance Portability and Accountability~~
69.4 ~~Act (HIPAA) training;~~

69.5 (6) leadership or committee involvement with ~~the~~ a dental board or a dental
69.6 professional association for a maximum of three credit hours per cycle; ~~or~~ and

69.7 (7) ~~the board shall approve other additional~~ elective activities approved by
69.8 the board. Elective activities under this subitem shall be approved by the board only if the
69.9 board finds the contents of the activity to be directly related relates to; or supportive of, ~~the~~
69.10 ~~practice of~~ supports dentistry, ~~dental therapy, dental hygiene, or dental assisting.~~

69.11 Subp. 4. **Acceptable Documentation of professional development activities.** A
69.12 licensee must record or obtain ~~acceptable~~ documentation of hours in professional
69.13 development activities for the licensee's portfolio. ~~Acceptable Documentation includes, but~~
69.14 ~~is not limited to, the following:~~

69.15 ~~A. a completed self-assessment examination;~~

69.16 ~~B. a copy of the front and back of a completed CPR card from the American Heart~~
69.17 ~~Association or the American Red Cross;~~

69.18 ~~C.~~ A. confirming documentation from the presenting organization that provides
69.19 the attendee's name, ~~license number~~, name of organization or presenter, course date, number
69.20 of credit hours, subject matter, or program title; ~~and~~

69.21 ~~D.~~ B. a personal log of published articles read by the licensee including title of
69.22 the article, name of author, name of journal or periodical, and date of published article-; and

69.23 C. similar documentation of professional development activities.

70.1 Subp. 5. **Retention of documentation.** A licensee must keep ~~acceptable~~ documentation
 70.2 for each fundamental and elective activity as required to meet professional development
 70.3 requirements. The licensee must retain the documentation for ~~24 months after each~~ the
 70.4 current biennial renewal period has ended cycle and the previous completed biennial cycle
 70.5 for purposes of an audit by the ~~appropriate board committee.~~

70.6 **3100.6200 CONDUCT UNBECOMING A LICENSEE.**

70.7 "Conduct unbecoming a person licensed to practice dentistry, dental therapy, dental
 70.8 hygiene, or dental assisting, or conduct contrary to the best interests of the public," as used
 70.9 in Minnesota Statutes, section 150A.08, subdivision 1, clause (6), ~~shall include the act of~~
 70.10 includes a dentist, dental therapist, dental hygienist, licensed dental assistant, or applicant
 70.11 ~~in:~~

70.12 A. engaging in personal conduct that brings discredit to the profession of dentistry;

70.13 B. demonstrating gross ignorance or incompetence in the practice of dentistry or
 70.14 repeated performance of dental treatment that falls below accepted standards;

70.15 C. making ~~suggestive, lewd, lascivious,~~ inappropriate sexual remarks or ~~improper~~
 70.16 ~~advances to~~ toward a patient or colleague;

70.17 D. ~~dentists charging a patient an unconscionable fee or charging~~ billing patients
 70.18 for unnecessary services or services not rendered or inaccurately documenting services;

70.19 E. ~~performing unnecessary services~~ failing to communicate an accurate treatment
 70.20 plan and financial information;

70.21 F. ~~dental therapists, hygienists, or licensed dental assistants~~ performing services
 70.22 as a dental therapist, dental hygienist, or licensed dental assistant not authorized by the
 70.23 dentist under this chapter or Minnesota Statutes, chapter 150A;

71.1 G. ~~accepting or offering rebates, split fees, or, applicable to dentists only,~~
 71.2 ~~commissions from any source associated with the service~~ for services rendered to a patient;
 71.3 ~~provided, however, that the sharing of profits in a dental partnership or association, or dental~~
 71.4 ~~professional firm approved by and registered with the board, shall not be construed as~~
 71.5 ~~splitting fees nor shall compensating allied dental personnel on the basis of a percentage of~~
 71.6 ~~the fee received for the overall service be deemed accepting a commission~~ from or to any
 71.7 person other than a partner, employee, employer, associate in a dental professional firm, or
 71.8 a professional subcontractor or consultant authorized to practice in dentistry;

71.9 *[For text of item H, see Minnesota Rules]*

71.10 I. ~~perpetrating~~ committing fraud upon patients, third-party payers, or others relating
 71.11 to the practice of dentistry;

71.12 *[For text of items J to L, see Minnesota Rules]*

71.13 **3100.6600 ADVERTISING DENTAL FEES AND SERVICES.**

71.14 Subpart 1. **Routine services.** If the following routine dental services are advertised,
 71.15 either the advertised service must include the listed components or the advertisement must
 71.16 disclose the components which are not included.

71.17 A. Examination: a ~~study~~ documented diagnosis by the dentist ~~of all the structures~~
 71.18 ~~of the oral cavity, including the appropriate recording or charting of the condition of all~~
 71.19 ~~such structures and appropriate history thereof, the identification of periodontal disease and,~~
 71.20 ~~occlusal discrepancies, the detection of caries and,~~ oral abnormalities, and the development
 71.21 of a treatment plan. If there is a charge in addition to are additional charges besides the
 71.22 examination fee for radiographs and/or the provision to the patient of a written opinion of
 71.23 ~~the items found in the examination (i.e., diagnosis) or of a written itemized treatment~~
 71.24 ~~recommendation and itemized fee (i.e., treatment plan), such fact shall~~ plan, these charges
 71.25 must be disclosed in the advertisement.

72.1 [For text of item B, see Minnesota Rules]

72.2 C. Denture: either a complete maxillary or complete mandibular replacement of
 72.3 the natural dentition with artificial teeth. If the service advertised is for a denture which is
 72.4 partially prefabricated, intended for a partial replacement of the natural dentition, intended
 72.5 to be used as an emergency or temporary denture, or if any advertised fee does not include
 72.6 a reasonable number of readjustments, ~~such facts shall~~ this information must be disclosed
 72.7 in the advertisement.

72.8 D. Prophylaxis (cleaning): the removal of calculus (~~tartar~~) and stains from the
 72.9 clinically exposed surfaces of the teeth.

72.10 [For text of item E, see Minnesota Rules]

72.11 [For text of subparts 2 to 5, see Minnesota Rules]

72.12 **3100.6900 ~~CONSIDERATION~~ COMPENSATION FOR PATIENT REFERRAL.**

72.13 A person licensee shall not ~~directly or indirectly~~ offer, give, receive, or agree to receive
 72.14 any fee or other ~~consideration~~ compensation to or from a third party for the referral of a
 72.15 patient ~~in connection with the performance of professional~~ for dental services. Nothing
 72.16 contained in this part shall prohibit a licensee from providing a gift to a patient or from
 72.17 providing a credit for dental services to a patient.

72.18 **3100.7000 ADVERTISING DENTAL SPECIALTY PRACTICE.**

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

72.21 A. dental anesthesia;

72.22 ~~A. B.~~ B. dental public health;

72.23 ~~B. C.~~ C. endodontics (endodontist);

72.24 ~~C. D.~~ D. oral and maxillofacial pathology (oral pathologist);

- 73.1 ~~D.~~ E. oral and maxillofacial radiology (oral radiologist);
- 73.2 ~~E.~~ F. oral and maxillofacial surgery (oral ~~surgeon~~/oral and maxillofacial surgeon);
- 73.3 G. oral medicine;
- 73.4 H. orofacial pain;
- 73.5 ~~F.~~ I. orthodontics and dentofacial orthopedics (orthodontist);
- 73.6 ~~G.~~ J. pediatric dentistry (~~pediatric dentist~~/pedodontist pedodontist);
- 73.7 ~~H.~~ K. periodontics (periodontist); and
- 73.8 ~~I.~~ L. prosthodontics (prosthodontist).

73.9 Subp. 2. **Specialty announcement Education criteria.** ~~Only~~ A licensed dentist ~~who~~
 73.10 ~~has successfully completed~~ may advertise as a specialist in an area if the dentist has evidence
 73.11 of graduating from a postdoctoral course of study approved specialty program accredited
 73.12 by the Commission on Dental Accreditation in any of the designated specialty areas, or who
 73.13 ~~has announced a limitation of practice prior to 1967, or who has successfully completed~~
 73.14 ~~certification by any of the following specialty examining boards may announce each specialty~~
 73.15 ~~area and may advertise as a specialist in that area:~~ of subpart 1.

- 73.16 ~~A. American Board of Dental Public Health;~~
- 73.17 ~~B. American Board of Endodontics;~~
- 73.18 ~~C. American Board of Oral and Maxillofacial Pathology;~~
- 73.19 ~~D. American Board of Oral and Maxillofacial Radiology;~~
- 73.20 ~~E. American Board of Oral and Maxillofacial Surgery;~~
- 73.21 ~~F. American Board of Orthodontics;~~
- 73.22 ~~G. American Board of Pediatric Dentistry;~~

74.1 ~~H. American Board of Periodontology; and~~

74.2 ~~I. American Board of Prosthodontics.~~

74.3 Subp. 3. **Restricting practice.** Subpart 2 does not prohibit a dentist who does not
74.4 meet the above education or experience criteria from restricting a practice to one or more
74.5 specific areas of dentistry. These dentists ~~may~~ must not use the terms "specialist," "specialty,"
74.6 "specializing," or "limited to." The advertising must state that the services are being provided
74.7 by a general dentist.

74.8 **3100.8400 ASSISTANTS WITHOUT A LICENSE ~~OR PERMIT.~~**

74.9 Subpart 1. **Permissible ~~duties~~ procedures.** Assistants ~~under this subpart~~ without a
74.10 license may:

74.11 ~~A. perform all those duties not directly related with performing dental treatment~~
74.12 ~~or services on patients;~~

74.13 ~~B. A.~~ retract a patient's cheek, tongue, or other parts of tissue during a dental
74.14 operation;

74.15 ~~C. B.~~ assist with the placement or removal of a ~~rubber dam and accessories used~~
74.16 ~~for its placement and retention,~~ devices or materials for isolation purposes as directed by
74.17 ~~an operating the dentist or dental therapist during the course of a dental operation~~ treatment;

74.18 ~~D. C.~~ remove debris ~~by the use of vacuum devices, compressed air, mouthwash,~~
74.19 ~~and~~ or water that is normally created ~~or accumulated~~ during the course of treatment rendered
74.20 by a ~~licensed~~ dentist or dental therapist using suction devices;

74.21 ~~E. D.~~ provide any assistance, including the placement of articles and topical
74.22 medication in a patient's oral cavity, ~~in response to a specific direction by a licensed dentist~~
74.23 ~~who is physically engaged in performing a dental operation as defined in the act and who~~

75.1 ~~is physically in a position to give~~ during dental treatment under the personal supervision to
 75.2 ~~the assistant~~ of a dentist or dental therapist;

75.3 ~~F. E.~~ aid dental hygienists and licensed dental assistants in the performance of
 75.4 their ~~duties as~~ delegated procedures defined in parts 3100.8500 and 3100.8700; and

75.5 ~~G. F.~~ apply fluoride varnish in a community setting under the authorization and
 75.6 direction of a licensed practitioner with prescribing authority such as a dentist or physician,
 75.7 as long as the licensed practitioner authorizing the service or the facility at which the fluoride
 75.8 varnish is administered maintains appropriate patient records of the treatment.

75.9 Subp. 1a. **Compliance with minimal requirements.** The dentist is responsible for
 75.10 ensuring that any assistant working under the dentist's or dental therapist's supervision as
 75.11 defined in subpart 1 ~~complies with items A and B:~~

75.12 A. ~~completing~~ completes a CPR certification course and ~~maintaining~~ maintains
 75.13 current CPR certification thereafter; and

75.14 B. ~~compliance~~ complies with the most current infection control ~~recommendations,~~
 75.15 ~~guidelines, precautions, procedures, practices, strategies, and techniques specified in the~~
 75.16 ~~United States Department of Health and Human Services, Public Health Service, Centers~~
 75.17 ~~for Disease Control publications of the Morbidity and Mortality Weekly Report (MMWR)~~
 75.18 practices for a dental setting.

75.19 Subp. 2. [Repealed, 10 SR 1612]

75.20 Subp. 3. **Other ~~duties~~ procedures prohibited.** An assistant ~~may~~ must not perform
 75.21 any dental treatment or procedure on patients not otherwise authorized by this chapter.

75.22 **3100.8500 LICENSED DENTAL ASSISTANTS.**

75.23 Subpart 1. **Procedures under general supervision.** A licensed dental assistant may
 75.24 perform the following procedures without the dentist being present in the dental office or

76.1 on the premises if the dentist has prior knowledge of and has consented to the procedures
 76.2 being performed are with prior knowledge and consent of the dentist:

76.3 *[For text of items A to C, see Minnesota Rules]*

76.4 D. re-cement intact temporary crowns or restorations;

76.5 *[For text of items E to G, see Minnesota Rules]*

76.6 H. fabricate and deliver vacuum-formed orthodontic retainers custom fitted trays;

76.7 I. place and remove elastic orthodontic separators;

76.8 J. complete preliminary charting of the oral cavity and surrounding structures
 76.9 with the exception of periodontal probing and assessment of the periodontal structure
 76.10 structures;

76.11 *[For text of items K to O, see Minnesota Rules]*

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

76.16 A. apply topical medications including bleaching agents, desensitizing agents,
 76.17 and cavity varnishes as prescribed by a dentist;

76.18 B. place and remove rubber dam devices or materials for isolation purposes;

76.19 *[For text of item C, see Minnesota Rules]*

76.20 D. perform mechanical polishing to clinical crowns, not including instrumentation.
 76.21 the removal of calculus by instrumentation must be done by a dentist or dental hygienist
 76.22 before mechanical polishing;

76.23 *[For text of items E to K, see Minnesota Rules]*

77.1 L. etch appropriate enamel surfaces; and apply and adjust pit and fissure sealants;
77.2 ~~Before the application of pit and fissure sealants, a licensed dental assistant must have~~
77.3 ~~successfully completed a course in pit and fissure sealants at a dental, dental hygiene, or~~
77.4 ~~dental assisting school accredited by the Commission on Dental Accreditation;~~

77.5 M. perform restorative procedures as permitted in Minnesota Statutes, section
77.6 150A.10, subdivision 4;

77.7 N. maintain and remove intravenous lines while under indirect supervision of a
77.8 dentist who holds a valid general anesthesia or moderate sedation certificate. Before
77.9 managing and removing intravenous lines, a licensed dental assistant must have successfully
77.10 completed board-approved allied dental personnel courses comprised of intravenous access
77.11 and general anesthesia and moderate sedation training and be certified by the board; and

77.12 O. monitor a patient during preoperative, intraoperative, and postoperative phases
77.13 of general anesthesia or moderate sedation using noninvasive instrumentation such as pulse
77.14 oximeters, electrocardiograms, blood pressure monitors, and capnography while under
77.15 indirect supervision of a dentist who holds a valid general anesthesia or moderate sedation
77.16 certificate. Before monitoring a sedated patient, a licensed dental assistant must have
77.17 successfully completed board-approved allied dental personnel courses comprised of
77.18 intravenous access and general anesthesia and moderate sedation training and be certified
77.19 by the board.

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

77.24 A. remove excess bond material from orthodontic appliances;

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

78.7 *[For text of item C, see Minnesota Rules]*

78.8 D. fabricate, place, replace, cement, and adjust temporary crowns or restorations
78.9 ~~extraorally or intraorally;~~

78.10 E. remove temporary restorations with hand instruments only;

78.11 F. place and remove matrix ~~bands~~ systems and wedges;

78.12 G. administer nitrous oxide inhalation analgesia according to part 3100.3600,
78.13 ~~subparts 4 and 5~~ subpart 15;

78.14 *[For text of items H and I, see Minnesota Rules]*

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

78.21 K. place nonsurgical retraction material for gingival displacement. Before placing
78.22 nonsurgical retraction material, a licensed dental assistant must have successfully completed
78.23 a course in nonsurgical retraction material for gingival displacement at a ~~dental, dental~~
78.24 ~~hygiene, or dental assisting~~ school accredited by the Commission on Dental Accreditation.

79.1 Subp. 1c. **Procedures under personal supervision.** A licensed dental assistant may
79.2 concurrently perform supportive services if the dentist holds a valid general anesthesia or
79.3 moderate sedation certificate, is personally treating a patient, and authorizes the licensed
79.4 dental assistant to aid in the physical management of medications, including the preparation
79.5 and administration of medications into an existing intravenous line. Before administering
79.6 any medications or agents, a licensed dental assistant must have successfully completed
79.7 board-approved allied dental personnel courses comprised of general anesthesia and moderate
79.8 sedation training and be certified by the board.

79.9 Subp. 2. ~~Other~~ **Procedures requiring more coursework or in-office training and**
79.10 **procedures prohibited.**

79.11 A. If any delegated procedure within this part specifically indicates a requirement
79.12 to complete additional coursework, the licensed dental assistant must complete the
79.13 coursework to perform the procedure. All remaining delegated procedures listed are within
79.14 the scope of practice for a licensed dental assistant with, if necessary, some required in-office
79.15 training by the supervising dentist.

79.16 B. A licensed dental assistant ~~may~~ must not perform any dental treatment or
79.17 procedure on patients not otherwise authorized by this chapter.

79.18 Subp. 3. [See repealer.]

79.19 **3100.8700 DENTAL HYGIENISTS.**

79.20 Subpart 1. **Principal procedures under general supervision.** A dental hygienist may
79.21 ~~perform the following procedures,~~ under general supervision, as defined in part 3100.0100,
79.22 subpart 21, item D:

79.23 A. perform preliminary charting of the oral cavity and surrounding structures,
79.24 including case histories; perform initial and periodic examinations and assessments to

80.1 determine periodontal status; and ~~creation of~~ create a dental hygiene treatment plan in
80.2 coordination with a dentist's treatment plan;

80.3 *[For text of items B to F, see Minnesota Rules]*

80.4 G. ~~etch enamel surfaces, application and apply~~ and ~~adjustment of~~ adjust pit and
80.5 fissure sealants;

80.6 *[For text of item H, see Minnesota Rules]*

80.7 I. administer nitrous oxide inhalation analgesia according to part 3100.3600,
80.8 ~~subparts 4 and 5~~ subpart 14;

80.9 *[For text of items J to M, see Minnesota Rules]*

80.10 N. ~~fabrication and delivery of~~ fabricate and deliver custom fitted trays;

80.11 O. provide nutritional counseling;

80.12 P. perform salivary analysis;

80.13 *[For text of items Q to S, see Minnesota Rules]*

80.14 T. place and remove ~~isolation~~ devices or materials for ~~restorative~~ isolation
80.15 purposes;

80.16 *[For text of items U and V, see Minnesota Rules]*

80.17 W. ~~fabrication, placement, replacement, cementation, and adjustment of~~ fabricate,
80.18 place, replace, cement, and adjust temporary crowns or restorations;

80.19 *[For text of items X and Y, see Minnesota Rules]*

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

81.1 Subp. 2. **Restorative procedures under indirect supervision.** A dental hygienist
 81.2 may perform restorative procedures pursuant to Minnesota Statutes, section 150A.10,
 81.3 subdivision 4, and under indirect supervision, as defined in part 3100.0100, subpart 21, item
 81.4 C, if the dental hygienist has ~~fulfilled either item A or B:~~

81.5 *[For text of items A and B, see Minnesota Rules]*

81.6 Subp. 2a. **Orthodontic procedures under general, indirect, or direct supervision.** If
 81.7 a dental hygienist has fulfilled the requirements of item A, subitems (1), (2), or (3), the
 81.8 dental hygienist may perform the procedures listed in item B under the level of supervision
 81.9 indicated, as defined in part 3100.0100, subpart 21, items B, C, and D.

81.10 *[For text of item A, see Minnesota Rules]*

81.11 B. The dental hygienist may perform the following procedures under:

81.12 (1) general supervision:

81.13 *[For text of units (a) to (e), see Minnesota Rules]*

81.14 (f) place and remove elastic orthodontic separators; and

81.15 (g) remove and place ligature ties and remove and replace existing arch
 81.16 wires on orthodontic appliances; ~~and~~

81.17 ~~(h) deliver vacuum-formed orthodontic retainers;~~

81.18 *[For text of subitems (2) and (3), see Minnesota Rules]*

81.19 Subp. 2b. **Sedation monitoring and intravenous procedures under indirect, direct,**
 81.20 **or personal supervision.** If a dental hygienist has successfully completed board-approved
 81.21 allied dental personnel courses comprised of intravenous access and general anesthesia and
 81.22 moderate sedation training and ~~submitted to the board documentation of completion to~~
 81.23 ~~receive a certificate from the board~~ is certified by the board, the dental hygienist may perform
 81.24 the following procedures under either indirect, direct, or personal supervision, as defined

82.1 in part 3100.0100, subpart 21, items A, B, and C, for a dentist who holds a valid general
82.2 anesthesia or moderate sedation certificate:

82.3 *[For text of items A to C, see Minnesota Rules]*

82.4 Subp. 3. **Other procedures prohibited.** A dental hygienist ~~may~~ must not perform
82.5 any dental treatment or procedure on patients not authorized by this chapter.

82.6 **3100.9600 RECORD KEEPING.**

82.7 Subpart 1. **Definitions.** For the purposes of this part, "patient" means a natural person
82.8 who has received dental ~~care services~~ treatment from a provider for ~~treatment of a dental~~
82.9 ~~condition~~. In the case of a minor who has received dental ~~care services~~ treatment pursuant
82.10 to Minnesota Statutes, sections 144.341 to 144.347, the patient includes a parent or guardian,
82.11 ~~or a person acting as a parent or guardian in the absence of a parent or guardian.~~

82.12 *[For text of subpart 2, see Minnesota Rules]*

82.13 Subp. 3. **Personal data.** At a minimum, dental records must include ~~at least the~~
82.14 ~~following information~~ the patient's:

82.15 A. ~~the patient's~~ name;

82.16 B. ~~the patient's~~ address;

82.17 C. ~~the patient's~~ date of birth;

82.18 D. ~~if the patient is a minor, the name of the patient's parent or guardian~~ parent's
82.19 or guardian's name, if the patient is a minor;

82.20 E. ~~the name and telephone number of a person to contact in case of an emergency~~
82.21 contact; and

82.22 F. ~~the name of the patient's insurance carrier and insurance identification number,~~
82.23 if applicable information.

83.1 [For text of subparts 4 and 5, see Minnesota Rules]

83.2 Subp. 6. **Clinical examinations.** When ~~emergency treatment~~ a limited examination
 83.3 is performed, items A to C pertain only to the area treated. When a ~~clinical~~ comprehensive
 83.4 examination is performed, dental records must include:

83.5 [For text of items A and B, see Minnesota Rules]

83.6 C. the ~~facsimiles or~~ results of any other diagnostic aids used.

83.7 Subp. 7. **Diagnosis.** Dental records must include a diagnosis.

83.8 Subp. 8. **Treatment plan.** Dental records must include an agreed upon written and
 83.9 dated treatment plan except for routine dental care ~~such as preventive services~~. The treatment
 83.10 plan must be updated to reflect the current status of the patient's oral health and treatment.

83.11 [For text of subpart 9, see Minnesota Rules]

83.12 Subp. 10. **Progress notes.** ~~Dental~~ Patient records must ~~be legible and~~ include a
 83.13 chronology of the patient's progress throughout the course of all treatment ~~and postoperative~~
 83.14 ~~visits~~. All written progress notes must be legible and written in ink. The chronology must
 83.15 include:

83.16 A. all treatment provided;

83.17 B. all medications and anesthetics used ~~and materials placed~~;

83.18 C. all dental materials placed;

83.19 ~~C.~~ D. the treatment provider by license number, name, or initials;

83.20 ~~D.~~ E. when applicable, the identity of the collaborating dentist authorizing
 83.21 treatment by license number; and

84.1 ~~E. F.~~ administration information for nitrous oxide inhalation analgesia, including
84.2 indication for use, dosage, duration of administration, posttreatment oxygenation period
84.3 prior to discharge, and patient status at discharge.

84.4 Subp. 11. **Corrections of Amendments to records.** ~~Notations must be legible, written~~
84.5 ~~in ink, and contain no erasures or "white-outs."~~ If incorrect information is placed in the a
84.6 written record, it must be ~~crossed~~ amended by crossing out with one single line and initialed
84.7 ~~by a dental health care worker~~ the provider. The provider initialing the record must identify
84.8 who the provider is on the written record. In an electronic health record, an amendment to
84.9 the record must be electronically time and date stamped by the provider.

84.10 Subp. 12. **Retention of records.**

84.11 A. A For an adult patient with an active file, the dentist must maintain the patient's
84.12 entire dental record. For an adult patient with an inactive file, the dentist shall must maintain
84.13 a the patient's dental records for at least seven years beyond the time the dentist last treated
84.14 the patient patient's last date of treatment by the dentist.

84.15 B. In the case of For a minor patient with an active file, the dentist must maintain
84.16 the patient's entire dental record. For a minor patient with an inactive file, a the dentist shall
84.17 must maintain a the patient's dental records for at least seven years past the age of majority
84.18 until the patient is 25 years old.

84.19 Subp. 13. **Transfer of records.** A patient's dental records must be transferred according
84.20 to Minnesota Statutes, sections 144.291 to 144.298, irrespective of the status of the patient's
84.21 account. Digital radiographs shall be transferred by compact or optical disc, or electronic
84.22 communication, ~~or printing on high-quality photographic paper.~~ All transferred film or
84.23 digital radiographs must reveal images of diagnostic quality ~~using proper exposure settings~~
84.24 ~~and processing procedures.~~

85.1 Subp. 14. **Electronic record keeping.**

85.2 *[For text of item A, see Minnesota Rules]*

85.3 B. When electronic records are kept, a dentist must ~~keep either a duplicate hard~~
85.4 ~~copy record or~~ use an unalterable electronic record.

85.5 **REPEALER.** Minnesota Rules, parts 3100.0100, subparts 8b, 15, and 18b; 3100.1100,
85.6 subparts 2, 4, and 5; 3100.1500; 3100.1600; 3100.1700, subpart 5; 3100.1750, subparts 4,
85.7 5, and 6; 3100.3100; 3100.3200; 3100.3300; 3100.3350; 3100.3400; 3100.3500; 3100.3600,
85.8 subparts 2, 3, 4, 5, 6, 7, 8, 9, 9a, 9b, 10, and 11; 3100.5400; 3100.6325; 3100.7200; and
85.9 3100.8500, subpart 3, are repealed.