

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control Department or Agency Board of Dental Examiners

Rule No. 270-X-3-.10

Rule Title: Duties of Allied Dental Personnel

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Service Agency.

Signature of certifying officer 
Date 10/13/17

REC'D & FILED

(DATE FILED)
(STAMP)

OCT 13 2017

LEGISLATIVE REF SERVICE

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama
RULE NO. & TITLE: 270-X-3-.10, Duties of Allied Dental Personnel
INTENDED ACTION: Amend Rule

SUBSTANCE OF PROPOSED ACTION: The Board of Dental Examiners is proposing to amend Rule 270-X-3-.10 which sets forth permissible duties for allied dental personnel. Specifically, the amendment will allow for dental digital images to be taken by Dental Assistants, under the direct supervision of a licensed dentist, and for the bleaching of teeth to be performed by duly licensed Dental Hygienists, also under the direct supervision of a licensed dentist.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Executive Director of the Board of Dental Examiners of Alabama at any time until and including December 8, 2017, or by personally appearing at the Board of Dental Examiners of Alabama Board Meeting to be held at 5346 Stadium Trace Pkwy., Suite 112, Hoover, Alabama, at 8:30 a.m., Friday, December 8, 2017.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
December 8, 2017

CONTACT PERSON AT AGENCY: J. Matthew Hart
Executive Director
Board of Dental Examiners
5346 Stadium Trace Pkwy., Ste. 112
Hoover, AL 35244
205/985-7267



J. Matthew Hart
Executive Director

Board of Dental Examiners of Alabama
Proposed Amendments to
Administrative Rule 270-X-3-.10
Duties Of Allied Dental Personnel

Allied dental personnel are dental hygienists, dental assistants and dental laboratory technicians.

Subject to the prohibition that no intra-oral procedure can be performed unless under the direct supervision of a duly licensed dentist as defined by Board rule, the following allied dental personnel may perform the following:

(1) Dental Laboratory Technicians:

(a) No intra-oral duties are allowable other than assisting the dentist in determining tooth color.

(2) Dental Assistants and Dental Hygienists:

(a) Preliminary charting and inspection of the oral cavity. (Final examination and diagnosis must be made by a dentist before treatment can be instituted.)

(b) Apply topical agents under direct supervision of the dentist.

1. Apply topical anesthetics.

2. Oxygenating Agents. (Excluding endodontic therapy.)

3. Apply anti-inflammatory agents.

4. Apply astringents.

5. Desensitizing agents.

6. Topical fluoride.

7. Apply light-cured medicinal bonding agents.

8. Apply etchant materials.

(c) Place and remove rubber dam.

(d) Place and remove periodontal dressings.

(e) Place and remove alveolar socket dressings.

(f) Construct and remove with hand instruments only interim restorations. (Interim restorations being any restoration placed while a more permanent restoration is being completed.)

(g) Construct and place temporary crowns (excluding stainless steel crowns placed with intentions of reasonable permanency.)

(h) Contour stainless steel or chrome crowns but cannot cement them.

(i) Pre-fit and pre-contour orthodontic appliances either extra-orally or intra-orally for final adaptation by the dentist.

(j) Remove excess cement with hand instruments from around permanent dental restorations and orthodontic appliances.

(k) Make impressions for diagnostic casts or opposing casts.

(l) Place, wedge and remove matrices for operative dentistry.

(m) Take and record case history, blood pressure, pulse, and oral temperature.

(n) Remove intraoral sutures. (Excluding wire sutures.)

(o) Make dental radiographs or digital images.

(p) Give oral hygiene instructions including plaque staining, flossing, brushing, and caries susceptibility tests.

(q) Place cavity liners and bases. (Excluding capping of exposed pulpal tissues.)

(r) Assist in the administering of N2O and O2.

(s) Insert into the mouth of the patient wax models of dentures, partial dentures, or any other structures and make adjustments outside the mouth of the patient to such wax models pursuant to written or verbal instructions or directions from the dentist; provided, however,

1. That the dental hygienist or dental assistant may use these wax models of dentures, partial dentures or any other

structure to register the jaw relationships or occlusal relationships of the patient, and

2. That before such wax models may be used for the manufacture of dentures, partial dentures or other structures the dentist shall personally consult with the patient, examine such wax models, and make such additional adjustments as may be required.

(t) Insert into the mouth of the patient dentures, partial dentures, removable orthodontic appliances, prostheses, devices to treat sleep apnea or anti-snoring devices, or any other structures and make adjustments outside the mouth of the patient to the dentures, prostheses (fixed or removable), removable orthodontic appliances, prosthetic appliances, bridges, or other structures pursuant to written or verbal instructions or directions from the dentist; provided, however,

1. That before such prostheses (fixed or removable), removable orthodontic appliances, or other structures are delivered to the patient leaving the dental office with such removable orthodontic appliances, prostheses (fixed or removable) or other structures the dentist shall personally consult with the patient, examine such prostheses (fixed or removable), removable orthodontic appliances, or other structures, and make such additional adjustments as may be required; and

2. That final placement and cementation of all fixed appliances, fixed prostheses and other fixed structures shall be performed by the dentist.

(u) Apply reversible liners and bases to prostheses, orthodontic appliances, or any other structures. However, the dentist shall personally consult with the patient and examiner such liners and bases, and make such additional adjustments as may be required.

(v) Place and remove gingival retraction materials.

(w) Make final impressions for removable and fixed prostheses, orthodontic appliances, retainers, devices to treat sleep apnea or anti-snoring devices, and medicament/whitening delivery trays. However, before said impressions may be used for the manufacture of prostheses

and appliances, the dentist shall examine and approve such impressions for accuracy.

(x) Use laser and/or narrow band (light) imaging technology for preliminary diagnostic purposes only with the dentist's final examination and diagnosis.

(3) Dental Hygienists Only:

(a) Remove extrinsic stains, accretions, and calcareous deposits from teeth.

(b) Gingival curettage.

(c) Root planing.

(d) Polish completed restorations.

(e) Place Pit and Fissure Sealant and polish and adjust sealant as needed.

(f) Place resorbable chlorhexidine chips.

(g) Place topical or sub-gingival antimicrobial or antibacterial agents.

(h) Periodontal probing.

(i) Bleaching of teeth.

AUTHOR:

Board of Dental Examiners

STATUTORY AUTHORITY:

Code of Ala. 1975, §§34-9-2, 34-9-6, 34-9-27, 34-9-43.

HISTORY:

Filed September 28, 1982. **Amended:** Filed February 12, 1985; June 9, 1987. **Amended:** Filed April 3, 1997; effective May 8, 1997. **Amended:** Filed September 26, 2000; effective October 31, 2000. **Amended:** Filed July 11, 2003; effective August 15, 2003. **Amended:** Filed March 8, 2007; effective April 12, 2007. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Filed November 6, 2012; effective December 11, 2012. **Amended:** Filed May 17, 2016; effective July 1, 2016. **Amended:** Filed October 13, 2017.