

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.

Alaska

Effective Oct. 5, 2022, SB173 allows a dental hygienist holding an advanced practice permit to delegate to a dental assistant the exposure and development of radiographs and application of topical preventive agents and pit and fissure sealants.

Colorado

A new dental therapist law went into effect Jan. 1, 2023, specifying that an articulated plan between a dentist and dental therapist must include policies for supervising dental assistants. Additionally, effective Nov. 3, 2022, a new board policy specifies that prescription-strength whitening systems available only to dentists require direct supervision when used by dental assistants.

Florida

In June 2019, the Florida Board of Dentistry adopted a rule providing for the delegation of remediable restorative functions to dental assistants who have received required training. On May 18, 2023, the Board amended the rule to add a requirement that, in order to enroll in a restorative functions training program, a dental assistant must have a delegating dentist, and the delegating dentist must supervise and evaluate a portion of clinical requirements for dental assistants receiving restorative functions training. The amended rule further specifies the following:

- the delegating dentist must attend an online interactive training on the laws and rules of remediable restorative functions and a calibration session for clinical requirements and procedures
- the 25 hours of training dedicated to live patients must be divided between instruction from the delegating dentist consisting of 12 hours and from the course provider institution consisting of 13 hours
- the previous live-patient requirement for training in fitting and contouring but not permanently cementing stainless steel crowns is replaced with a lab, case-based clinical scenario

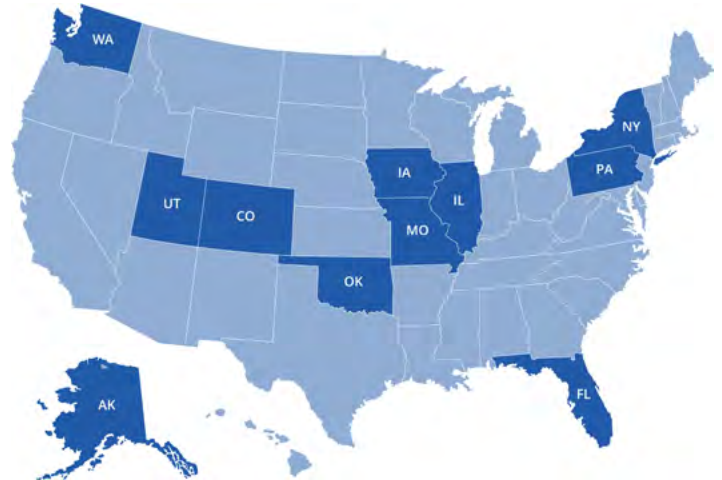
The amendment provides for a rule review in five years.

Illinois

As part of an effort to address workforce shortages of dental hygienists in urban and rural underserved areas, a new law took effect Jan. 1, 2023, to increase access to dental care by now allowing dental assistants to perform coronal scaling above the gum line on children up to 17 years old (prior age limit was 12 years) who qualify under one of the following provisions: on Medicaid, uninsured, or whose family household income is not higher than 300% (previously was 200%) of the federal poverty level. The legislation also increased the training required from 16 hours to 32 hours for dental assistants to provide this limited service.

Iowa

New rules went into effect Dec. 21, 2022, that eliminate the formal application process for dental assistant trainee status and allow dental assistants to train on the job for purposes of registration for 12 months from the date of



the start of employment; update requirements for registration as a dental assistant and for qualification in dental radiography; and amend the definition of “personal supervision” to allow more flexibility in the training of dental assistant trainees as delegated by a licensed dentist. Additionally, rules related to expanded functions training were updated effective Jan. 18, 2023, and some requirements for dental assistant registration by verification were relaxed April 12, 2023.

Missouri

A rule clarifying EFDA functions went into effect Sept. 30, 2022, adding “sizing and cementing prefabricated crowns” to the EFDA permit in fixed prosthodontics and making minor amendments to clarify language for EFDA functions. Additionally, an emergency rule issued in January 2023 and effective through July 10 initiated a pilot program in dental telehealth. This pilot is a collaboration between the board and the Office of Dental Health within the Missouri Department of Health and Senior Services designed to examine new methods of extending dental care to residents in assisted living facilities, intermediate-care facilities, residential-care facilities, skilled nursing facilities, and homebound special-needs patients. Under this rule, the Missouri Dental Board is authorized to issue temporary waivers to dentists to allow for the supervision of dental assistants, certified dental assistants, and EFDAs using telehealth technology. The Missouri Dental Board is to provide a final report on the pilot project by Dec. 31, 2025.

New York

Effective Aug. 17, 2022, A07754 adds “placing and removing temporary restorations” to the list of functions Registered Dental Assistants can perform. Also in 2022, in response to questions received from licensees, the New York State Board for Dentistry determined that an RDA may not perform bleaching procedures because such procedures irreversibly alter tooth enamel. The Board also determined that an RDA may not apply fluoride varnish because the function is listed in the scope of practice for dental hygienists, and that RDAs may not perform those functions that are considered the practice of dental hygiene.

Oklahoma

Signed by the governor May 5, 2023, Senate Bill 754 adds two new expanded duty permits that a dental assistant may apply for: (1) phlebotomy and venipuncture and (2) elder care and public health.

This brings the number of expanded duty permits available to dental assistants in Oklahoma to seven. While it is still unclear what will be required of applicants for the phlebotomy and venipuncture permit, the bill specifies that a minimum of two years of dental assisting practice is necessary to receive the elder care and public health permit. The elder care permit will allow dental assistants to aid hygienists, under the general supervision of a licensed dentist, in providing treatment to patients in adult and long-term healthcare facilities.

Pennsylvania

SB 1173, effective Nov. 3, 2022, allows licensees and certificate holders to earn three hours of CE for volunteer practice at a clinic or health center or charity dental event. The law applies to EFDAs, who are state certified and must renew their certificate periodically, as well as to dentists and dental hygienists.

Utah

Effective March 27, 2023, new rules prohibit the following three tasks from being performed by a dental assistant: starting, or administering medication through, an IV line; converting a denture into a fixed implant prosthesis; and adjusting a permanent or final prosthetic, removable or fixed, that is to be worn by a patient.

Washington

Signed by the governor May 15, 2023, HB 1678 recognizes licensure for dental therapists statewide and allows for licensed dental therapists to supervise dental assistants and EFDAs. The new law becomes effective Jan. 1, 2024.