DELEGATION OF DUTIES TO HYGIENISTS & ASSISTANTS
revised June 9, 2005

REGULATIONS
The duties that dentists may delegate to hygienists and assistants are regulated by Minnesota Rules 3100.8400 (non-registered assistants), 3100.8500 (registered and limited registration dental assistants), and 3100.8700 (dental hygienists), and Statutes 150A.05, subd 1a and 150A.10. The exact language can be found at the Board of Dentistry web site by clicking on the link "statutes and rules." An easy reference chart of allowable duties and levels of supervision can be accessed by clicking on the link "licensing/registration"; then "delegated procedures."

DELEGATION
When the BOD addresses a complaint or question about hygienist and assistant misuse, considerations such as (but not limited to) these may be used:

- The fundamental intent of the rule is to protect the public by allowing only people with proper and recognized training to treat patients.
- The Board currently utilizes permissive rules for delegation of duties to dental auxiliaries/allied dental personnel. This means that any allowable duty must be stated in rule or statute, otherwise it is not allowable. Therefore, it is imperative to read and know the rules and statutes. The focus is on legally delegable duties, relying upon qualifications and designated levels of supervision related to regulatory status of the position… not on outcomes or personal expertise.

LEVELS OF SUPERVISION
In addition to specific duties, there are 4 levels of supervision that apply to these duties. The dental professional must know the differences between these levels of supervision…

- **PERSONAL SUPERVISION**: the dentist is personally operating on a patient and authorizes the auxiliary to aid in treatment by concurrently performing supportive procedures
- **DIRECT SUPERVISION**: the dentist is in the office, and personally diagnoses the condition to be treated, personally authorizes the procedure, and evaluates the performance before the patient is dismissed
- **INDIRECT SUPERVISION**: the dentist is in the office, authorizes the procedures, and remains in the office while the procedures are being performed
- **GENERAL SUPERVISION**: the dentist has authorized the procedures and they are being carried out in accordance with the dentist's diagnosis and treatment plan

COMMON INFRACTIONS
Examples of common infractions include, among others:
- unregistered dental assistants or front desk staff performing duties of a registered dental assistant or licensed hygienist, even if it was allowed in other states or the military
- certified dental assistants performing duties not allowed [certified dental assistants in MN can only function as non-registered dental assistants unless they are also registered]
- auxiliaries performing allowable duties under the wrong level of supervision
- registered dental assistants performing duties not allowed, such as scaling teeth
- registered dental assistants performing duties without completing required additional training (e.g., applying sealants, inducing nitrous oxide analgesia, using handpieces in the patient's mouth, etc.)
- licensed dental hygienists performing duties without completing required additional training (e.g., administering local anesthetic, applying sealants, inducing nitrous oxide analgesia, using handpieces in the patient's mouth, etc.)
- licensed dental hygienists performing duties not allowed or under the wrong level of supervision
- practicing with a lapsed license or registration

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