

Office of the Revisor of Statutes

Administrative Rules



TITLE: Adopted Permanent Rules Relating to Licensing and Administration of Sedation and Anesthesia

AGENCY: Board of Dentistry

REVISOR ID: R-4813

MINNESOTA RULES: Chapter 3100

The attached rules are approved for
filing with the Secretary of State

A handwritten signature in cursive script, appearing to read "Alex Willi", written over a horizontal line.

Alex Willi
Assistant Revisor

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Secretary of State, Steve Simon

1.1 **Board of Dentistry**

1.2 **Adopted Permanent Rules Relating to Licensing and Administration of Sedation and**
1.3 **Anesthesia**

1.4 **3100.0100 DEFINITIONS.**

1.5 *[For text of subparts 1 and 2, see Minnesota Rules]*

1.6 Subp. 2a. **Advanced cardiac life support or ACLS.** "Advanced cardiac life support"
1.7 or "ACLS" refers to an advanced educational course and certification for a health care
1.8 provider that teaches a detailed medical protocol for the provision of lifesaving cardiac care
1.9 in settings ranging from the prehospital environment to the hospital setting. The course must
1.10 include advanced airway management skills, cardiac drug usage, defibrillation, and
1.11 arrhythmia interpretation.

1.12 *[For text of subparts 2b to 9, see Minnesota Rules]*

1.13 Subp. 9a. **CPR.** "CPR" refers to a course and certification for a health care provider
1.14 that teaches basic life support for adults, children, and infants. The course must include both
1.15 hands-on practice and written examination and must address the following topics:

1.16 A. rapid assessment of the patient and provision of emergency care based upon
1.17 the patient's condition;

1.18 B. relief of foreign-body airway obstruction or choking;

1.19 C. basic life support giving chest compressions and delivering appropriate
1.20 ventilations;

1.21 D. early use of an automated external defibrillator (AED); and

1.22 E. effective coordination of multiple rescuers performing basic life support.

1.23 *[For text of subparts 9b to 15b, see Minnesota Rules]*

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

Subp. 15d. **Pediatric patient.** During the administration of general anesthesia, deep sedation, or moderate sedation, "pediatric patient" means a dental patient who is eight years old or younger.

[For text of subparts 16 to 22, see Minnesota Rules]

3100.1100 GENERAL DENTIST.

Subpart 1. **Licensure application and examination requirements.** A person seeking licensure to practice general dentistry in Minnesota must provide the board:

- A. a completed application;
- B. a form of current government-issued identification;
- C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;
- D. evidence of having graduated from a school of dentistry accredited by the Commission on Dental Accreditation;
- E. evidence of passing all parts of a national board examination for the practice of dentistry within the past five years;
- F. evidence of passing a board-approved clinical examination within the past five years;
- G. evidence of passing the board's jurisprudence examination within the past five years;
- H. documentation of current CPR certification; and

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

[For text of subparts 1a to 6, see Minnesota Rules]

3100.1120 SPECIALTY DENTIST.

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

A. a completed application;

B. a form of current government-issued identification;

C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;

D. evidence of having graduated from a school of dentistry;

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

F. evidence of certification from a board-approved specialty board or evidence of passing a board-approved clinical examination;

G. evidence of passing all parts of a national board examination for the practice of dentistry;

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

I. evidence of passing the board's jurisprudence examination within the past five years;

J. documentation of current CPR certification; and

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

4.1 *[For text of subparts 2 to 6, see Minnesota Rules]*

4.2 **3100.1130 LIMITED GENERAL DENTIST.**

4.3 Subpart 1. **Credential review to determine educational equivalency and eligibility**
4.4 **to take a board-approved clinical examination for limited licensure.**

4.5 A. A person who is a graduate of a nonaccredited dental program seeking a limited
4.6 license to practice general dentistry in Minnesota must submit to a onetime credential review
4.7 by the board to determine educational equivalency and eligibility to take a board-approved
4.8 clinical examination. For the credential review, the applicant must provide the board:

4.9 *[For text of subitem (1), see Minnesota Rules]*

4.10 (2) a completed board-approved evaluation of any international education in
4.11 the applicant's graduating dental degree training program;

4.12 *[For text of subitems (3) to (7), see Minnesota Rules]*

4.13 (8) an original or notarized copy of other credentials in dentistry and, if
4.14 necessary, professional translation;

4.15 (9) completed board-approved infection control training; and

4.16 (10) evidence of passing all parts of a national board examination for the
4.17 practice of dentistry.

4.18 *[For text of items B to E, see Minnesota Rules]*

4.19 *[For text of subpart 1a, see Minnesota Rules]*

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

4.23 A. a completed application;

- 5.1 B. a form of current government-issued identification;
- 5.2 C. the application fee in Minnesota Statutes, section 150A.091, subdivision 9b,
- 5.3 clause (1);
- 5.4 D. evidence of passing a board-approved clinical examination within the past five
- 5.5 years;
- 5.6 E. evidence of passing the board's jurisprudence examination within the past five
- 5.7 years;
- 5.8 F. a written agreement between the applicant and a board-approved Minnesota
- 5.9 licensed supervising dentist. The written agreement must include:
- 5.10 (1) all information requested by the board relating to the applicant's written
- 5.11 agreement;
- 5.12 (2) any practice limitations; and
- 5.13 (3) an acknowledgment that the applicant agrees to practice clinical dentistry
- 5.14 at least 1,100 hours annually for a period of three consecutive years after beginning clinical
- 5.15 practice in Minnesota;
- 5.16 G. documentation of current CPR certification; and
- 5.17 H. a criminal background check as required by Minnesota Statutes, section 214.075.

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

- 5.19 A. Throughout the three consecutive years while practicing general dentistry in
- 5.20 Minnesota under the general supervision of a Minnesota licensed dentist, the limited license
- 5.21 dentist must maintain and comply with the requirements in this subpart:

5.22 *[For text of subitems (1) to (5), see Minnesota Rules]*

(6) maintain a professional development portfolio containing documentation of required hours in professional development activities.

[For text of item B, see Minnesota Rules]

C. A limited general dentist may administer nitrous oxide inhalation analgesia under part 3100.3600, subpart 12. A limited general dentist must not administer general anesthesia, deep sedation, moderate sedation, or minimal sedation.

[For text of subpart 3, see Minnesota Rules]

Subp. 4. Requirements for licensure.

A. Upon completion of the three consecutive years, a dentist with a limited license to practice general dentistry in Minnesota shall be prohibited from practicing general dentistry in Minnesota due to expiration of the limited license. A dentist who has an expired or nearly expired limited license may apply for a dental license to practice general dentistry in Minnesota by providing the board:

[For text of subitem (1), see Minnesota Rules]

(2) a form of current government-issued identification;

(3) the fee in Minnesota Statutes, section 150A.091, subdivision 2;

(4) documentation of current CPR certification;

(5) a professional development portfolio for the three consecutive years preceding the license application date as described in subpart 2, item A, subitem (6); and

(6) a written performance evaluation from each supervising dentist regarding the applicant while practicing as a limited license dentist.

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

7.1 **3100.1150 FACULTY DENTIST; FULL OR LIMITED.**

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

7.5 A. a completed application;

7.6 B. a form of current government-issued identification;

7.7 C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;

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

7.10 E. documentation of current CPR certification;

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

7.12 and

7.13 G. a letter from the dean or program director of a school of dentistry, dental
7.14 therapy, dental hygiene, or dental assisting or of a residency training program accredited
7.15 by the Commission on Dental Accreditation certifying that the person seeking licensure is
7.16 a faculty member of the school or residency program and practices dentistry. The original
7.17 letter must include:

7.18 (1) the applicant's full name;

7.19 (2) a statement that the applicant is a faculty member of the school or
7.20 residency program and practices dentistry within the school or residency program, or within
7.21 affiliated teaching facilities of the school or residency program, but only for purposes of
7.22 instruction or research; and

7.23 (3) the dates of the applicant's employment by the school of dentistry, dental
7.24 therapy, dental hygiene, or dental assisting or by the residency program.

Subp. 2. **Termination of licensure.** The board shall terminate a person's license to practice dentistry as a faculty dentist when the person is no longer practicing dentistry as a faculty member of a school of dentistry, dental therapy, dental hygiene, or dental assisting or of a residency program.

[For text of subparts 3 to 7, see Minnesota Rules]

3100.1160 RESIDENT DENTIST.

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

- A. a completed application;
- B. a form of current government-issued identification;
- C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;
- D. evidence of having graduated from a dental school;
- E. evidence of being an enrolled graduate student or a student of an advanced dental education program accredited by the Commission on Dental Accreditation;
- F. evidence of passing the board's jurisprudence examination within the past five years;
- G. documentation of current CPR certification; and
- H. a criminal background check as required by Minnesota Statutes, section 214.075.

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

Subp. 6. **Anesthesia and sedation.** A resident dentist may administer a pharmacological agent for the purpose of general anesthesia, deep sedation, or moderate sedation as a part of their residency program without further general anesthesia or sedation

certification required from the board. The resident dentist remains subject to the requirements of part 3100.3600, subparts 1a and 22.

3100.1170 RESIDENT DENTAL THERAPIST OR RESIDENT DENTAL HYGIENIST.

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

- A. a completed application;
- B. a form of current government-issued identification;
- C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;
- D. evidence of being an enrolled graduate student or a student of an advanced dental education program approved by the board or accredited by the Commission on Dental Accreditation or another board-approved national accreditation organization;
- E. evidence of passing the board's jurisprudence examination within the past five years;
- F. documentation of current CPR certification; and
- G. a criminal background check as required by Minnesota Statutes, section 214.075.

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

3100.1180 DENTAL THERAPIST AND ADVANCED DENTAL THERAPIST.

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

- A. a completed application;
- B. a form of current government-issued identification;

C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;

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

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

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

G. documentation of current CPR certification; and

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

[For text of subparts 2 to 9, see Minnesota Rules]

3100.1200 DENTAL HYGIENIST.

Subpart 1. **Licensure application and examination requirements.** A person seeking licensure to practice dental hygiene in Minnesota must provide the board:

A. a completed application;

B. a form of current government-issued identification;

C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;

D. evidence of passing a national board examination for the practice of dental hygiene within the past five years;

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

11.1 F. evidence of having graduated from a school of dental hygiene accredited by
11.2 the Commission on Dental Accreditation;

11.3 G. evidence of passing the board's jurisprudence examination within the past five
11.4 years;

11.5 H. documentation of current CPR certification; and

11.6 I. a criminal background check as required by Minnesota Statutes, section 214.075.

11.7 *[For text of subparts 2 to 8, see Minnesota Rules]*

11.8 **3100.1300 LICENSED DENTAL ASSISTANT.**

11.9 Subpart 1. **Licensure application and examination requirements.** A person seeking
11.10 licensure to practice dental assisting in Minnesota must provide the board:

11.11 A. a completed application;

11.12 B. a form of current government-issued identification;

11.13 C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;

11.14 D. evidence of having graduated from a school of dental assisting accredited by
11.15 the Commission on Dental Accreditation;

11.16 E. evidence of passing the board's state licensing examination within the past five
11.17 years;

11.18 F. evidence of passing a national board examination for the practice of dental
11.19 assisting within the past five years;

11.20 G. evidence of passing the board's jurisprudence examination within the past five
11.21 years;

11.22 H. documentation of current CPR certification; and

12.1 I. a criminal background check as required by Minnesota Statutes, section 214.075.

12.2 *[For text of subparts 2 to 8, see Minnesota Rules]*

12.3 **3100.1320 LIMITED RADIOLOGY REGISTRATION.**

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

12.7 A. a completed application;

12.8 B. a form of current government-issued identification;

12.9 C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;

12.10 D. evidence of having completed a board-approved course on dental radiology
12.11 offered through a school accredited by the Commission on Dental Accreditation;

12.12 E. evidence of passing a board-approved nationally recognized radiation
12.13 examination within the past five years;

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

12.16 G. documentation of current CPR certification; and

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

12.18 *[For text of subparts 2 and 3, see Minnesota Rules]*

12.19 Subp. 4. **Reinstatement requirements.**

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

12.21 B. If the license was terminated six months ago or less, the person must provide
12.22 the board documentation of current CPR certification.

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

13.3 (1) documentation of current CPR certification;

13.4 (2) evidence of passing the board's jurisprudence examination within 12
13.5 months prior to the board's receipt of the application; and

13.6 (3) a criminal background check if terminated more than one year ago as
13.7 required by Minnesota Statutes, section 214.075.

13.8 D. If the license was terminated 24 months or more ago, the person must provide
13.9 the board:

13.10 (1) documentation of current CPR certification;

13.11 (2) evidence of passing the board's jurisprudence examination within 12
13.12 months prior to the board's receipt of the application;

13.13 (3) a criminal background check if terminated more than one year ago as
13.14 required by Minnesota Statutes, section 214.075; and

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

13.17 *[For text of subpart 5, see Minnesota Rules]*

13.18 Subp. 6. **Compliance with infection control.** A person with a limited radiology
13.19 registration must maintain compliance with the most current infection control practices for
13.20 a dental setting.

14.1 **3100.1340 EMERITUS INACTIVE.**

14.2 Subpart 1. **Licensure application requirements.**

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

14.6 (1) a completed application;

14.7 (2) a form of current government-issued identification; and

14.8 (3) the onetime application fee in Minnesota Statutes, section 150A.091,
14.9 subdivision 19.

14.10 *[For text of item B, see Minnesota Rules]*

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

14.12 **3100.1350 EMERITUS ACTIVE.**

14.13 Subpart 1. **Licensure application requirements.**

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

14.17 (1) a completed application;

14.18 (2) a form of current government-issued identification; and

14.19 (3) the application fee in Minnesota Statutes, section 150A.091, subdivision
14.20 20.

14.21 *[For text of item B, see Minnesota Rules]*

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

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

15.2 A. An emeritus active license is renewed biennially and continues on with the
15.3 licensee's same renewal cycle according to Minnesota Statutes, section 150A.06, subdivision
15.4 11. If the licensee fails to renew an emeritus active license by the deadline, the board shall
15.5 send a notice to the licensee. The notice must state the amount of the renewal and late fees.
15.6 The licensee must renew the emeritus active license within 30 days of the expiration date
15.7 of the license or the board shall administratively terminate the license and the right to
15.8 practice. The board must not consider an administrative termination of a license as a
15.9 disciplinary action against the licensee.

15.10 *[For text of item B, see Minnesota Rules]*

15.11 **Subp. 4. Professional development.** For each biennial professional development
15.12 cycle, the licensee must comply with the professional development requirements including
15.13 a portfolio audit described in parts 3100.5100 to 3100.5300, with the following modifications:

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

15.15 B. Fundamental activities for each biennial cycle must include an infection control
15.16 course.

15.17 **Subp. 5. Anesthesia, sedation, and nitrous oxide.**

15.18 A. If an emeritus active licensee was licensed immediately prior to obtaining
15.19 emeritus active licensure to administer a pharmacological agent for the purpose of general
15.20 anesthesia, deep sedation, or moderate sedation, the emeritus active licensee may continue
15.21 to administer such treatment in compliance with the applicable requirements of part
15.22 3100.3600. If the emeritus active licensee was not licensed to administer such treatment
15.23 immediately prior to obtaining emeritus active licensure, an emeritus active licensee must
15.24 not administer general anesthesia, deep sedation, or moderate sedation.

B. An emeritus active licensee may administer nitrous oxide inhalation analgesia under part 3100.3600, subpart 12.

3100.1370 GUEST LICENSE.

Subpart 1. **Licensure application requirements.** A person who is currently a licensed dentist, dental therapist, dental hygienist, or dental assistant in good standing and engaged in the practice of dentistry in another United States jurisdiction may apply for a guest license by providing the board:

- A. a completed application;
- B. a form of current government-issued identification;
- C. the fee in Minnesota Statutes, section 150A.091, subdivision 2;
- D. evidence of having graduated from either a school of dentistry, dental therapy, dental hygiene, or dental assisting accredited by the Commission on Dental Accreditation;
- E. evidence that the clinic at which the licensee practices is a nonprofit organization that is a public health setting;
- F. documentation of current CPR certification; and
- G. a criminal background check as required by Minnesota Statutes, section 214.075.

Subp. 2. **Terms of license renewal.** A guest license may be renewed annually at the end of the calendar year according to Minnesota Statutes, section 150A.06, subdivision 2c. The board shall send a notice to a licensee who has not renewed their guest license. The notice must state the amount of the guest license renewal fee. The licensee must renew their guest license within 30 days of the expiration date of the license or the board shall administratively terminate the guest license and the right to practice. The board must not consider an administrative termination of a guest license as a disciplinary action against the licensee.

17.1 *[For text of subparts 3 and 4, see Minnesota Rules]*

17.2 **3100.1380 GUEST VOLUNTEER LICENSE.**

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

17.7 A. a completed application;

17.8 B. a form of current government-issued identification;

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

17.11 D. evidence that the clinic at which the licensee practices is a nonprofit organization
17.12 that is a public health setting; and

17.13 E. documentation of current CPR certification.

17.14 Subp. 2. **Terms and renewal of license.** A person issued a guest volunteer license
17.15 must not practice more than ten days in a calendar year. A guest volunteer license may be
17.16 renewed annually after the end of the calendar year according to Minnesota Statutes, section
17.17 150A.06, subdivision 2c. The board shall send a notice to a licensee who has not renewed
17.18 their guest volunteer license. The licensee must renew their guest volunteer license within
17.19 30 days of the expiration date of the license or the board shall administratively terminate
17.20 the guest volunteer license and the right to practice. The board must not consider an
17.21 administrative termination of a guest volunteer license as a disciplinary action against the
17.22 licensee.

17.23 *[For text of subparts 3 to 5, see Minnesota Rules]*

18.1 **3100.1400 LICENSURE BY CREDENTIALS.**

18.2 Subpart 1. **Licensure application requirements for a dentist, dental therapist, or**
18.3 **dental hygienist.** A person who is currently a licensed dentist, dental therapist, or dental
18.4 hygienist in another United States jurisdiction or Canadian province seeking to be licensed
18.5 to practice dentistry, dental therapy, or dental hygiene in Minnesota must provide the board:

18.6 A. a completed application;

18.7 B. a form of current government-issued identification;

18.8 C. the fee in Minnesota Statutes, section 150A.091, subdivision 9;

18.9 D. evidence of having graduated either:

18.10 (1) from a school of dentistry or dental hygiene accredited by the Commission
18.11 on Dental Accreditation; or

18.12 (2) with a baccalaureate degree or a master's degree from a dental therapy
18.13 education program that has been approved by the board or accredited by the Commission
18.14 on Dental Accreditation or another board-approved national accreditation organization;

18.15 E. proof of completing at least 2,000 hours within the past 36 months in active
18.16 practice in another United States jurisdiction, Canadian province, or United States
18.17 government service;

18.18 F. evidence of passing a clinical examination for licensure in another United States
18.19 jurisdiction or Canadian province;

18.20 G. evidence of passing all parts of a national board examination for the practice
18.21 of dentistry, dental therapy, or dental hygiene;

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

18.24 I. documentation of current CPR certification; and

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

[For text of subpart 2, see Minnesota Rules]

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

[For text of subparts 1 to 11, see Minnesota Rules]

Subp. 12. **Nitrous oxide inhalation analgesia requirement for a dentist, a limited general dentist, or an emeritus active licensee.** A dentist licensed by the board, a limited general dentist under the general supervision of a supervising dentist, or an emeritus active licensee is allowed to administer nitrous oxide inhalation analgesia.

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

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

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

(1) a completed application;

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

(3) documentation of current CPR certification.

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

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

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

(1) a completed application;

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

(3) documentation of current CPR certification.

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

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

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

(1) a completed application;

(2) evidence of having completed a course in administering nitrous oxide inhalation analgesia from an institution accredited by the Commission on Dental

21.1 Accreditation. The course must be at least 12 hours total and contain didactic instruction,
21.2 administration and management of at least three individual cases of analgesia, and clinical
21.3 experience using fail-safe anesthesia equipment capable of positive pressure respiration;
21.4 and

21.5 (3) documentation of current CPR certification.

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

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

21.10 *[For text of subitems (1) to (4), see Minnesota Rules]*

21.11 (5) documentation of current CPR certification; and

21.12 (6) attestation of compliance with the practice and equipment requirements
21.13 in subpart 22.

21.14 *[For text of items B and C, see Minnesota Rules]*

21.15 Subp. 16a. **Initial and renewal endorsement for pediatric general anesthesia or**
21.16 **deep sedation; application and educational training requirements for a dentist.**

21.17 A. A dentist may administer general anesthesia or deep sedation to a pediatric
21.18 patient who is eight years old or younger only after providing the board:

21.19 (1) a completed initial application;

21.20 (2) evidence of holding a current general anesthesia or deep sedation certificate
21.21 under subpart 16; and

22.1 (3) attestation of completing at least 12 cases of general anesthesia or deep
22.2 sedation on patients who are eight years old or younger within 12 months prior to the board's
22.3 receipt of the application for a pediatric endorsement.

22.4 B. A dentist administering general anesthesia or deep sedation to a pediatric patient
22.5 must have two additional licensed personnel who are currently certified in CPR and allied
22.6 sedation monitoring present during the administration.

22.7 C. Once a dentist possesses a valid endorsement for pediatric general anesthesia,
22.8 the dentist is not required to possess an additional endorsement for pediatric deep or pediatric
22.9 moderate sedation.

22.10 D. To renew an endorsement for pediatric general anesthesia, the dentist must
22.11 provide the board:

22.12 (1) a completed renewal application; and

22.13 (2) attestation of completing at least 12 cases of general anesthesia or deep
22.14 sedation on patients who are eight years old or younger within 12 months prior to the board's
22.15 receipt of the renewal application. The dentist must maintain proof of these cases upon
22.16 request by the board for up to two renewal periods.

22.17 E. A dentist who administers general anesthesia or deep sedation on patients who
22.18 are eight years old or younger without a pediatric general anesthesia endorsement is subject
22.19 to disciplinary proceedings by the board on the grounds specified in parts 3100.6100 and
22.20 3100.6200 and Minnesota Statutes, section 150A.08, subdivision 1.

22.21 Subp. 17. **Initial certification for moderate sedation; application and educational**
22.22 **training requirements for a dentist.**

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

22.24 *[For text of subitems (1) to (4), see Minnesota Rules]*

- 23.1 (5) documentation of current CPR certification; and
- 23.2 (6) attestation of compliance with the practice and equipment requirements
- 23.3 in subpart 22.

23.4 *[For text of item B, see Minnesota Rules]*

23.5 **Subp. 17a. Initial and renewal endorsement for pediatric moderate sedation;**

23.6 **application and educational training requirements for a dentist.**

23.7 A. A dentist may administer moderate sedation to a pediatric patient who is eight

23.8 years old or younger only after providing the board:

- 23.9 (1) a completed initial application;
- 23.10 (2) evidence of holding a current moderate sedation certificate under subpart
- 23.11 17;
- 23.12 (3) evidence of completing a pediatric program accredited by the Commission
- 23.13 on Dental Accreditation or an equivalent residency program that requires clinical competency
- 23.14 in the administration of moderate sedation on pediatric patients; and
- 23.15 (4) attestation of completing at least 12 cases of moderate sedation on patients
- 23.16 who are eight years old or younger within 12 months prior to the board's receipt of the
- 23.17 application for a pediatric endorsement.

23.18 B. A dentist administering moderate sedation to a pediatric patient must have two

23.19 additional licensed personnel who are currently certified in CPR and allied sedation

23.20 monitoring present during administration.

23.21 C. To renew an endorsement for pediatric moderate sedation, a dentist must provide

23.22 the board:

- 23.23 (1) a completed application; and

24.1 (2) attestation of completing at least 12 cases of moderate sedation on patients
24.2 who are eight years old or younger within 12 months prior to the board's receipt of the
24.3 application. A dentist must maintain proof of these cases upon request by the board for up
24.4 to two renewal periods.

24.5 D. A dentist who administers moderate sedation on patients who are eight years
24.6 old or younger without a pediatric moderate sedation endorsement is subject to disciplinary
24.7 proceedings by the board on the grounds specified in parts 3100.6100 and 3100.6200 and
24.8 Minnesota Statutes, section 150A.08, subdivision 1.

24.9 Subp. 18. **Board-issued certificates for general anesthesia and moderate sedation.**

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

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

24.13 *[For text of subitems (1) to (4), see Minnesota Rules]*

24.14 (5) attestation of compliance with the practice and equipment requirements
24.15 in subpart 22;

24.16 (6) attestation of compliance with an on-site inspection described in subpart
24.17 23; and

24.18 (7) attestation of compliance with the professional development requirement
24.19 in part 3100.5100, subpart 2, item C.

24.20 E. A dentist's general anesthesia or moderate sedation certificate expires if the
24.21 completed application and fee are not received by the board by the dentist's license renewal
24.22 date. Immediately upon expiration, the dentist is prohibited from administering general
24.23 anesthesia, deep sedation, or moderate sedation in the practice of dentistry until the board
24.24 issues a current general anesthesia or moderate sedation certificate to the dentist described

in subpart 19. If a dentist does not obtain a current general anesthesia or moderate sedation certificate within 30 days of the dentist's certificate expiring, the board shall terminate the dentist's general anesthesia or moderate sedation certificate.

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

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

(1) If a dentist applies less than 30 calendar days after the dentist's general anesthesia or moderate sedation certificate renewal date, the dentist must provide the board:

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

(f) attestation of compliance with the practice and equipment requirements in subpart 22;

(g) attestation of compliance with an on-site inspection described in subpart 23; and

(h) attestation of compliance with the professional development requirement in part 3100.5100, subpart 2, item C.

(2) If a dentist applies more than 30 calendar days after the dentist's general anesthesia or moderate sedation certificate renewal date, the dentist must provide the board:

[For text of units (a) to (d), see Minnesota Rules]

(e) documentation of current CPR certification;

(f) attestation of compliance with the practice and equipment requirements in subpart 22; and

(g) attestation of compliance with the professional development requirement in part 3100.5100, subpart 2, item C.

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

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

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

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

[For text of item C, see Minnesota Rules]

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

[For text of subitems (1) to (5), see Minnesota Rules]

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

(7) attestation of compliance with the practice and equipment requirements in subpart 22.

[For text of item E, see Minnesota Rules]

[For text of subpart 21, see Minnesota Rules]

27.1 **Subp. 22. Practice and equipment requirements.**

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

27.5 (1) A dentist must be prepared and competent to diagnose, resolve, and prevent
27.6 any untoward reaction or medical emergency that may develop any time after the
27.7 administration of general anesthesia, deep sedation, or moderate sedation. A dentist must
27.8 apply the current standard of care to continuously monitor and evaluate a patient's blood
27.9 pressure, pulse, respiratory function, and cardiac activity. The current standard of care to
27.10 assess respiratory function requires the monitoring of tissue oxygenation or ventilation by
27.11 using equipment that monitors end-tidal carbon dioxide or auscultation of breath sounds.

27.12 *[For text of subitems (2) to (4), see Minnesota Rules]*

27.13 *[For text of item B, see Minnesota Rules]*

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

27.17 *[For text of items A to D, see Minnesota Rules]*

27.18 E. A dentist must make available all office equipment and emergency medications
27.19 and the record of at least one patient who received general anesthesia or moderate sedation
27.20 care within the past 12 months for evaluation by the sedation inspector.

27.21 F. The board must notify the dentist if an on-site inspection is required. The board
27.22 shall provide the dentist with the name of a sedation inspector or organization to arrange
27.23 and perform the on-site inspection. The dentist may have an on-site inspection performed
27.24 by another board-approved individual or board-approved organization. The dentist must
27.25 ensure that the inspection is completed within 30 calendar days of the board's notice.

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

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

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

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Professional development requirements.

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

C. In addition to the 50 hours required for a dentist under item B, a dentist with a certificate to administer general anesthesia, deep sedation, or moderate sedation under part 3100.3600, subpart 18, must earn at least 15 hours of professional development in any of the following areas:

- (1) moderate sedation or general anesthesia and deep sedation;
- (2) medications and physical evaluation;
- (3) anesthesia emergencies and complications;
- (4) monitoring equipment and monitoring during anesthesia;
- (5) pharmacology of anesthetic drugs;
- (6) infection control related to anesthesia procedures; and
- (7) simulation courses involving anesthesia emergencies.

D. Professional development is credited on an hour-for-hour basis.

E. If a licensee fails to meet the professional development requirements because of extenuating circumstances, the licensee may request to the board in writing an extension of time at least seven days before the end of the licensee's biennial cycle. The licensee's written request must explain the circumstances, the renewal period, and the licensee's plan for completing the requirement. If the board grants the extension, the board shall notify the licensee of the extension. If the licensee fails to submit a written extension request to the board by the seven-day deadline or fails to complete the professional development requirements by the end of the extension period, the board shall administratively terminate the licensee's license. A licensee may reinstate a license that has been terminated under this subpart according to part 3100.1850.

Subp. 3. **Professional development activities.** Professional development activities are categorized as fundamental or elective activities as described in items A and B.

A. Fundamental activities for an initial or biennial cycle must directly relate to clinical dental services to patients. Fundamental activities include:

[For text of subitem (1), see Minnesota Rules]

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

(3) activities approved by the board. Fundamental activities under this subitem shall be approved by the board only if the board finds the activity contents are directly related to dental care and treatment to patients or public safety and professionalism.

[For text of item B, see Minnesota Rules]

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

30.1 **3100.5300 AUDIT PROCESS OF PORTFOLIO.**

30.2 *[For text of subparts 1 and 2, see Minnesota Rules]*

30.3 **Subp. 3. Failure of an audit.**

30.4 **A. Deficiencies causing audit failure include the following:**

30.5 (1) lack of proof of documentation or participation;

30.6 (2) credit hours earned outside of renewal period being audited;

30.7 (3) excess of earned hours in a category having a maximum if a deficiency
30.8 exists;

30.9 (4) lack of earned hours in a category having a minimum if a deficiency
30.10 exists;

30.11 (5) failure to submit the portfolio;

30.12 (6) unacceptable professional development sources; or

30.13 (7) fraudulently earned or reported hours.

30.14 **B. Upon failure of an audit, the board must grant the licensee up to three months**
30.15 **to comply with written requirements to resolve deficiencies in professional development**
30.16 **compliance.**

30.17 **If the licensee fails to comply with the professional development requirements by the**
30.18 **end of the three months, the board must initiate disciplinary proceedings against the licensee**
30.19 **on grounds specified in parts 3100.6100 and 3100.6200 and Minnesota Statutes, section**
30.20 **150A.08, subdivision 1.**

30.21 *[For text of subparts 4 to 6, see Minnesota Rules]*

31.1 **3100.6300 ADEQUATE SAFETY AND SANITARY CONDITIONS FOR DENTAL**
31.2 **OFFICES.**

31.3 *[For text of subparts 1 to 10, see Minnesota Rules]*

31.4 Subp. 11. **Infection control.** Dental health care personnel shall comply with the most
31.5 current infection control guidelines specified by the Centers for Disease Control and
31.6 Prevention. Infection control standards are subject to frequent change.

31.7 *[For text of subparts 12 to 15, see Minnesota Rules]*

31.8 **3100.8400 ASSISTANTS WITHOUT A LICENSE.**

31.9 Subpart 1. **Procedures under personal supervision.** An assistant without a license
31.10 may perform the following supportive procedures if the dentist or dental therapist is
31.11 personally treating a patient and concurrently authorizes the assistant without a license to
31.12 aid in treatment:

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

31.14 C. remove debris or water that is created during treatment rendered by a dentist
31.15 or dental therapist using suction devices; and

31.16 D. provide any assistance, including the placement of articles and topical
31.17 medication in a patient's oral cavity during dental treatment.

31.18 Subp. 1a. **Procedures under general supervision.** An assistant without a license
31.19 may apply fluoride varnish without the dentist or physician being present in the dental office
31.20 or facility or on the premises if the licensed practitioner with prescribing authority has prior
31.21 knowledge of and has consented to the procedure being performed and maintains appropriate
31.22 patient records of the treatment.

31.23 Subp. 1b. **Procedures under direct supervision.** An assistant without a license may
31.24 perform the following services if a dentist or dental therapist is in the dental office, personally

32.1 authorizes the procedure, and evaluates the performance of the assistant before dismissing
32.2 the patient:

32.3 A. take digital impressions;

32.4 B. take photographs extraorally or intraorally; and

32.5 C. aid dental hygienists and licensed dental assistants in the performance of their
32.6 delegated procedures defined in parts 3100.8500 and 3100.8700.

32.7 Subp. 1c. **Compliance with minimal requirements.** The dentist is responsible for
32.8 ensuring that any assistant working under the dentist's or dental therapist's supervision
32.9 pursuant to subparts 1 to 1b:

32.10 A. completes a CPR certification course and maintains current CPR certification
32.11 thereafter; and

32.12 B. complies with the most current infection control practices for a dental setting.

32.13 *[For text of subparts 2 and 3, see Minnesota Rules]*

32.14 **3100.8500 LICENSED DENTAL ASSISTANTS.**

32.15 *[For text of subparts 1 and 1a, see Minnesota Rules]*

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

32.20 A. remove excess bond material from orthodontic appliances;

32.21 B. remove bond material from teeth with rotary instruments after removal of
32.22 orthodontic appliances;

32.23 *[For text of items C to I, see Minnesota Rules]*

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

K. place nonsurgical retraction material for gingival displacement; and

L. administer local anesthesia limited to suprapariosteal and field block injections as prescribed by a dentist. Before administering local anesthesia, a licensed dental assistant must provide the board:

(1) evidence of at least one year of experience in general chairside dental assisting;

(2) evidence of completing a board-approved didactic and clinical course at a school accredited by the Commission on Dental Accreditation that requires clinical competency in the administration of local anesthesia;

(3) evidence of passing a board-approved, nationally recognized local anesthetic examination; and

(4) evidence of application for local anesthesia certification through the board.

[For text of subparts 1c to 3, see Minnesota Rules]

3100.8700 DENTAL HYGIENISTS.

Subpart 1. **Principal procedures under general supervision.** A dental hygienist may, under general supervision as defined in part 3100.0100, subpart 21, item D:

[For text of items A to Y, see Minnesota Rules]

Z. place nonsurgical retraction material for gingival displacement.

34.1 *[For text of subparts 2 to 3, see Minnesota Rules]*

34.2 **3100.9600 RECORD KEEPING.**

34.3 *[For text of subparts 1 to 5, see Minnesota Rules]*

34.4 Subp. 6. **Clinical examinations.** When a limited examination is performed, items A
34.5 to C pertain only to the area treated. When a comprehensive examination is performed,
34.6 dental records must include:

34.7 A. recording of existing oral health care status;

34.8 B. any radiographs and photographs used with the date the image is taken and the
34.9 patient's name; and

34.10 C. the results of any other diagnostic aids used.

34.11 *[For text of subparts 7 to 14, see Minnesota Rules]*

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