

DRAFT
RULE ADDITIONS
(Approved on May 1, 2009)

TITLE 828 STATE BOARD OF DENTISTRY

ARTICLE 0.5 GENERAL PROVISIONS

Rule 1. Definitions

828 IAC 0.5-1-# “Charitable dental care clinic” defined

“Charitable dental care clinic” means a fixed dental clinic operated by a charitable organization within the meaning of Section 501(c)(3) of the Internal Revenue Code which has as its primary purpose the sponsorship or support of programs designed to improve the quality, awareness, and availability of health care, including dental services, and that serves as a funding mechanism for providing those services.

828 IAC 0.5-1-# “Coronal Polishing”

“Coronal polishing” is defined as the use of a prophylaxis cup or occlusal polishing brush attached to a slow speed hand piece to polish the coronal surface of teeth.

828 IAC 0.5-1-# “Dental assistant” defined

“Dental assistant” has the meaning set forth in IC 25-14-1-1.5.

828 IAC 0.5-1-# “Dental hygiene anesthetic permit” defined

“Dental hygiene anesthetic permit” means a credential issued to a licensed dental hygienist to administer local dental anesthetics under the direct supervision of a licensed dentist.

828 IAC 0.5-1-# “Dental hygienist” defined

“Dental hygienist” has the meaning set forth in IC 25-13-1-2(a).

828 IAC 0.5-1-# “Direct supervision” defined

“Direct supervision” has the meaning set forth in IC 25-13-1-2(i) and IC 25-14-1-1.5.

828 IAC 0.5-1 # “Local dental anesthetics” defined

“Local dental anesthetics” means a drug or drugs administered by an intra-oral block or infiltration injection into the oral tissues of a patient for elimination of sensation, especially pain, and does not include nitrous oxide or similar anesthetics.

828 IAC 0.5-1-# “Prescriptive supervision” defined

“Prescriptive supervision” has the meaning set forth in IC 25-13-1-2(j).

828 IAC 0.5-1-# “Public health setting” defined

“Public health setting” has the meaning set forth in IC 25-13-1-2(h).

Rule 2. Fees

828 IAC 0.5-2-4 Dental hygiene fees

(#) application for dental hygiene anesthetic permit	\$25
(#) renewal of dental hygiene anesthetic permit	\$25

ARTICLE 1 LICENSURE OF DENTISTS AND DENTAL HYGIENISTS

Rule 1. Dentists; Licensure by Examination

**828 IAC 1-1-15 Professional conduct; competency; physical or mental examination
Sec. 15. (a)**

- (19) Failing to provide the required direct or prescriptive supervision of a dental hygienist or dental assistant.
- (20) Failing to maintain documentation of the examination and prescribed dental care for patient care provided by a licensed dental hygienist under the in the dentist’s prescriptive supervision.
- (21) Permitting a dental assistant to perform coronal polishing or apply medicaments for the control or prevention of dental caries without first verifying that the dental assistant has completed the requirements in 828 IAC 6.

828 IAC 1-2-0.5 Location of Dental Hygiene Practice Settings

Sec. 0.5 (a) A licensed dental hygienist may practice dental hygiene in the following locations:

- (1) Those specified in IC 25-13-1-10(a)(1) through (4); and
 - (2) Fixed charitable dental care clinics, public health settings, and correctional institutions that have been approved by the board.
- (b) The practice of dental hygiene in the locations specified in subsection (a) must be under the direct or prescribed supervision of a licensed dentist as required by IC 25-13-1-10.
- (c) A licensed dental hygienist may provide without supervision the following:
- (1) Dental hygiene instruction and in-service training without restriction on location.
 - (2) Screening and referral for any person in a public health setting.

828 IAC 1-2-13 Competency; physical or mental examination

Sec. 13. (b)

- (8) Administering local dental anesthetics without first being issued a dental hygiene anesthetic permit from the board.
- (9) Providing patient care without the required direct or prescriptive supervision of a licensed dentist as required by IC 25-13-1-10.

ARTICLE 3. ANESTHESIA AND SEDATION

Rule 2. Dental Hygiene Local Anesthetic Permit

828 IAC 3-2-1 Administration of local dental anesthetics; requirements

Sec. 1. (a) A dental hygienist licensed to practice dental hygiene in Indiana may be issued a permit to administer local dental anesthetics under the direct supervision of a licensed dentist if the dental hygienist has:

- (1) successfully completed the educational requirements set forth in section 2 of this rule or a substantially equivalent educational program approved by the board;
- (2) successfully completed the local anesthesia examination offered by the North East Regional Board (NERB) or a substantially equivalent regional or state examination approved by the board;
- (3) submitted an application for a dental hygiene anesthetic permit in the form and manner required by the board;
- (4) submitted the fee set forth in 828 IAC 0.5-2-4(#); and
- (5) furnished evidence satisfactory to the board that all qualifying requirements have been met including:
 - (A) an official diploma or certificate showing completion of the educational requirements in subdivision (1);
 - (B) an official document showing the date that the diploma was issued by the educational institution or a certificate with the date of the course given; and
 - (C) an official report showing the score attained on the examination required in subdivision (2).

(b) A permit issued under this rule expires on the same date as the dental hygiene license issued to the dental hygienist under 828 IAC 1 and must be renewed by submitting an application for renewal in the form and manner required by the board and the fee set forth in 828 IAC 0.5-2-4(#).

828 IAC 3-2-2 Educational requirements for a dental hygiene local anesthetics permit

Sec. 2. An applicant for a dental hygiene anesthetic permit shall have completed an educational program or curriculum accredited by the Commission on Dental Accreditation of the American Dental Association or approved by the board that includes, at a minimum, fifteen (15) hours of didactic instruction and fifteen (15) hours of laboratory work covering the following subject areas:

- (1) theory of pain control;
- (2) selection of pain control modalities;
- (3) anatomy;
- (4) neurophysiology;
- (5) pharmacology of local anesthesia;
- (6) pharmacology of vasoconstrictors;
- (7) psychological aspects of pain control;
- (8) systemic complications;
- (9) techniques of maxillary and mandibular anesthesia;
- (10) infection control; and
- (11) local anesthesia medical emergencies;
- (12) a demonstration of clinical competency.

828 IAC 3-2-3 Display of dental hygiene anesthetic permit

Sec. 3. A permit issued under this rule shall be conspicuously displayed in the facility where the dental hygienist is practicing.

ARTICLE 6 DENTAL ASSISTANTS

Rule 1 Caries Prevention and Coronal Polishing; Requirements; Limitations

828 IAC 6-1-1 Caries prevention

Sec. 1. (a) A dental assistant who has been employed in a dental practice for a minimum of 90 days and who completed the requirements in subsection (b) may apply medicaments for the control or prevention of dental caries under the direct supervision of a licensed dentist.

(b) A dental assistant may not apply medicaments for the control or prevention of dental caries until satisfactory completion of an educational program or curriculum accredited by the Commission on Dental Accreditation of the American Dental Association or approved by the board in the following order that includes, at a minimum:

- (1) nine (9) hours of didactic instruction covering the following subject areas:
 - (A) ethics and jurisprudence;
 - (B) reasons for fluoride;
 - (C) systemic fluoride;
 - (D) topical fluoride;
 - (E) toxicity of fluoride;
 - (F) fluoride application;
 - (G) infection control;
- (2) two (2) hours of laboratory work including a manikin and two (2) live patients in topical fluoride applications; and
- (3) clinical competency demonstrated on a minimum of five (5) patients under the direct supervision of an Indiana dentist whose license is in good standing and accompanied with an affidavit signed by the supervising dentist in the current facility and a copy given to the employee.

828 IAC 6-1-2 Coronal polishing

Sec. 2. (a) A dental assistant who has been employed in a dental practice for a minimum of 90 days and who completed the requirements in subsection (b) may polish the coronal surface of teeth under the direct supervision of a licensed dentist.

(b) A dental assistant may not polish the coronal surface of teeth until satisfactory completion of an educational program or curriculum accredited by the Commission on Dental Accreditation of the American Dental Association or approved by the board in the following order that includes, at a minimum:

- (1) five (5) hours of didactic instruction covering the following subject areas:
 - (A) ethics and jurisprudence;
 - (B) plaque and material alba;
 - (C) intrinsic and extrinsic stain;
 - (D) abrasive agents;

- (E) use of a slow speed hand piece, prophy cup, and occlusal polishing brush;
 - (F) theory of selective polishing;
 - (G) infection control;
- (2) two (2) hours of laboratory work including a manican and two (2) live patients in the use of a slow speed hand piece, prophy cup, and occlusal polishing brush and hand dexterity; and
- CHECKLIST COME FROM THE SCHOOL???**
- (3) clinical competency demonstrated on a minimum of five (5) patients under the direct supervision of an Indiana dentist **or dental hygienist** whose license is in good standing and accompanied with an affidavit signed by the supervising dentist in the current facility and a copy given to the employee.

828 IAC 6-1-3 Verification of education by supervising dentist

Sec. 3. (a) Before permitting a dental assistant to apply medicaments for the control or prevention of dental caries the supervising dentist shall verify that the dental assistant has completed the educational requirements for caries prevention set forth in section 1 of this rule.

(b) Before permitting a dental assistant to polish the coronal surface of teeth the supervising dentist shall verify that the dental assistant has completed the educational requirements for coronal polishing set forth in section 2 of this rule.

(c) Documentation that a dental assistant has completed the educational requirements to apply medicaments for the control of prevention of dental caries or to polish the coronal surface of teeth shall be kept on file by the supervising dentist.

828 IAC 6-1-4 Limitation on procedures

Sec. 4. Except for the procedures described in sections 1 and 2 of this rule, procedures allocated to licensed dental hygienists under IC 25-13-1 may not be delegated to a dental assistant.