

**R156. Commerce, Professional Licensing.**

**R156-69. Dentist and Dental Hygienist Practice Act Rule.**

**R156-69-201. Advisory Peer Committee Created – Membership – Duties.**

(1) Under Subsection 58-1-203(1)(f), the Dentist and Dental Hygienist Licensing Board and the Division create the Dental Education Committee to the Board consisting of:

(a) one board certified orthodontist;

(b) one licensed dentist;

(c) one licensed dentist with a background in education;

(d) one board certified oral surgeon;

(e) one dental hygienist with a local anesthesia permit with a background in education;

(f)

(i) one dental hygienist with a local anesthesia permit and an expanded function permit; or

(ii) if dental hygienist under Subsection (1)(f)(i) is not available, a dental hygienist with local anesthesia permit; and

(g)

(i) a dental assistant with an expanded function certification; or

(ii) if a dental assistant under Subsection (1)(g)(i) is not available, a general dentist.

(2) (a) Except for a dental assistant under Subsection (1)(g)(i), each committee member shall:

(i) be licensed and in good standing in Utah;

(ii) hold the qualifying license for at least five years; and

(iii) have no disciplinary action with the Division.

(b) A dental assistant under Subsection (1)(g)(i) shall:

(i) have at least one expanded function certification in good standing; and

(ii) have no disciplinary action with the Division.

(3) The Peer Review Committee shall be appointed and serve under Section R156-1-205.

(4) The duties and responsibilities of the Dental Education Advisory Peer Committee shall include assisting the Board in its duties, functions, and responsibilities and include:

(a) advising the Board on proposed practice areas for each expanded function dental auxiliary certification including recommending:

(i) the minimum required:

(A) education; and

(B) training;

(iii) the scope of each certification; and

(iv) the limitations on each certification; and

(b) reviewing and making recommendations to the Board regarding:

(i) education courses for each expanded function;

(ii) each proposed supervisor for the LSTP under Section 58-1-302; and

(iii) the educational equivalency for each application submitted by an international dental applicant.

(5) On a calendar year basis, the committee shall annually designate one of its members to act as chair.

(6) At least once each calendar quarter, the committee shall choose a member who shall:

(i) attend at least one meeting of the Board; and

(ii) report on the committee's activities and recommendations.

**R156-69-301a. Dentist Anesthesia and Analgesia - Permit Classifications and Scopes of Practice.**

(3) Under Subsections 58-1-510(3) and (4), ~~and~~ 58-69-102([8]11), and 58-69-807(2)(a) through

- (b) (i) a dentist who meets the requirements of Subsection (3)(b)(ii) may use the following on a patient:
- (A) an injectable dermal filler for cosmetic purposes; or
  - (B) the neurotoxin botulinum toxin:
    - (I) for cosmetic purposes; or
    - (II) as a therapeutic treatment to reduce the pain or discomfort of diagnosed TMD; and
- (b)(ii) a dentist who ~~[practices facial cosmetic dentistry using the neurotoxin clostridium botulinum or an injectable dermal filler]~~ provides treatment to a patient under Subsection (3)(b)(i)(A) or (B) shall demonstrate competency by ~~[having]~~ successfully ~~[completed]~~ completing ~~[a minimum of]~~ at least eight hours of training that:
- (i) ~~[A]~~ is taught by properly trained and licensed individuals teaching within their scope of practice;
  - (ii) ~~[B]~~ includes a hands-on component; and
  - (iii) ~~[C]~~ includes the following topics:
    - (A) ~~[I]~~ treatment for [temporomandibular joint dysfunction] TMD;
    - (B) ~~[II]~~ infection control; and
    - (C) ~~[III]~~ risk factors for administration of the neurotoxin ~~[clostridium]~~ botulinum toxin and dermal fillers.

**R156-69-304a. Continuing Professional Education (CPE) and Certification - Dentist and Dental Hygienist – Expanded Function Dental Auxiliaries Certification.**

- (1) Under Subsections 58-1-203(1)(g) and 58-1-308(3)(b) and Section 58-69-304, the CPE requirements for renewal or reinstatement for a license, permit, or certification under this rule are established in this section.
- ~~([1]2) [Under Section 58-69-304, each]~~ During each two-year renewal cycle, a licensed dentist ~~[and]~~ or a licensed dental hygienist shall complete at least 30 hours of qualified ~~[continuing professional education during each two-year licensure period, to include:]~~ CPE.
- (3) A licensed dentist with a sedation permit shall complete the following:
- (a) for a minimal sedation permit holder, at least two hours of CPE specific to the administration of enteral anesthesia-pharmacology and minimal sedation;
  - (b) for a moderate sedation permit holder:
    - (i) at least four didactic hours of CPE specific to moderate sedation and anesthesia; and
    - (ii) attestation of successful completion of at least ten sedation cases; and
  - (c) for a deep sedation and general anesthesia permit holder:
    - (i) at least eight didactic hours of CPE specific to general anesthesia; and
    - (ii) attestation of successful completion of at least 30 sedation cases.
- (4) (a) A dental hygienist with a local anesthesia and nitrous oxide analgesia permit shall complete at least \_\_\_\_ hours of CPE specific to the administration of local anesthesia and nitrous oxide analgesia.
- (b) A dental hygienist with a certification for delegated maxillofacial administration of botulinum toxin under Section R156-69-808a shall complete at least \_\_\_\_ hours of CPE specific to the maxillofacial administration of botulinum toxin.
- (5) A dental hygienist or dental assistant with a certification for:
- (a) the placement of direct restorations under Section R156-69-808b shall complete at least \_\_\_\_ hours of CPE specific to for the placement of direct restorations; or

(b) the removal of coronal dental adhesive under Section R156-69-808c shall complete at least \_\_\_\_\_ hours of CPE specific to the removal of coronal dental adhesive.

~~([2]6)~~ (a) Under Subsections 58-1-203(1)(g) and 58-69-301(4), an applicant for renewal or reinstatement of dentist licensure or dental hygienist licensure shall hold current CPR-BLS, ACLS, or PALS certification as required by the license and permit classification.~~[to qualify for reinstatement or renewal, but the applicant's recertification hours do not count toward the applicant's 30 required hours of continuing professional education.]~~

(b) An applicant's recertification hours under Subsection (2)(a) may not count towards the applicant's 30 hours of continuing professional education.

~~[(3) Qualified continuing professional education hours for licensees who have not been licensed for the entire two-year period shall be prorated from the date of licensure.]~~

(7) If an individual first becomes licensed, permitted, or certified during the two-year renewal cycle, the individual's required number of continuing professional education hours shall be increased or decreased proportionately according to the date of licensure.

~~[(4]8)~~ A ~~[C]~~continuing professional education course under this section shall meet the following requirements:

(a) have learning objectives that are clearly stated in the course material that are directly related to the licensee's professional practice;

~~[(a]b)~~ be relevant to the licensee's professional practice;

~~[(b]c)~~ be prepared and presented by individuals who are qualified by education, training, and experience to provide dental and dental hygiene continuing professional education;~~[and]~~

(d) be presented in a competent, well-organized, and sequential manner consistent with the stated purpose and objective of the program; and

~~[(e]e)~~ have ~~[a method of verification]~~records of attendance and completion available for review.

~~[(5]9)~~ Credit for continuing professional education during each two-year renewal cycle shall be recognized as follows:

(a) unlimited hours for continuing professional education that:~~[completed in blocks of time of not less than 50 minutes in formally established classroom courses, seminars, lectures, conferences, or training sessions that comply with Subsection (4) and are approved by, conducted by or under sponsorship of:]~~

(i) is completed in blocks of time of at least 50 minutes; and

(ii) is a formally established:

(A) college or university lecture and discussion;

(B) professional conference;

(C) seminar;

(D) training session that complies with Subsection (7); or

(E) professional conference;

(iii) is approved by, conducted by or under sponsorship of:

~~[(i) a government agency, including the Division of Professional Licensing;]~~

(A) county, state, or federal agency;

~~[(ii) recognized universities and colleges, or an accredited dental, dental hygiene, or dental postgraduate program;]~~

(B) an accredited institution of higher education;

~~[(iii]C)~~ A professional association[s], society[ies], ~~[and]~~or organization[s] representing a licensed profession whose program objectives relate to the practice of dentistry ~~[and]or~~ dental hygiene;~~[or]~~

~~[(iv) the ADA or any subgroup, the ADHA or any subgroup, a recognized health care professional association or a peer study club;]~~  
~~(E) the ADA or an ADA subgroup;~~  
~~(E) the ADHA or an ADHA subgroup;~~  
~~(F) a recognized health care professional association; or~~  
~~(G) a peer study club; and~~  
(iv) is verified by a certificate of course completion that includes:  
(A) the name of the attendee;  
(B) the name of course provider;  
(C) the name of instructor;  
(D) the date of the course;  
(E) the title of the course;  
(F) the number of course hours;  
(G) the course objectives; and  
(H) the format of professional development under Subsection (3)(b);  
(b) up to 15 hours of continuing professional education may be recognized for a course that is taken online or through home study that:  
(i) includes an examination; and  
(ii) meets the requirements of Subsections (8)(a)(i), (iii), and (iv);  
~~[(b)c] [a maximum of] up to ten hours [per two year period] may be recognized for teaching continuing professional education relevant to dentistry [and] or dental hygiene; and~~  
~~[(c) a maximum of 15 hours per two year period] may be recognized for continuing education that is provided online or through home study with an examination and a completion certificate; and]~~  
~~(d) [a maximum of] up to three hours [per two year period] may be recognized for continuing professional education [in] on practice and office management.~~  
~~[(6)10] Under Subsection 58-13-3(8)(a), [A] a licensee may fulfill up to 15% of the licensee's continuing professional education requirement by providing direct patient care as a volunteer. [services at a qualified location under Section 58-13-3. For every four documented hours of volunteer services, the licensee may earn one hour of continuing education.]~~  
~~[(7)11] A licensee shall maintain documentation sufficient to prove compliance with this section for two years after the end of the renewal cycle for which the continuing professional education is due.~~  
~~[(8)12] The Division may defer or waive continuing professional education requirements [for a licensee under] as provided in Section R156-1-308d.~~

**R156-69-808a. Expanded Functions of Dental Auxiliaries – Dental Hygienist – Certification for Delegated Maxillofacial Administration of Botulinum Toxin – Parameters – CPE.**

(1) Under Subsection 58-69-808(1)(a), the qualifications, training, and safety standards for a dental hygienist to obtain a certification for the delegated maxillofacial administration of botulinum toxin are established in this section.

(2) Under Subsection 58-69-808(2)(a), a dental hygienist applying for the delegated maxillofacial administration of botulinum toxin certification shall:

(a) hold the Utah dental hygienist with local anesthesia license for at least two years;

(b) have actively practiced as a dental hygienist with local anesthesia for at least 3,500 hours within the ten years immediately preceding the application for the certification;

(c) complete an approved course on botulinum toxin that meets the following education requirements:

198 (i) includes:

199 (A) at least eight hours of classroom instruction;

200 (B) at least eight hours of hands-on training;

201 (ii) covers the following topics:

202 (A) anatomy;

203 (B) neurophysiology;

204 (C) pharmacology;

205 (D) risk factors for administration of botulinum;

206 (E) infection control;

207 (F) injection techniques;

208 (H) dental facial asymmetry and aesthetics;

209 (I) lip hypermobility;

210 (J) treatment for TMD; and

211 (G) management of complications;

212 (iii) is taught by an instructor who is:

213 (A) licensed;

214 (B) properly trained on botulinum toxin injections; and

215 (C) teaching within the scope of practice for the instructor's license;

216 (d) successfully perform at least eight botulinum toxin injections:

217 (i) under the direct supervision of a licensed dentist who:

218 (A) meets the requirements of Subsection R156-69-301a(3)(b); and

219 (B) is approved by the Division; and

220 (ii) within one year time; and

221 (3) Under Subsections 58-69-808(1)(a) and (2)(b), a dental hygienist with a certification under this  
222 section:

223 (a) shall only provide botulinum toxin injections to a patient:

224 (i) when a dentist who meets the requirements of Subsection R156-69-301a(3)(b):

225 (A) delegates the procedure; and

226 (B) supervises the procedure; and

227 (ii) in the regularly announced office location of the supervising dentist who meets the  
228 requirements of Subsection R156-69-301a(3)(b);

229 (b) may provide botulinum toxin injections:

230 (i) as a cosmetic procedure to reduce the appearance of lines, wrinkles, or grooves in the  
231 skin of the face of a patient; or

232 (ii) as a therapeutic treatment to reduce the pain or discomfort for a diagnosis of TMD;  
233 and

234 (c) shall ensure that:

235 (i) the supervising dentist completes a final evaluation of the patient and the injection  
236 before the patient's appointment ends; and

237 (ii) the patient's record specifies that the certification holder completed the injection.

238 (4) Under Subsection 58-69-808(2)(b), a dental hygienist with this certification shall maintain  
239 professional liability insurance for the work performed while engaging in the practice of injecting  
240 botulinum toxin.

241 (5) Under Subsection 58-69-808(2)(b), a dental hygienist with certification for the delegated  
242 maxillofacial administration of botulinum toxin shall complete the CPE requirements for the practice of  
243 injecting botulinum toxin under Subsection R156-69-304a(4)(b).

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246 **R156-69-808b. Expanded Functions of Dental Auxiliaries – Certification for the Placement of**  
247 **Direct Restorations – Parameters – CPE.**

(1) Under Subsections 58-69-808(1)(b) and (2), the qualifications, training, and safety standards for a dental hygienist or dental assistant to obtain a certification for the placement of direct restorations are established in this section.

(2) Under Subsection 58-69-808(1)(b), an applicant for a certification under this section shall:

(a) currently hold a dental hygienist license; or

(b) provide evidence that the applicant is a dental assistant with at least 3,500 hours of dental assisting in the last four years.

(3) Under Subsection 58-69-808(2), a dental hygienist or dental assistant applying for a certification under this section shall complete an education program on direct restorations that meet the following requirements:

(a) the educational program is:

(i) CODA accredited;

(ii) recognized by DANB; or

(iii) is approved by the Division;

(b) the educational program covers the following topics:

(i) dental anatomy and physiology;

(ii) tooth morphology and interproximal contact of:

(A) primary teeth; and

(B) permanent teeth;

(iii) occlusion and malocclusion;

(iv) restorative materials;

(v) tooth isolation and moisture control;

(vi) infection control;

(vii) interim therapeutic restorations (ITR) and temporizations;

(viii) direct restorations for Class I through Class VI restorations;

(viii) how to place, contour, finish, and adjust direct restorations for each classification;

(ix) application of:

(A) sealants;

(B) topical fluoride;

(C) varnish; and

(D) other topical agents;

(x) coronal polishing;

(xi) restoration complications including:

(A) patient factors; and

(B) procedures;

(4) Under Subsection 58-69-808(2)(a), an applicant shall pass one of the following examinations:

(a) for a dental hygienist applicant, one the following examinations:

(i) the Dental Hygiene Restorative Examination; or

(ii) the Expanded Function Dental Auxiliary (EFDA) Examination; or

(b) for a dental assistant applicant:

(i) one of the examinations under Subsection (4)(a); or

(ii) all four component examinations for the Certified Restorative Functions Dental Assistant Examination (CRFDA) certification administered by DANB.

(5) A dental assistant applicant shall hold current CPR or BCLS-BLS certification.

(6) Under Subsection 58-69-808(2)(b), a dental hygienist or dental assistant with a current certification under this section:

(a) may:

(i) place, condense, carve, or polish restorative materials on a direct restoration; and

(ii) use a hand instrument or slow speed handpiece on the direct restoration under Subsection (7)(a)(i);

(b) shall ensure that:

- (i) the supervising dentist completes a final evaluation of the removal of coronal dental adhesive before the patient leaves; and
- (ii) the patient's record documents that the certification holder completed the coronal dental adhesive; and

(c) may not:

- (i) use pulp capping materials; or
- (ii) remove adhesives or cement when banding is used.

(7) Under Subsection 58-69-808(2)(b), a dental hygienist or dental assistant with certification under this section shall complete the CPE requirements for the placement of direct restorations under Subsection R156-69-304a(5)(a).

### **R156-69-808c. Expanded Functions of Dental Auxiliaries – Certification for the Removal of Coronal Dental Adhesive – Parameters.**

(1) Under Subsections 58-69-808(1)(c) and (2), the qualifications, training, and safety standards for a dental hygienist or dental assistant to obtain certification for the removal of dental adhesive are established in this section.

(2) Under Subsection 58-69-808(1)(c), an applicant for a certification under this section shall:

- (a) currently hold a dental hygienist license; or
- (b) provide evidence that the applicant is a dental assistant with at least 3,500 hours of dental assisting in the last four years.

(3) Under Subsection 58-69-808(2)(a), a dental hygienist applying for a certification under this section shall complete an education program on the removal of coronal dental adhesive:

(a) that is:

- (i) CODA accredited; or
- (ii) approved by the Division; and

(b) that covers the following topics:

- (i) dental anatomy;
- (ii) tooth morphology of:
  - (A) primary teeth; and
  - (B) permanent teeth;
- (iii) introduction to supportive tissues and structures;
- (iv) dental terminology;
- (v) dental instruments;
- (vi) orthodontic appliances;
- (vii) dental restorative materials;
- (viii) demonstration of clinical techniques including:
  - (A) patient positioning; and
  - (B) tooth isolation;
- (ix) infection control;
- (x) complications including:
  - (A) patient factors; and
  - (B) procedures;

(4) Under Subsection 58-69-808(2)(a), a dental assistant applying for a certification under this section shall complete an education program on the removal of coronal dental adhesive that:

(a)

- (i) meets the requirements Subsection (3)(a)(i); or
- (ii) is an AAO-endorsed course for the Specialized Orthodontic Assistant (SOA) credential from the AAO if the applicant obtained that credential; and

348 (b) covers the topics listed in Subsection (3)(a)(ii);  
349 (5) Under Subsection 58-69-808(2)(a), an applicant for certification under this section shall:  
350 (a) pass one of the following examinations:  
351 (i) for a dental hygienist applicant:  
352 (A) the Certified Orthodontic Assistant (COA) examination administered by  
353 DANB; or  
354 (B) a regional examination on the removal of coronal dental adhesive; or  
355 (ii) for a dental assistant applicant:  
356 (A) the Certified Orthodontic Assistant (COA) examination administered by  
357 DANB; or  
358 (B) the Specialized Orthodontic Assistant (SOA) certification if the applicant  
359 meets the requirements of Subsection (4)(b); or  
360 (b) submit a portfolio assessment to the Division for the Board to review that:  
361 (i) demonstrates the applicant's education and experience meet the minimum competency  
362 requirements for the safe removal of coronal dental adhesive as evidenced by meeting the  
363 requirements of this subsection;  
364 (ii) provides evidence that the applicant has competently completed the following clinical  
365 experiences under the direct supervision of a dentist:  
366 (A) removed coronal adhesive for at least 15 patients;  
367 (B) removed coronal adhesive on:  
368 (I) at least ten posterior teeth; and  
369 (II) at least ten anterior teeth; and  
370 (C) complete debonding on at least two patients;  
371 (iii) includes clear photographs that show the condition of the patient's tooth before and  
372 after each of the applicant's clinical experiences listed in Subsection (5)(b)(ii); and  
373 (iv) ensure that the supervising dentist submits a letter directly to the Division that:  
374 (A) verifies the applicant competently completed the requirements of Subsection  
375 (5)(b)(ii); and  
376 (B) endorses the applicant's competence in performing the removal of coronal  
377 dental adhesive.  
378 (6) A dental assistant applicant shall hold current CPR or BCLS-BLS certification.  
379 (7) Under Subsection 58-69-808(2)(b), a dental hygienist or dental assistant certified under this section:  
380 (a) may use a hand instrument or slow speed handpiece to remove the coronal adhesive  
381 Subsection (7)(a)(i); and  
382 (b) shall ensure that:  
383 (i) the supervising dentist completes a final evaluation of the removal of coronal dental  
384 adhesive before the patient leaves; and  
385 (ii) the patient's record documents that the certification holder completed the coronal  
386 dental adhesive; and  
387 (8) Under Subsection 58-69-808(2)(b), a dental hygienist or dental assistant with certification under this  
388 section shall complete the CPE requirements for the removal of coronal dental adhesive under Subsection  
389 R156-69-304a(5)(b).