

DANB's compilation of state dental assisting requirements — on its website and in its state publications — is one of the most comprehensive resources available on this topic. The updates below highlight recent state legislative and regulatory changes that may be of interest to stakeholders of DANB and the DALE Foundation.

### District of Columbia

A rule went into effect December 10, 2021, that mandates covered health professionals, including dental assistants, receive COVID-19 vaccination; delineates grounds for exemptions; and defines disciplinary and enforcement actions for non-compliance. (Note: A subsequent emergency rule mandating boosters for the same professionals was rescinded due to concerns that such a requirement may exacerbate workforce shortages.)

### Hawaii

Effective June 17, 2022, SB2280 allows dental assistants to perform, in public health settings, limited, essential duties under the direction of a licensed dental hygienist and under the general supervision of a dentist, including:

- taking intraoral and extraoral photographs
- recording or charting clinical findings as directed by the licensed dental hygienist
- exposing, processing, mounting, and labeling radiographs
- measuring and recording vital signs
- assisting a licensed dental hygienist who is performing a dental or dental hygiene procedure on a patient

### Illinois

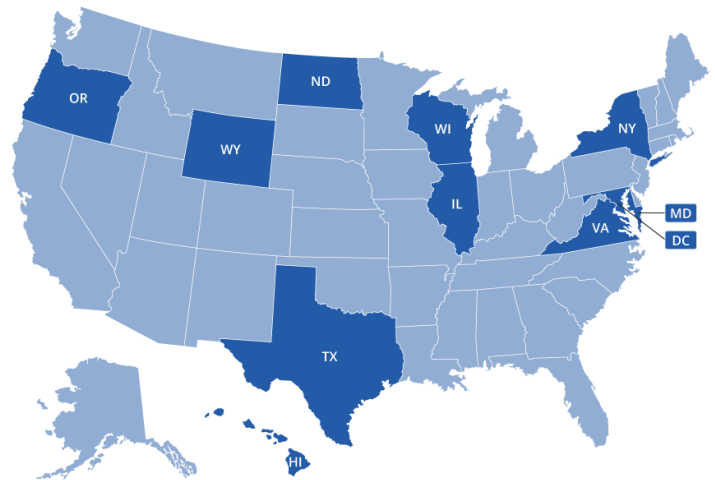
Effective May 27, 2022, HB4591 modified provisions for performance of coronal scaling by dental assistants, including:

- Raising the maximum age of patient on whom a dental assistant may perform coronal scaling from 12 to 17
- Increasing the economic hardship threshold for these patients from 200% to 300% of the poverty level
- Adjusting training requirements

### Maryland

Bill HB968, signed by Maryland's governor on May 16, 2022, created a new Expanded Function Dental Assistant (EFDA) tier on the dental assisting career ladder. The Maryland State Board of Dental Examiners is in the process of developing rules to implement this new law. The new law allows dental assistants who have earned state EFDA certification to assist in orthodontic procedures authorized by the Board in regulation, place dental sealants, perform coronal polishing, apply silver diamine fluoride, and monitor a patient during the administration of nitrous oxide. Requirements to earn EFDA status include completing Board-approved education, holding appropriate DANB certification, and passing Board-approved exams. Additional details will be defined during the state rulemaking process.

Additionally, a 2021 bill requiring that certain applicants for the renewal of a license or certificate issued by a health occupations board, including dental radiation technologists, must complete a state-approved implicit bias training program took effect for initial licensure or first certificate renewal after April 1, 2022.



### New York

At its May 14, 2021, meeting, the New York State Board for Dentistry determined that the application of bleach must be performed by a dentist and is not within the scope of practice of registered dental assistants or hygienists. Subsequently, the Board altered its determination and published practice guidelines on its website indicating that a dental hygienist may perform bleaching services under the personal supervision of a dentist, but a registered dental assistant may not.

### North Dakota

Effective July 1, 2022, a new rule modifies requirements for registration as a qualified dental assistant (QDA) to include earning DANB's NELDA certification for three of four pathways.

### Oregon

A new dental therapist law went into effect July 1, 2022, which included provisions for supervision of dental assistants and EFDAs by dental therapists.

### Texas

A rule went into effect June 6, 2022, implementing a recently passed teledentistry law that requires dental assistants be registered in Texas if delivering teledentistry services to a patient located in Texas. The law requires that name, Texas license number, credentials, and qualifications of dental assistants involved in a patient's care be publicly displayed and provided in writing to the patient.

### Virginia

A June 10, 2022, guidance document clarified that despite language in regulation indicating that dentists may delegate "pulp capping" to a Dental Assistant II, only indirect pulp capping should be delegated, and direct pulp capping should be performed by the dentist.

### Wisconsin

On April 15, 2022, the state enacted a law defining and providing for certification of Expanded Function Dental Auxiliaries, who are permitted to perform placement and finishing of restorative material after the dentist prepares a tooth for restoration, application of sealants, coronal polishing, impressions, temporizations, packing cord, removal of cement from crowns, adjustment of dentures and other removable oral appliances, removal of sutures and dressings, and application of topical fluoride, fluoride varnish, or similar dental topical agent under a dentist's supervision. Requirements for state certification of EFDAs include current proficiency in CPR, including use of an automatic external defibrillator, and completion of an accredited instructional program. The statute requires that applicants for enrollment in the instructional program either have completed 2,000 hours of work experience practicing as a dental assistant, or have completed 1,000 hours of dental assisting practice and hold current DANB CDA certification. The Wisconsin Dentistry Examining Board will initiate rulemaking to implement the new law.

### Wyoming

A rule effective January 14, 2022, made a number of changes to dental assistants' scope of practice, including:

- adding application of silver diamine fluoride under indirect supervision
- allowing radiography under general supervision (formerly indirect supervision was required)
- clarifying that intraoral use of high- and low-speed handpieces is prohibited, except for low-speed use for coronal polishing

The rules also clarify qualifications for performing radiography and sealants and add a "permit by credential" pathway for dental assistants qualified in radiography in other states.