

STATE OF THE STATES

August 2021-March 2022



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.

California

Effective Sep. 28, 2021, Senate Bill 607 repealed the clinical and practical exam requirement for dental assistants to receive the California's Registered Dental Assistant in Extended Functions (RDAEF) credential. RDAEF candidates must continue to meet the other existing requirements to perform extended functions.

District of Columbia

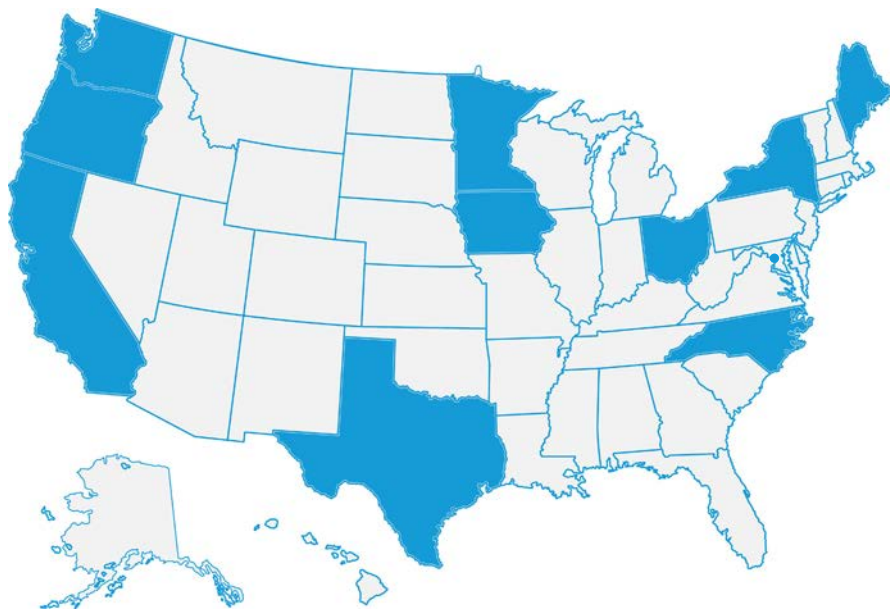
Effective Aug. 6, 2021, the District of Columbia Board of Dentistry made amendments to its dental assisting rules that:

- Limit eligibility to perform radiography to Level II Dental Assistants (formerly, both Level I and Level II dental assistants could qualify in radiography)
- Specify that a Board-approved radiography training program must consist of "at least twenty-four (24) hours of coursework in radiology, radiation safety, biology, and physics" and that candidates must pass the any examinations required for successful completion of the program
- Clarify that Level II Dental Assistants may perform radiography procedures only if they have completed a Board-approved program or passed DANB's RHS or CDA exams

The new rule also amends one pathway to registration as a Level II Dental Assistant: Existing requirements allowed for completion of a CODA-accredited dental assisting program or current DANB CDA certification; the new rule specifies that, for the certification pathway, an applicant may hold DANB's CDA certification or "other dental assisting certification approved by the Board."

Iowa

Effective Aug. 18, 2021, new subrules added to the Iowa Administrative Code establish procedures for "registration by verification" for dental assistants licensed or registered



for at least a year in another jurisdiction with a scope of practice similar to Iowa. Applicants must establish residency in Iowa or be the spouse of an active-duty military member permanently stationed in the state to be eligible for such registration. Applicants for registration by verification must submit a verification form from the licensing authority in the jurisdiction that issued their existing license and information about the scope of practice in the state of origin and disciplinary actions taken, if any, along with other required information. Applicants may receive a temporary registration for three months (with a one-time extension of three additional months) if they have not yet passed the jurisprudence exam but have met all other requirements.

Maine

The Maine Board of Dental Practice amended its rules, effective Dec. 15, 2021, to expand its recognition of out-of-state credentials for certain purposes, such as faculty licensure and licensure by endorsement. Under the new rule, the Board now accepts credentials from other jurisdictions, including another state, a U.S. territory, a foreign nation or a foreign administrative division that issues licenses in the

STATE OF THE STATES

August 2021-March 2022



dental profession, in situations in which it formerly recognized only credentials from other U.S. states and Canada. The new rule affects some Maine Expanded Function Dental Assistant (EFDA) licensure applicants, because individuals applying for the EFDA license through the pathway requiring licensure as a dental hygienist may now use a dental hygiene license from another U.S. state, a U.S. territory, a foreign nation, or a foreign administrative division to qualify. In addition, those applying for EFDA licensure by endorsement may now use a substantially equivalent license from another jurisdiction to qualify, subject to review by the Board.

Minnesota

Effective Feb. 14, 2022, the Minnesota Board of Dentistry adopted a series of rule amendments affecting dental assistants. Most importantly, the new rule provides an avenue for unlicensed dental assistants to qualify to perform radiography procedures.

Prior to the rule change, state rules specified that only a Licensed Dental Assistant could perform radiography procedures and allowed a narrow exception for individuals licensed or qualified in Minnesota in an allied health profession (such as registered nurses) to earn a *limited-license permit* in dental radiography. The new rule changes the name of this credential to *limited radiology registration* and eliminates the requirement that the applicant be qualified in an allied health profession by virtue of academic achievement greater than that required for a Licensed Dental Assistant, making dental radiography qualification in Minnesota available to a broader population of dental assistants.

To earn the limited radiology registration, a dental assistant must have completed a Board-approved course in radiography through a CODA-accredited program, have passed DANB's RHS exam within the past five years, have passed the Board's jurisprudence exam within the past five years, hold current CPR certification, submit a completed application and required fee, and undergo a criminal background check.

Additionally, a limited radiology registrant must complete two hours of infection control education every two years and comply with the most current infection control guidelines for dental settings.

The new rule also:

- Defines requirements for oral healthcare professionals licensed in other states to receive a guest license or a guest volunteer license in Minnesota
- Adjusts license reinstatement requirements for oral healthcare professionals, including dental assistants
- Reorganizes sedation rules, including those related to nitrous oxide administration, and clarifies that an LDA who graduated from a Minnesota dental assisting program after Sep. 2, 2004, does not need to meet any additional educational or administrative requirements to administer nitrous oxide analgesia; those who graduated prior to this date must take an additional course in this function
- Adjusts and clarifies biennial professional development requirements for oral healthcare professionals, including LDAs, who must complete 25 hours of continuing education, with at least 15 hours in "fundamental activities" and no more than 10 hours in "elective activities." HIPAA training, formerly an elective, has been reclassified as a fundamental activity
- Updates sections addressing procedures delegable to unlicensed and licensed dental assistants to remove outdated and non-relevant language, without substantive changes
- Updates and clarifies language related to conduct unbecoming a licensee

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.

North Carolina

Effective Nov. 1, 2021, the North Carolina State Board of Dental Examiners amended its rule setting forth course requirements for dental assistants to qualify to assist a dentist in nitrous oxide sedation monitoring. The amendment specifies that course instructors must be dentists holding an unrestricted license or an instructor's license, or dental hygienists or dental assistants who themselves serve under the direction of the aforementioned licensees. The amendment further specifies that courses shall be reviewed at any Board meeting and approved by a majority of the Board.

STATE OF THE STATES

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Ohio

In February 2021, the Ohio State Dental Board voted that it will temporarily recognize DANB's NELDA certification as meeting the state's requirements for Certified Assistant status through the end of 2021. At its meeting on March 9, 2022, the Ohio Dental Board voted to extend its acceptance of DANB's NELDA certification for Certified Assistant status through June 30, 2023, and to review and consider inclusion of this exam via its rulemaking process.

Oregon

Effective Sep. 25, 2021, House Bill 2528 enacted a series of statutes authorizing and governing the practice of dental therapy. Under the new law, dental therapists may supervise both dental assistants and expanded function dental assistants, provided that such supervision does not exceed two individuals and that the dental therapists are themselves authorized to perform the relevant services.

Texas

Effective Sep. 30, 2021, the Texas State Board of Dental Examiners adopted an amendment to the requirements for initial dental assisting registration. Specifically, the amended rule now requires that RDA applicants must complete a human trafficking prevention course approved by the Texas Health and Human Services Commission. This amendment continues a trend by states to increase education and training in human trafficking prevention for dental team members. It also expands upon an existing Texas requirement that dental assistants earn CE in human trafficking prevention, which began in December 2020.

Washington

Effective Aug. 18, 2021, the Washington State Dental Quality Assurance Commission made permanent an emergency rule adopted in December 2020 allowing dentists to delegate the administration of COVID-19 screening tests (swab tests) to registered dental assistants, licensed EFDAs and licensed dental hygienists.