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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Board of Dentistry
Division:	
Contact Person:	Jennifer Putnam, Assistant General Counsel
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator at the Division of Health Related Boards
Address:	227 French Landing, Heritage Place, Nashville, Tennessee, 37243
Phone:	(615) 741-6350
Email:	

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	227 French Landing, Heritage Place		
Address 2:	Iris Room, Health Related Boards Conference Center, Suite 150		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	09/19/2013		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0460-01	General Rules
Rule Number	Rule Title

0460-01-.05	Continuing Education and C.P.R.
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Chapter Number	Chapter Title
0460-02	Rules Governing the Practice of Dentistry
Rule Number	Rule Title
0460-02-.01	Licensure Process – By Exam and by Criteria (Reciprocity)
0460-02-.02	Dual Degree Licensure Process
0460-02-.03	Limited and Educational Limited Licensure Process
0460-02-.06	Specialty Certification
0460-02-.07	Anesthesia and Sedation

Chapter Number	Chapter Title
0460-03	Rules Governing the Practice of Dental Hygienists
Rule Number	Rule Title
0460-03-.01	Licensure Process
0460-03-.02	Criteria Approval Licensure Process (Reciprocity)
0460-03-.03	Educational Licensure Process

Chapter Number	Chapter Title
0460-04	Rules Governing the Practice of Dental Assistants
Rule Number	Rule Title
0460-04-.02	Registration Process
0460-04-.08	Scope of Practice
0460-04-.10	Restorative and Prosthetic Certifications
0460-04-.11	Dental Radiology Certification

Chapter Number	Chapter Title
0460-05	General Rules Governing Schools, Programs and Courses for Dentists, Dental Hygienists, and Registered Dental Assistants
Rule Number	Rule Title
0460-05-.02	Schools, Programs and Courses for the Dental Hygienist
0460-05-.03	Schools, Programs and Courses for the Registered Dental Assistant

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Amendments to Rule 0460-01
General Rules

Rule 0460-01-.05 Continuing Education and C.P.R. is amended by deleting subparagraph (4)(a) in its entirety and substituting the following language, so that as amended, the new subparagraph (4)(a) shall read:

- (a) Each dentist, dental hygienist, and dental assistant must attest, check a box, and/or enter signature when applying for biennial renewal of licensure or registration, which indicates current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-107, 63-5-105, 63-5-107, 63-5-107(c), 63-5-108, 63-5-112, 63-5-114, 63-5-115, 63-5-117, and 63-5-124.

Amendments to Rule 0460-02
Rules Governing the Practice of Dentistry

Rule 0460-02-.01 Licensure Process – By Exam and by Criteria (Reciprocity) is amended by deleting subparagraph (1)(i) in its entirety and substituting the following language, so that as amended, the new subparagraph (1)(i) shall read:

- (i) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-110, 63-5-111, 63-5-124, and 63-5-132.

Rule 0460-02-.02 Dual Degree Licensure Process is amended by deleting paragraph (9) in its entirety and substituting the following language, so that as amended, the new paragraph (9) shall read:

- (9) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-5-105, 63-5-110, 63-5-111, and 63-5-124.

Rule 0460-02-.03 Limited and Educational Limited Licensure Process is amended by deleting subparagraph (1)(f) in its entirety and substituting the following language, so that as amended, the new subparagraph (1)(f) shall read:

- (f) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The

course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-110, 63-5-111, 63-5-124.

Rule 0460-02-.06 Specialty Certification is amended by deleting subparagraph (2)(c) in its entirety and substituting the following language, so that as amended, the new subparagraph (2)(c) shall read:

- (c) An applicant shall submit verification of one of the following:
 - 1. Successful completion of the specialty training as provided in the section of this rule for the specific specialty that the applicant is applying for; or
 - 2. Certification as a specialist by the American Board of the particular specialty for which application is made, a letter must be sent directly from the secretary of the American Board of the particular specialty to the Board Administrative Office which indicates that the applicant is certified by the American Board in that specialty and that the applicant is in good standing. All such certificates approved by the Board may be accepted as sufficient for specialty certification in lieu of submitting proof of successful completion of a residency program in a specialty. Acceptance of such certificates is discretionary with the Board.

Rule 0460-02-.06 Specialty Certification is further amended by deleting subparagraph (2)(e) in its entirety and substituting the following language so that as amended, the new subparagraph (2)(e) shall read:

- (e) An applicant who is certified as a specialist in another state shall have that state's licensing board send proof to the Board Administrative Office which indicates that the applicant is certified in that specialty and that the applicant is in good standing.

Rule 0460-02-.06 Specialty Certification is amended by deleting paragraphs (5), (6), (7), subparagraphs (8)(a), (9)(a) and (b), (10)(e), paragraphs (11) and (12) in their entirety and substituting the following language so that as amended, the new paragraphs (5), (6), (7), subparagraphs (8)(a), (9)(a) and (b), (10)(e), paragraphs (11) and (12) shall read:

- (5) Endodontics - An applicant must submit certification of successful completion of at least two (2) years of postgraduate training in Endodontics at the university level in a program approved by the Council on Dental Education of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in endodontics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (6) Oral and Maxillofacial Pathology - An applicant must submit certification of successful completion of two (2) years of postgraduate training in Oral Pathology or Oral and Maxillofacial Pathology at the university level in a program approved by the Council on Dental Education of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in oral and maxillofacial pathology or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (7) Oral and Maxillofacial Radiology – An applicant must submit certification of successful completion of graduate study in Oral and Maxillofacial Radiology of at least two (2) years in a school approved or provisionally approved by the Commission on Dental Accreditation of the American Dental Association. Such evidence shall include either a transcript which indicates completion of the postgraduate training in oral and maxillofacial radiology or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (8) Oral and Maxillofacial Surgery.

- (a) An applicant must provide to the Board Administrative Office certification of successful completion of advanced study in Oral and Maxillofacial Surgery of four (4) years or more in a graduate school or hospital accredited by the Commission on Dental Accreditation (CODA) or the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in oral and maxillofacial surgery or a certificate of completion letter from the director of the program submitted directly from the school on letterhead to the Board Administrative Office.
- (9) (a) Certification of successful completion of two (2) academic years of training in Orthodontics and Dentofacial Orthopedics in an approved Postgraduate Department of an accredited dental school, college or university. Such evidence shall include either a transcript which indicates completion of the postgraduate training in orthodontics and dentofacial orthopedics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (10) (e) Such evidence shall include either a transcript which indicates completion of the postgraduate training in pediatric dentistry (pedodontics) or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (11) Periodontics - An applicant must submit certification of successful completion of at least two (2) years of postgraduate training in Periodontics at the university level in a program approved by the Commission on Dental Education of the American Dental Association and by the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in periodontics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (12) Prosthodontics - An applicant must submit certification of successful completion of at least two (2) years of a postdoctoral education in prosthodontics in a program approved by the Commission on Dental Accreditation of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in prosthodontics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-110, 63-5-112, 63-5-113 and 63-5-122.

Rule 0460-02-.07 Anesthesia and Sedation is amended by deleting subparagraph (1)(i) in its entirety and appropriately renumbering the remaining subparagraphs.

Rule 0460-02-.07 Anesthesia and Sedation is amended by deleting subparagraph (5)(b) in its entirety and substituting the following language, so that as amended, the new subparagraph (5)(b) shall read:

- (b) A dentist using antianxiety premedication must employ auxiliary personnel who are certified in BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Rule 0460-02-.07 Anesthesia and Sedation is amended by deleting subpart (6)(b)2.(ii) in its entirety and substituting the following language so that as amended, the new subpart (6)(b)2.(ii) shall read:

- (ii) Members of the operating team must be trained for their duties according to protocol established by the dentist and must be currently certified in BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Rule 0460-02-.07 Anesthesia and Sedation is amended by deleting subpart (7)(b)2.(ii) in its entirety and substituting the following language so that as amended, the subpart (7)(b)2.(ii) shall read:

- (ii) Members of the operating team must be trained for their duties according to protocol established by the dentist and must be currently certified in BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-112, 63-5-115, 63-5-117, 63-5-122, and 63-5-124.

Amendments to Rule 0460-03
Rules Governing the Practice of Dental Hygienists

Rule 0460-03-.01 Licensure Process is amended by deleting paragraph (11) in its entirety and substituting the following language so that as amended, the new paragraph (11) shall read:

- (11) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-105(3), 63-5-105(4), 63-5-105(7), 63-5-107, 63-5-107(a), 63-5-107(c), 63-5-111, 63-5-111(a), 63-5-111(b)(2), 63-5-114, and 63-5-124.

Rule 0460-03-.02 Criteria Approval Licensure Process (Reciprocity) is amended by deleting paragraph (10) in its entirety and substituting the following language so that as amended, the new paragraph (10) shall read:

- (10) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-111, 63-5-114, and 63-5-124.

Rule 0460-03-.03 Educational Licensure Process is amended by deleting paragraph (7) in its entirety and substituting the following language so that as amended, the new paragraph (7) shall read:

- (7) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-110, 63-5-111, 63-5-114, and 63-5-124.

Rule 0460-03-.06 Nitrous Oxide Certification is amended by deleting subparagraph (1)(b) in its entirety and substituting the following language so that as amended, the new subparagraph (1)(b) shall read:

- (b) Licensed dental hygienists, who have successfully completed a comparable dental hygiene training program on nitrous oxide administration and monitoring in another state, which is

comparable to the Board-approved course, are eligible to apply directly to the Board for certification in administering and monitoring nitrous oxide without additional training, provided the course is determined by the Board consultant to be equivalent to the Board-approved course in Tennessee. The information regarding content of the course and proof of completion must be sent directly from the course provider to the Board's administrative office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-03-.10 Restorative and Prosthetic Certifications is amended by adding a new paragraph (6) as follows:

- (6) Licensed dental hygienists, who have also successfully completed a comparable hygienist training program in another state in prosthetic or restorative functions, are eligible to apply directly to the Board for a prosthetic or restorative functions certificate without additional training, provided the course is determined by the Board consultant to be equivalent to the Board-approved course in Tennessee. The information regarding content of the course and proof of completion must be sent directly from the course provider to the Board's administrative office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board. If it is determined that the course is not equivalent, the licensed dental hygienist will be required to comply with the provisions of subparagraph (1) before certification can be issued.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-03-.12 Administration of Local Anesthesia Certification is amended by deleting subparagraph (1)(c) in its entirety and substituting the following language so that as amended, the new subparagraph (1)(c) shall read:

- (c) Have completed a completed a comparable dental hygiene training program on administration of local anesthesia in another state, which is comparable to the Board-approved course, are eligible to apply directly to the Board for certification in administration of local anesthesia without additional training, provided the course is determined by the Board consultant to be equivalent to the Board-approved course in Tennessee. The course must submit the curriculum, including the number of hours and injections required in the course, and a letter attesting that the course was taught to clinical competency to the Board's Administrative Office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board. If it is determined that the course is not equivalent, the licensed dental hygienist will be required to comply with the provisions of subparagraphs (a) or (b) before certification can be issued.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116.

Amendments to Rule 0460-04
Rules Governing the Practice of Dental Assistants

Rule 0460-04-.02 Registration Process is amended by deleting paragraph (9) in its entirety and substituting the following language so that as amended, the new paragraph (9) shall read:

- (9) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-111, 63-5-115, and 63-5-124.

Rule 0460-04-.04 Coronal Polishing Certification is amended by deleting subparagraph (2)(c) in its entirety and substituting instead the following language so that as amended, the new subparagraph (2)(c) shall read:

- (c) After successful completion of the educational course or the course determined to be equivalent, an applicant must apply forty-five (45) days prior to the examination to be admitted to the examination as provided in this rule and submit proof of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS Healthcare Provider, or CPR/AED for the Professional Rescuer, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-111, and 63-5-115.

Rule 0460-04-.08 Scope of Practice is amended by deleting paragraph (3) but not the subparagraphs, and substituting instead the following language so that as amended, the new paragraph (3) shall read:

- (3) Delegable or Assignable Procedures - In addition to those duties of the dental assistant which are commonly recognizable by the dental profession for safe performance, pursuant to T.C.A. §63-5-108 a dental assistant may perform the following duties which are assigned or delegated to the dental assistant by the employer dentist:

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116.

Rule 0460-04-.10 Restorative and Prosthetic Certifications is amended by deleting paragraph (6) in its entirety and substituting instead the following language, so that as amended the new paragraph (6) shall read:

- (6) Registered dental assistants, who have also successfully completed a comparable assistant training program in another state in expanded prosthetic or restorative functions, are eligible to apply directly to the Board for an expanded functions certificate without additional training, provided the course is determined by the Board consultant to be equivalent to the Board-approved course in Tennessee. The information regarding content of the course and proof of completion must be sent directly from the course provider to the Board's administrative office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board. If it is determined that the course is not equivalent, the registered dental assistant will be required to comply with the provisions of subparagraph (1) before certification can be issued.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Rule 0460-04-.11 Dental Radiology Certification is amended by deleting subparagraphs (1)(b) and (1)(c) in their entirety and substituting instead the following language, so that as amended the new subparagraphs (1)(b) and (1)(c) shall read:

- (b) Registered dental assistants, who have successfully completed a comparable assistant training program in another state in dental radiology, are eligible to apply directly to the Board for dental radiology certification without having to complete the course required in paragraph (2), provided the course is determined by the Board consultant to be equivalent to the Board-approved course in Tennessee. The information regarding content of the course and proof of completion must be sent directly from the course provider to the Board's administrative office. If a certification or permit was issued by the other state, verification of the certificate or permit must be received directly from the other board. If it is determined that the course is not equivalent, the registered dental assistant will be required to comply with the provisions of subparagraph (2) before certification can be issued.
- (c) Assistants who have passed the radiology portion of the certified dental assistant examination given by the Dental Assisting National Boards, Inc. (DANB) or hold a current certification from DANB as a certified dental assistant are eligible to apply directly to the Board for dental

radiology certification without having to complete the course required in paragraph (2). Proof of passage of the radiology portion of the DANB exam or proof of current DANB certification must be sent directly from the DANB to the Board's administrative office.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115.

Amendments to Rule 0460-05
General Rules Governing Schools, Programs and Courses for Dentists,
Dental Hygienists, and Registered Dental Assistants

Rule 0460-05-.02 Schools, Programs and Courses for the Dental Hygienist is amended by deleting part (5)(c) 1. in its entirety and substituting instead the following language so that as amended, the new part (5)(c)1. shall read:

1. The certification course must be taught at a school of dentistry or dental hygiene and shall maintain strict compliance with all minimum standards for admissions, facilities, instructor(s), equipment, and curriculum as set forth in this rule, as amended/may be amended, in order to obtain and/or retain Board approval.

Rule 0460-05-.02 Schools, Programs and Courses for the Dental Hygienist is amended by deleting subpart (5)(d)4.(vi) in its entirety and substituting instead the following language so that as amended, the new subpart (5)(d)4.(vi) shall read:

- (vi) The employer dentist(s) must submit, on a form provided by the board, proof of successful completion of the injections required by subpart (5) (d) 4. (v) of this rule.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-115, and 63-5-116.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting paragraph (3) in its entirety and substituting instead the following language so that as amended, the new paragraph (3) shall read:

(3) Certification Course for Sealant Application

- (a) Application of Rules - This section shall apply to both Tennessee ADA accredited and Board-approved dental assistant programs, as well as any other individual or entity which desires to establish such a certification course to admit and educate students who are currently registered dental assistants. ADA accredited dental assisting programs who are teaching to the students enrolled in the program are exempt from these rules. Board approved dental assisting programs who are teaching to the students enrolled in the program must comply with these rules but the students are not required to be registered until program completion.
- (b) All courses/entities (with the exception of dental assisting programs whose certification course is a part of their standard curriculum) shall have a procedure in place to ensure that the eligibility (current registration) of applicants is verified and documented, prior to allowing the applicant to attend the certification course.
- (c) Application for Board Approval - The owner and/or director of a certification course in sealant application shall make application for approval to operate that course of study on forms to be provided by the Board. The completed application must be received by the Board's Office at least thirty (30) days prior the next regularly scheduled Board meeting in order for the Board to review the application. The course provider will be notified in writing of the Board's action(s). This section shall also apply to all dental assisting programs which choose to offer the certification course as a part of their curriculum.
- (d) Retention of Approval.
 1. The certification course shall maintain strict compliance with all minimum standards for admissions, facilities, instructor(s), equipment and curriculum, as set forth in these rules

and as they may from time to time be amended, in order to obtain and/or retain Board approval.

2. The certification course shall be subject to on-site inspections by representatives of the Board and/or required to complete such paper surveys, as requested.
 3. The Board shall be notified immediately of any changes made in the operation of the certification course, such as change of location, directorship, and/or instructors. A new certificate of approval will be issued in the event of change in either ownership or directorship of the course.
 4. Certificates of approval shall be issued for one (1) year and shall expire on December 31st of any given year.
 5. At least thirty (30) days prior to the commencement of the course, the approved course shall submit the name(s) of the Tennessee dentist(s) who will be teaching the course, the name(s) of all instructors who will be assisting the dentist(s), the date of the course, and the location of the course to the Board's Administrative Office.
- (e) Minimum Standards for Admissions, Facilities, Instructor(s), Equipment, and Curriculum.
1. The certification course shall admit only those students who have been verified by the course as having a current registration issued by the Tennessee Board of Dentistry. Students in Board approved programs which have been approved by the Board to teach sealant application are not required to be registered before admittance to the dental assisting program/course but are required to be registered before the temporary permit will be issued.
 2. The course shall be directed by a dentist who is licensed in good standing by the Tennessee Board of Dentistry. The dentist/clinical instructor may employ and/or utilize licensed dental hygienists or certified and registered dental assistants with sealant certification, either of which has two (2) or more years of full-time experience in sealant application, to assist during the course.
 3. The class size shall be limited to forty (40) students, and the laboratory instructor-to student ratio must be one (1) instructor to ten (10) students (1:10) for the laboratory portion of the course.
 4. The certification course shall consist of a minimum of six (6) hours of study of which at least four (4) hours must be laboratory exercises. The course syllabus must be approved by the Board and meet the following requirements:
 - (i) Didactic - The didactic portion of the course shall include instruction in all of the following subject matters:
 - (I) Indication/contraindications for sealants;
 - (II) Preparation of teeth for sealants;
 - (III) Proper isolation and moisture control of teeth for sealants, including rubber dam, dri-angles, cotton rolls, and retractors;
 - (IV) Education of patient and/or parent regarding sealants;
 - (V) Sealant materials, including light curing, self curing, and coloring;
 - (VI) Acid etching, including proper use and negative aspects;
 - (VII) Infection control;

- (VIII) Tooth anatomy, including fossa, pit, fissure, groove, and occlusion; and
 - (IX) Armamentarium.
- (ii) Laboratory - The course provider/instructor shall conduct laboratory exercises for a minimum of four (4) hours or until the laboratory instructor determines clinical competency has been met. The laboratory portion of the course shall include instruction in each of the following areas:
 - (I) Proper tooth isolation and preparation for sealants;
 - (II) Evaluation of proper technique in the placement of sealants;
 - (III) Evaluation by instructors of completed sealants; and
 - (IV) Infection control.
- (f) Each student must pass a competency examination on the material covered in the didactic section before continuing to the laboratory exercises. The passing grade is set at seventy-five percent (75%). Students who do not pass the competency examination may be offered remediation before the start of the laboratory exercises and attempt to pass the examination an addition two (2) times. In the event a student takes and fails the examination a total of three (3) times, the student shall be required to retake the course and retake the examination at a future date.
 - (g) During the laboratory portion of the course, each student shall complete pit and fissure sealants on at least ten (10) sterile extracted and sealable teeth or until competency is determined by the instructor. Laboratory tooth models specifically designed for sealant placement may be substituted for some of the extracted teeth. Acceptance of teeth other than extracted teeth is to be determined by the dentist directing the course. All necessary materials and instruments shall be provided by the student. In working with the extracted teeth all OSHA personal protective equipment shall be utilized and the teeth disposed of in accordance with standard practices.
 - (h) Upon successful completion of the course, the certification application and fee must be submitted by the student.
 - (i) The director/instructor of the certification course shall, within ten (10) days after course completion or upon graduation from a dental assisting program submit a letter for each student which attests to the student's successful completion of the course and the student's examination grades. The completed forms shall be submitted directly to the Board's Administrative Office by the director/instructor.
 - (j) The student will be issued a temporary sealant certification to complete a ninety (90) day extern in the office of the employer dentist(s). During the extern the following sealants must be successfully placed:
 1. A minimum of four (4) maxillary permanent molars;
 2. A minimum of four (4) mandibular permanent molars; and
 3. A minimum of two (2) premolars.
 - (k) The employer dentist(s) must submit, on a form provided by the Board, proof of successful completion of the sealants required by subpart (3) (j) of this rule.
 - (l) Upon receipt of proof of successful completion of the sealants, the certification for sealants will be issued.

- (m) Extensions of the ninety (90) day temporary permit will be considered on a case-by-case basis upon receipt of written documentation stating the reason an extension is requested. The Board consultant has the authority to grant or deny the request.
- (n) The school offering the sealant application certification course will issue continuing education credit hours for the course.
- (o) ADA accredited dental assisting programs who include sealants in their curriculum shall adhere to these rules but those students shall be exempt from the extern requirements detailed in 3. (j) above. These students shall show full competency as determined by the program director. Within ten (10) days of graduation from the ADA accredited dental assisting program, the students' certification applications and fees shall be forwarded to the Board along with a letter from the director/instructor of the program attesting to the student's successful completion of the course and the student's examination grades. Upon receipt of this information, the certification for sealants will be issued.
- (p) Failure by the certification course to adhere to the rules governing the certification course or to provide access to inspection, pursuant to Rule 0460-05-.03 (3) (d), may subject the course provider and students to invalidation of course results and withdrawal of course approval by the Board.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting subparagraph (4)(g) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (4)(g) shall read:

- (g) The director/instructor of the certification course or dental assisting program shall, within thirty (30) days after course completion or upon completion of the monitoring nitrous oxide portion of the ADA accredited or Board-approved dental assisting program, complete a form, provided by the Board, for each student to attest to the student's successful completion of the course or monitoring nitrous oxide portion and the student's examination grade. The completed forms shall be submitted directly to the Board's Office by the director/instructor.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting part (5)(c)2. in its entirety and substituting instead the following language so that as amended, the new part (5)(c)2. shall read:

- 2. The certification course shall be taught by a course director and one (1) or more Tennessee licensed dentists and /or CDA/EFDA or RDH/EFDA auxiliaries who are employed at an accredited school of dentistry. The course director must be a licensed dentist who is a faculty member of an accredited school of dentistry.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting part (6)(c)2. in its entirety and substituting instead the following language so that as amended, the new part (6)(c)2. shall read:

- 2. The certification course shall be taught by a course director and one (1) or more Tennessee licensed dentists and /or CDA/EFDA or RDH/EFDA auxiliaries who are employed at an accredited school of dentistry. The course director must be a licensed dentist who is a faculty member of an accredited school of dentistry.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting subparagraph (7)(b) in its entirety and substituting instead the following language so that as amended, the new subparagraph (7)(b) shall read:

- (b) Application for Board Approval – The owner and/or director of a certification course in dental radiology shall make application for approval to operate that course of study on forms to be provided by the Board. The completed application must be received in the Board's Office at least thirty (30) days prior to the next regularly scheduled Board meeting in order for the Board to review the application. The owner and/or director of the certification course will be notified in writing of the Board's action. This section shall not apply to ADA accredited and Board-

approved dental assisting programs who provide dental radiology instruction in accordance with ADA accreditation standards or the Board-approved 116 hour dental assistant curriculum, with the exception of (e), (f) and (g) of this section.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting part (7)(c) 1. in its entirety and substituting instead the following language so that as amended, the new part (7)(c) 1. shall read:

1. The certification course shall maintain strict compliance with all minimum standards for admissions, facilities, instructor(s), equipment, and curriculum as set forth in this rule, as amended/may be amended, in order to obtain and/or retain Board approval.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting part (7)(d)1. in its entirety and substituting instead the following language so that as amended, the new part (7)(d) 1. shall read:

1. The certification course shall admit only those registered dental assistants who are currently registered pursuant to Rule 0460-04-.01 (2). It is the responsibility of the course owner/director to ensure that only currently registered dental assistants are admitted to the course.

Rule 0460-05-.03 Schools, Programs and Courses for the Registered Dental Assistant is amended by deleting subparagraphs (7)(e) and (7)(g) in their entirety and substituting instead the following language so that as amended the new subparagraphs (7)(e) and (7) (g) shall read as follows:

- (e) Upon completion of the course, students shall be evaluated by written examination. The passing grade shall be seventy percent (70%). If the student initially fails the written examination, the exam may be taken no more than two (2) additional times before the course must be retaken and the exam retaken. The examination shall be developed and administered by the course director/instructor in such a manner as to determine competency in dental radiology. This also applies to ADA accredited and Board approved dental assisting programs that provide dental radiology instruction in accordance with ADA accreditation standards or the Board-approved 116 hour dental assistant curriculum.
- (g) The director/instructor of the certification course or dental assisting program shall, within thirty (30) days after course completion or upon completion of the dental radiology portion of the ADA accredited or Board-approved dental assisting program, complete a form, provided by the Board, for each student to attest to the student's successful completion of the course or dental radiology portion and the student's examination grade. The completed forms shall be submitted directly to the Board's office by the director/instructor.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-111, 63-5-115, and 63-5-116.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

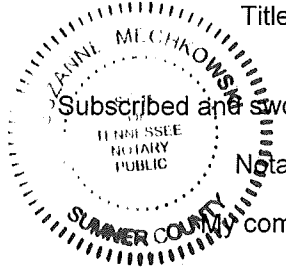
Date: 6/25/13

Signature: Jennifer L. Putnam

Name of Officer: Jennifer Putnam

Assistant General Counsel

Title of Officer: Department of Health



Subscribed and sworn to before me on: June 25, 2013

Notary Public Signature: Jayanne Melchowski

My commission expires on: MY COMMISSION EXPIRES APRIL 19, 2017

Department of State Use Only

Filed with the Department of State on: 6/26/13

Tre Hargett
Secretary of State

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