

Minnesota Board of Dentistry

"To ensure that Minnesota citizens receive quality dental health care from competent dental health care professionals."

Updates

Winter 1999 Volume 14, Number 3

Board Elects New Officers

At the January 1999 public meeting, the Board elected David Remes, D.D.S. to serve as president; Susan Gross, D.D.S. as vice-president, and Ms. Phyllis Gilbert, R.D.A. as secretary. The term of office is one-year.

Rules: "Permissive" vs. "Non-permissive"?

The Board of Dentistry has "tabled" its review to change the rules related to duties that may be delegated to licensed dental hygienists and registered dental assistants, at least for the time being. Specifically, the Board has been looking at changing the wording in its rules from a "permissive" list (that is, what **may** be delegated) to a "non-permissive" list (duties that may **not** be delegated). If "non-permissive" rules had been adopted, all currently listed duties and specified levels of supervision would have remained the same: only the **wording** of the rules would have changed.

The rationale for the review was to see if a type of rule could be written that could better keep pace with ever-changing technologies, procedures and products--without having to write new rules to accommodate these changes. The state legislature intends the rulemaking process to be thoughtful, detail-oriented and inclusive regarding public and professional participation. As such, state agencies are more likely to use their rulemaking authorities wisely and appropriately when making rules that will affect many people. The rulemaking process is somewhat cumbersome and slow--in contrast to the rapid and constant introduction of dental products and new techniques in "real life." So, changing from a "permissive" to a "non-permissive" list is certainly worth review.

The Board's Policy Committee recommended "tabling" the review for many reasons, including:

- A prohibited list of duties probably would generate *more rather than fewer* questions about what can be legally delegated. Such ambiguity would not serve the practicing dental community--or the public-- well;
- Some states that have "non-permissive" rules have difficulty enforcing such rules;
- Not all new products, procedures or technologies "stand the test of time." Historically, the Board has made new rules to accommodate procedures that have been shown to benefit the public.

The Policy Committee discussed certain criteria that perhaps should be met before the Board undertakes a rulemaking effort related to new technologies or procedures. Criteria could include: (1) approval from an accreditation entity, such as the Food and Drug Administration or the American Dental Association; (2) widespread demand from either the practicing dental community or the public, and (3) known safeguards to protect the public from harm. In the meantime, the "permissive" list of rules still are in effect and are reprinted on the next page.

Board Meeting Dates (All start at 8:30 a.m.)

January 8, 1999
March 12, 1999
June 4, 1999
September 10, 1999
November 5, 1999

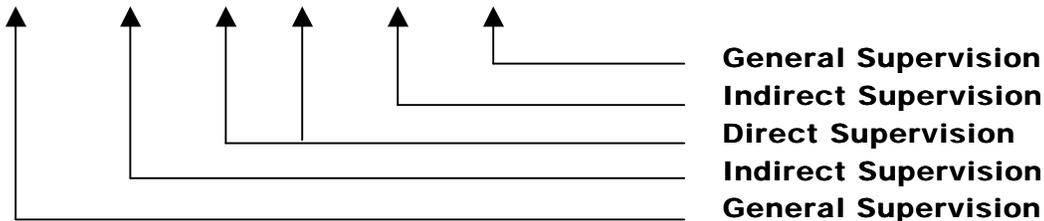
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**Procedures That Can Be Delegated to
DENTAL HYGIENISTS AND REGISTERED DENTAL ASSISTANTS**
(From Minnesota Rules 3100.8500 and 3100.8700)

HYG	HYG	HYG	RDA	RDA	RDA	Procedure
X						Preliminary charting of the oral cavity and surrounding structures to include case histories and periodontal charting (This does not infer the making of a diagnosis.)
X						Complete prophylaxis to include scaling, root planing, polishing of restorations.
X						Dietary analysis, salivary analysis and preparation of smears for dental health purposes.
X						Removal of excess bond material from orthodontic appliances.
X						Replacement of intact temporary crowns or restorations with temporary restorative materials prior to the placement of a permanent restoration. Replacement of restorations does not include the construction of temporary crowns.
X					X	Cut arch wires, remove loose bands, or remove loose brackets on orthodontic appliances to provide palliative treatment.
X			X			Remove excess bond material from orthodontic appliances with hand instruments only.
X			X			Etch appropriate enamel surfaces and apply pit and fissure sealants. 1
	X					Administer local anesthesia. 2
	X					Administer nitrous oxide inhalation analgesia. 3
	X			X		MONITOR a patient who has been induced by a dentist into nitrous oxide-oxygen relative analgesia.
	X					Remove marginal overhangs.
		X	X			Make preliminary adaptation of temporary crowns.
		X	X			Remove temporary crowns with hand instruments only.
		X	X			Etch appropriate enamel surfaces before bonding of orthodontic appliances by a dentist.
X				X		Perform mechanical polishing to clinical crowns not including instrumentation. Removal of calculus by instrumentation must be done by the dentist or dental hygienist before mechanical polishing.
X				X		Take radiographs.
X				X		Remove excess cement from inlays, crowns, bridges and orthodontic appliances with hand instruments only.
X				X		Apply topical medications that are physiologically reversible, topical fluoride, bleaching agents, and cavity varnishes prescribed by dentists.
X				X		Take impressions for casts and appropriate bite registration. 4
X				X		Place and remove rubber dam.
X				X		Pre-select orthodontic bands.
X				X		Place and remove elastic orthodontic separators.
X				X		Remove and replace ligature ties on orthodontic appliances.
X				X		Remove sutures.
X				X		Place and remove periodontal packs.
X				X		Dry root canals with paper points.
X				X		Place cotton pellets and temporary restorative materials into endodontic openings.



Notes and Definitions of Levels of Supervision may be found on the next page.

"Permissive" Rules and Levels of Supervision

The facing page is a reprint of the "permissible duties" chart that the Board first published in *Updates* in June 1996. Because none of the duties or levels of supervision have changed since then, the chart is republished for your information. The levels of supervision are defined in rule as follows:

- GENERAL: The dentist has authorized the procedures and they are being carried out in accordance with the dentist's diagnosis and treatment plan.
- INDIRECT: The dentist is in the office, authorizes the procedures, and remains in the office while the procedures are performed by the dental hygienist or registered dental assistant
- DIRECT: The dentist is in the office, personally diagnoses the condition to be treated, personally authorizes the procedure, and before dismissal of the patient, evaluates the performance of the dental hygienist or registered dental assistant.

Please note that the small numbers beside some of the duties refer to the following:

1. Before the application of pit and fissure sealants, a registered dental assistant must have successfully completed a course in pit and fissure sealants at a dental school, dental hygiene school or dental assisting program accredited by the Commission on Accreditation.
2. Before administering local anesthesia, a dental hygienist must successfully complete a didactic and clinical program sponsored by a dental or dental hygiene school accredited by the Commission on Accreditation, resulting in the dental hygienist becoming clinically competent in the administration of local anesthesia.
3. Before administering nitrous oxide inhalation analgesia, a dental hygienist must successfully complete a course in the administration of nitrous oxide inhalation analgesia. The course must include a minimum of 16 hours of didactic instruction and supervised clinical experience using fail-safe anesthesia equipment capable of positive pressure respiration. Forms must be sent to the Board office
4. Dental hygienists and registered dental assistants shall not take impressions and bite registrations for final construction of fixed and removable prostheses.

Please don't forget! Annual license and registration certificates are to be "conspicuously displayed in every office in which that person practices, in plain sight of patients." (Minn. Stat. 150A.06, subd.6) Also, dental assistants who perform the duties listed on the opposite page MUST be registered with the Minnesota Board of Dentistry: certification from the Dental Assisting National Board is NOT sufficient.

Recent Disciplinary Actions:

David P. Carlson, D.D.S.
License No. D9415
Minneapolis, MN
Order for Limited and
Conditional license
11/20/98

Deborah Lehnus, D.D.S.
License No. D8846
St. Paul, MN
Amended Order for Limited
and Conditional license
11/20/98

Ivan Streif, D.D.S.
License No. D10207
Eden Prairie, MN
Order for Limited and Conditional
license
11/20/98

Steven Gunberg, D.D.S.
License No. D7805
International Falls, MN
Order for Conditional
License
11/20/98

Richard D. Olson, D.D.S.
License No. D9136
New Prague, MN
Order for Suspension and
for Conditions
11/20/98

Milos Tomaides, D.D.S.
License No. D9495
New Hope, MN
Order for Conditional license
11/20/98

Definition of Terms:

Conditional license - licensee may continue to practice but must meet specific conditions in the order

Limited license - licensee may continue to practice but may not perform certain procedures specified in the order

Suspended license - licensee may not practice for a specified length of time, or until certain conditions are met

If you have a name or address change you must inform the Board in writing within 30 days of the change. Practicing dentists are required to have their primary practice address on record with the Board. All others may list a home address.

NAME AND/OR ADDRESS CHANGE

Name (last, first, middle)	Former Name (if applicable)
New Address Street: City/Town: State: Zip Code:	Former Address (if applicable) Street: City/Town: State: Zip Code:
MN License/Registration Number	Daytime Phone Number
Signature (Required):	Effective Date:

..... Please tear along dotted line and mail to the Board office.....

BOARD MEMBERS

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 Susan Gross, D.D.S., Vice President.....St. Louis Park
 Phyllis Gilbert, R.D.A. Secretary.....Peilican Rapids
 Cheryl Tietge, D.H. Past President.....St. Paul
 Mary Buckentin, Consumer MemberPlato
 Ken Heuer, Consumer MemberStillwater
 Freeman Rosenblum, D.D.SSt. Paul
 Robert C. Schwegler, D.D.S.....Albany
 William Zimbinski, D.D.SDuluth

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 Licensing/Registration..... .Lori Schneider

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