Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Permanent Rules Relating to Dentists, Hygienists, and Assistants

AGENCY: Board of Dentistry

MINNESOTA RULES: Chapter 3100

APPROVED AS TO FORM AND LEGALITY
Feb. 18 19 94
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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
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Joan Anderson Growe
Secretary of State

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RK

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

Carla M. Riehle

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Senior Assistant Revisor

9400940

Board of Dentistry

Adopted Permanent Rules Relating to Dentists, Hygienists, and Assistants

Rules as Adopted

3100.0100 DEFINITIONS.

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

Subp. 4. **Assistant.** "Assistant" means a person who assists a dentist in carrying out the basic duties of a dental office.

[For text of subps 5 to 7, see M.R.]

Subp. 8. **Commission on Accreditation.** "Commission on Accreditation" means the Commission on Dental Accreditation of the American Dental Association.

[For text of subps 8a to 21, see M.R.]

3100.1100 APPLICATIONS FOR LICENSE TO PRACTICE DENTISTRY.

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

Subp. 3. **Graduates of nonaccredited schools.** Graduates of dental schools not accredited by the Commission on Accreditation shall furnish the information specified in items A to E to the board by July 1, 1996. After the effective date of this part, persons may not submit applications for licensure under this subpart.

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

[For text of subps 4 to 6, see M.R.]

3100.1400 APPLICATION FOR LICENSURE BY CREDENTIALS.

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

A. The applicant shall complete an application

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furnished by the board.

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

C. An applicant for licensure as a dentist must have been in active practice in another state, Canadian province, or United States government service for at least three of the four years prior to the board receiving a completed application and must submit at least three references from other practicing dentists.

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

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

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

K. An applicant shall successfully complete an examination designed to test knowledge of Minnesota laws relating to the practice of dentistry and the rules of the board.

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

M. An applicant shall provide satisfactory evidence that during the five years preceding the date of application, the applicant has completed a minimum of five clinical hours of continuing dental education in the subject of infection control, including blood borne diseases. An applicant submitting an

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application after June 30, 1994, and before July 1, 1999, shall provide evidence of having completed one hour of education for each year after June 30, 1994.

3100.2000 FEES.

Subpart 1. **Application fees.** Each applicant for licensure as a dentist or dental hygienist or for registration as a registered dental assistant or for a limited registration as a dental assistant under part 3100.8500, subpart 3, shall submit with a license or registration application a fee in the following amounts:

A. dentist application, ~~$125~~ $140;

B. dental hygienist application, $55;

C. dental assistant application, ~~$30~~ $35; and

D. limited registration application, $15.

Subp. 2. **Annual license or registration fees.** Each dentist, dental hygienist, registered dental assistant, and dental assistant with a limited registration under part 3100.8500, subpart 3, shall submit with an annual license or registration renewal application a fee as established by the board not to exceed the following amounts:

A. dentist, ~~$120~~ $138;

B. dental hygienist, ~~$45~~ $50;

C. registered dental assistant, ~~$30~~ $34; and

D. dental assistant with a limited registration, $12.

[For text of subps 3 to 6, see M.R.]

Subp. 7. [See repealer.]

[For text of subps 8 to 10, see M.R.]

3100.4100 CONTINUING DENTAL EDUCATION.

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

Subp. 2. **~~Required-credit~~ Minimum hours.** The minimum number of required hours of CDE for each five-year cycle shall be: for dentists, 75 hours; for dental hygienists, 40 hours; for registered dental assistants, 25 hours; and for dental assistants with a limited registration under part 3100.8500, subpart 3, ten hours. Of these hours, dentists must complete a

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minimum of 60 hours, dental hygienists a minimum of 32 hours, registered dental assistants a minimum of 20 hours, and dental assistants with a limited registration a minimum of ten hours on clinical subjects relating to the practice of dentistry.

Clinical subjects are those subjects directly related to the provision of dental care and treatment to patients.

Nonclinical subjects relating to the practice of dentistry are those subjects which are not directly related to, but are supportive of, the provision of clinical services to patients. Examples of nonclinical subjects are patient management, the legal and ethical responsibilities of the dental profession, and stress management.

Examples of subjects that are not eligible for CDE credit are estate planning, financial planning, marketing, investments, personal health, and personal growth.

Subp. 2a. **Required credit hours on infection control.** During each five-year cycle, licensees and registrants, including dental assistants with a limited registration under part 3100.8500, subpart 3, must complete a minimum of five clinical hours of CDE in the subject of infection control, including blood borne diseases. The requirement for CDE clinical credits on infection control is effective beginning September 1, 1993. For licensees and registrants with less than five years remaining in their current CDE cycle, one clinical infection control CDE credit per full remaining year is required.

[For text of subps 3 to 5, see M.R.]

3100.6300 ADEQUATE SAFETY AND SANITARY CONDITIONS FOR DENTAL OFFICES.

Subpart 1. **Minimum conditions.** Subparts 2 to 15 are minimum safety and sanitary conditions.

[For text of subps 2 to 11, see M.R.]

Subp. 12. **Sharps and infectious waste.** Sharp items and infectious wastes must be disposed of in accordance with Minnesota Statutes, sections 116.76 to 116.83, and rules adopted under them, and requirements established by local government

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agencies.

[For text of subp 13, see M.R.]

Subp. 14. **Hazardous waste.** Dentists, dental hygienists, and registered dental assistants shall comply with the requirements on hazardous waste in chapter 7045.

Subp. 15. **Ionizing radiation.** Dentists, dental hygienists, and registered dental assistants shall comply with the requirements on ionizing radiation in chapter 4730.

3100.8500 REGISTERED DENTAL ASSISTANTS.

Subpart 1. **Duties under indirect supervision.** A registered dental assistant, in addition to the services performed by the assistant, may perform the following services if a dentist is in the office, authorizes the procedures, and remains in the office while the procedures are being performed:

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

F. perform mechanical polishing to clinical crowns not including instrumentation. Removal of calculus by instrumentation must be done by a dentist or dental hygienist before mechanical polishing;

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

H. place and remove periodontal dressings;

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

L. remove and place ligature ties and arch wires on orthodontic appliances. A dentist must select and, if necessary, adjust arch wires prior to placement.

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

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

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

Subp. 3. **Limited registration.** A dental assistant, who by virtue of academic achievement which is equal to or greater than that of a registered dental assistant, and is currently

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by Revisor _____

qualified in Minnesota in an allied health profession may take dental radiographs under the indirect supervision of a dentist if the person complies with the requirements of this subpart. The person shall file with the board a completed application furnished by the board and the fee prescribed in part 3100.2000, subpart 1. In addition, the person shall submit evidence of the successful completion of a course on dental radiographs and of passing an examination. The course must be board-approved. The course shall be equivalent to the dental radiograph courses offered by dental assisting courses approved by the board under part 3100.1300, item B. The examination must be the radiograph part of the examination which is required of registered dental assistant applicants.

3100.8700 DENTAL HYGIENISTS.

Subpart 1. **Duties under general supervision.** A dental hygienist may perform the following services if a dentist has authorized them and the hygienist carries them out in accordance with the dentist's diagnosis and treatment plan:

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

Subp. 2. **Duties under indirect supervision.** A dental hygienist may remove marginal overhangs if a dentist is in the office, authorizes the procedures, and remains in the office while the procedures are being performed.

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

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

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

REPEALER. Minnesota Rules, part 3100.2000, subpart 7, is repealed. Minnesota Rules, part 3100.1100, subpart 3, is repealed July 1, 1996.

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