

## CHAPTER 30

### NEW JERSEY BOARD OF DENTISTRY

#### Authority

N.J.S.A. 45:1-15.1 and 45:6-1 et seq.

#### Source and Effective Date

R.2011 d.041, effective January 5, 2011.  
See: 42 N.J.R. 2217(a), 43 N.J.R. 310(a).

#### Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 30, New Jersey Board of Dentistry, expires on January 5, 2018. See: 43 N.J.R. 1203(a).

#### Chapter Historical Note

Chapter 30, New Jersey Board of Dentistry, was filed and became effective prior to September 1, 1969.

Subchapter 7, Forms, was repealed by R.1987 d.12, effective January 5, 1987. See: 17 N.J.R. 2851(b), 19 N.J.R. 131(a).

Pursuant to Executive Order No. 66(1978), Chapter 30, New Jersey Board of Dentistry, was readopted as R.1990 d.205, effective March 12, 1990. See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

Pursuant to Executive Order No. 66(1978), Chapter 30, New Jersey Board of Dentistry, was readopted as R.1995 d.191, effective March 10, 2000, and Subchapter 2, Applicants for License to Practice Dental Hygiene, was repealed and Subchapter 2, Applicants for License and Standards for Practice for Dental Auxiliaries, was adopted as new rules by R.1995 d.191, effective April 3, 1995. See: 27 N.J.R. 293(a), 27 N.J.R. 1424(b).

Petition for Rulemaking. See: 28 N.J.R. 4531(a).

Subchapter 2A, Registered Dental Assistant and Limited Registered Dental Assistant Three-Month Internship Programs, was adopted as R.1997 d.44, effective January 21, 1997. See: 28 N.J.R. 4719(a), 29 N.J.R. 367(a).

Petition for Rulemaking. See: 29 N.J.R. 3745(a), 29 N.J.R. 4202(a).

Pursuant to Executive Order No. 66(1978), Chapter 30, New Jersey Board of Dentistry, was readopted as R.2000 d.147, effective March 10, 2000, and Subchapter 2, Applicants for License and Standards for Practice for Dental Auxiliaries, Subchapter 5, Standards for Approval of Dental Schools, and Subchapter 6, Standards for Approval of Schools of Oral Hygiene, were repealed and Subchapter 1A, Dental Hygienists, Subchapter 2, Dental Assistants, Subchapter 5, Continuing Education, and Subchapter 6, Advertising, were adopted as new rules by R.2000 d.147, effective April 3, 2000. See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).

Chapter 30, New Jersey Board of Dentistry, was readopted as R.2005 d.309, effective August 16, 2005. As a part of R.2005 d.309, Subchapter 2A, Registered Dental Assistant and Limited Registered Dental Assistant Three-Month Internship Programs, was repealed, effective September 19, 2005. See: 37 N.J.R. 1149(a), 37 N.J.R. 3709(a).

Chapter 30, New Jersey Board of Dentistry, was readopted as R.2011 d.041, effective January 5, 2011. See: Source and Effective Date. See, also, section annotations.

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## SUBCHAPTER 1. LICENSURE TO PRACTICE DENTISTRY

### 13:30-1.1 Purpose and scope

(a) The rules in this chapter implement the provisions of N.J.S.A. 45:6-1 et seq., the Dental Practice Act, and regulate the practice of dentistry in the State of New Jersey.

(b) The provisions of this chapter shall apply to all licensed dentists, licensed dental hygienists, registered dental assistants, limited registered dental assistants, and holders of dental clinic permits, and all applicants seeking licensure to engage in the practice of dentistry, dental hygiene, and dental assisting, and applicants seeking permits to operate dental clinics.

(c) Noncompliance with the rules in this chapter may be deemed professional misconduct and may subject the licensee, registrant or permit holder to disciplinary action pursuant to the provisions of N.J.S.A. 45:1-14 et seq.

New Rule, R.2000 d.147, effective April 3, 2000.

See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).

Former N.J.A.C. 13:30-1.1, Qualifications of applicants, recodified to N.J.A.C. 13:30-1.2.

Amended by R.2016 d.084, effective July 18, 2016.

See: 47 N.J.R. 3097(a), 48 N.J.R. 1462(b).

In (b), deleted "registered" preceding the first occurrence of "dental".

### 13:30-1.2 Application for licensure to practice dentistry

(a) All persons desiring to practice dentistry in New Jersey shall secure a license from the Board.

(b) To qualify as a candidate for dental licensure, an applicant shall submit a completed application to the Board which shall contain the following information and materials:

1. A certified transcript from the secretary or dean of a dental school, college or department of a university approved by the Commission on Dental Accreditation verifying that the applicant has obtained a dental degree from such institution;

2. A passport size photograph of the applicant signed by the applicant and notarized;

3. Results from the successful completion of the North East Regional Board examination. If an applicant fails any portion of the North East Regional Board examination three consecutive times, the Board may require the applicant to sit for and pass a remedial course in the subject area at a dental school, college or department of a university approved by the Commission on Dental Accreditation. The Board shall recognize successful completion of the North East Regional Board examination for up to five years;

4. Results of the successful completion of parts I and II of the National Board Dental Examination;

5. Results from the successful completion of the New Jersey Jurisprudence examination taken within one year of the date of application;

6. A certification by the board of dentistry in every state or jurisdiction in which the applicant holds a dental license verifying that the applicant's license in that state or jurisdiction is in good standing;

7. Results from a criminal history background check conducted by the State of New Jersey pursuant to N.J.S.A. 45:1-28 et seq.;

8. The applicant's complete professional employment history; and

9. The application fee as set forth in N.J.A.C. 13:30-8.1.

(c) An applicant for dental licensure who graduated from a dental school that has not been approved by the Commission on Dental Accreditation shall have completed at least two years of study at a dental school, college or department of a university approved by the Commission of Dental Accreditation, with a dental degree having been conferred by such institution.

(d) A candidate for dental licensure who has successfully completed the North East Regional Board examination five years or more prior to the date of application shall submit a completed application to the Board, which shall contain the following information and materials:

8. Remove excess cement from crowns and other restorations and orthodontic appliances;

9. Remove arch wires and ligature wires;

10. Provide oral health education including dietary analysis and clinical instruction in order to promote dental health;

11. Remove such debris as is normally created in the course of treatment during or after dental procedures by vacuum devices, compressed air, mouthwashes and water; and

12. Apply hot or cold packs pursuant to the direction of a licensed dentist.

(b) A limited registered dental assistant in orthodontics may provide a written work authorization for emergency repair of a dental prosthesis provided that the prosthesis shall not require any intra-oral procedure and shall be thereafter inserted by a licensed dentist.

Amended by R.2005 d.309, effective September 19, 2005.  
See: 37 N.J.R. 1149(a), 37 N.J.R. 3709(a).

In (a), rewrote 1, 2, and 7, deleted "and" at the end of 10, added "; and" and removed "." at the end of 11, and added 12.

#### **13:30-2.6 Scope of practice of unregistered dental assistant**

(a) A dental assistant who has not obtained a registration from the Board may perform the following duties under the direct supervision of a licensed dentist:

1. Make radiographic exposures as permitted by the Department of Environmental Protection pursuant to N.J.S.A. 26:2D-24 et seq.;

2. Provide oral health education including dietary analysis and clinical instruction in order to promote dental health;

3. Apply topical anesthetic agents;

4. Take and record vital signs;

5. Retract patient's cheek, tongue or other tissue parts during a dental procedure;

6. Remove such debris as is normally created in the course of treatment during or after dental procedures by vacuum devices, compressed air, mouthwashes and water;

7. Isolate the operative field, not to include rubber dams;

8. Trial size (pre-select) orthodontic bands, wires, stainless steel crown, and temporary crowns on a diagnostic model only;

9. Hold a curing light in any dental procedure. Such curing light shall not include a laser capable of altering, cutting, burning or damaging hard or soft tissue or for electrosurgery for tissue retraction;

10. Take dental photographs including the use of intra-oral cameras;

11. Select shades for prosthetic appliances;

12. Apply hot or cold packs pursuant to the direction of a licensed dentist; and

13. Assist a licensed dentist in the administration of nitrous oxide, provided the licensed dentist is physically present in the operatory at all times during the procedure.

(b) An unregistered dental assistant may provide a written work authorization for emergency repair of a dental prosthesis provided that the prosthesis shall not require any intra-oral procedure and shall be thereafter inserted by a licensed dentist.

Amended by R.2005 d.309, effective September 19, 2005.

See: 37 N.J.R. 1149(a), 37 N.J.R. 3709(a).

In (a), rewrote 9, deleted "and" at the end of 11, added 12, and re-codified former 12 as 13.

Amended by R.2011 d.041, effective February 7, 2011.

See: 42 N.J.R. 2217(a), 43 N.J.R. 310(a).

In (a)9, inserted "or for electrosurgery for tissue retraction".

#### **13:30-2.7 Credit towards registration as a dental assistant for education, training, and experience received while serving as a member of the Armed Forces**

(a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for registration as a dental assistant under N.J.A.C. 13:30-2.2 may apply to the Board for recognition of the applicant's training, education, and/or experience received while serving as a member of the Armed Forces, which the Board shall consider together with any training, education, and/or experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and/or experience required for registration as a dental assistant.

(b) The Board shall issue a registration as a dental assistant to the applicant if the applicant presents evidence to the Board that:

1. The applicant has been honorably discharged from active military service;

2. The relevant training, experience, and/or education the applicant has received in the military, together with any training, education, and/or experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, experience, and/or education required for registration under N.J.A.C. 13:30-2.2;

i. An applicant seeking credit for military training and/or experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586 or a successor form, as amended and supplemented;

ii. An applicant seeking credit for education courses and/or training completed while in the military that are not part of an educational program for dental assistants approved by the Board and the Commission on Dental Accreditation shall submit to the Board a Joint Services Transcript of his or her education courses and/or training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to those in an educational program for dental assistants approved by the Board and the Commission on Dental Accreditation as required for registration under N.J.A.C. 13:30-2.2. For the purpose of determining substantial equivalence of the applicant's military education courses and/or training, the Board shall consider only those education courses and/or training relevant to the practice of a registered dental assistant that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula;

iii. An applicant seeking credit for education courses and/or training completed while in the military that are not part of a Board-approved program in expanded functions as set forth in N.J.A.C. 13:30-2.2(b) shall submit to the Board a Joint Services Transcript of his or her education courses and/or training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to those of a Board-approved program in expanded functions as set forth in N.J.A.C. 13:30-2.2(b) as required for registration under N.J.A.C. 13:30-2.2. For the purpose of determining substantial equivalence of the applicant's military education courses and/or training, the Board shall consider only those education courses and/or training relevant to the practice of a dental assistant that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula; and

3. The applicant complies with all other requirements for registration, including successful completion of the Registered Dental Assistant Certification Examination administered by the Dental Assisting National Board (DANB) and the New Jersey Expanded Functions Examination administered by DANB, as applicable, as set forth in N.J.A.C. 13:30-2.2.

(c) It is the applicant's responsibility to provide timely and complete evidence of the education, training, and/or experience gained in the military for review and consideration.

(d) If the applicant's military training, education, and/or experience, or a portion thereof, is not deemed to be substantially equivalent to that required for registration as a dental assistant, the Board shall credit whatever portion of the military training, education, and/or experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:30-2.2 for the issuance of the registration as a dental assistant.

(e) Satisfactory evidence of such education, training, and/or experience shall be assessed on a case-by-case basis.

New Rule, R.2016 d.041, effective May 2, 2016.  
See: 47 N.J.R. 2237(a), 48 N.J.R. 714(b).

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## SUBCHAPTER 2A. (RESERVED)

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## SUBCHAPTER 3. APPLICANTS FOR LIMITED TEACHING CERTIFICATE IN A DENTAL SCHOOL

### 13:30-3.1 Qualifications of applicants

(a) A dentist desiring to teach in any branch of dentistry shall hold an active New Jersey license to practice dentistry or shall have procured a Limited Teaching Certificate from the New Jersey State Board of Dentistry, renewable annually prior to October 1.

(b) An applicant for such limited license must have general and technical knowledge similar to that required in this State for a license to practice dentistry without limitation.

(c) An applicant for a limited teaching certificate shall submit a certified transcript from the secretary or dean of a dental school, college or department of a university approved by the Board or by the Commission on Dental Accreditation, verifying that the applicant has obtained a dental degree from such institution.

Amended by R.1990 d.205, effective April 2, 1990.  
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

(d) deleted and language replaced in section on fee schedule.  
Amended by R.2000 d.147, effective April 3, 2000.  
See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).

Rewrote the section.  
Amended by R.2005 d.309, effective September 19, 2005.  
See: 37 N.J.R. 1149(a), 37 N.J.R. 3709(a).

In (c), substituted "certified transcript" for "certification" following "shall submit a"; deleted (d).

### 13:30-3.2 Application procedure

(a) The applicant for a limited teaching certificate shall:

1. Submit a completed and notarized application which shall include a certified transcript of graduation from an accredited dental school by an authorized official of the dental school; and

2. Provide two character references from licensed New Jersey dentists.

Amended by R.1990 d.205, effective April 2, 1990.  
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

Language regarding fee reorganized in section on fee schedule.  
Amended by R.2000 d.147, effective April 3, 2000.  
See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).

Rewrote (a).  
Amended by R.2005 d.309, effective September 19, 2005.  
See: 37 N.J.R. 1149(a), 37 N.J.R. 3709(a).  
Rewrote (a).

**13:30-3.3 Limitations on certificate**

(a) Teaching certificates shall be valid only in and upon the premises designated in the certificate in which the science of dentistry in any of its branches is taught.

(b) No limited teaching certificate shall be deemed to authorize the licensee to engage in the private practice of dentistry either within or without the premises designated in the certificate.

Amended by R.2000 d.147, effective April 3, 2000.  
See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).

**13:30-3.4 Educational institutions**

(a) Every educational institution where the science of dentistry is practiced, demonstrated or taught in any of its branches shall submit to the Board each year prior to October 1, a roster of all persons engaged in teaching any of the clinical subjects or who act as demonstrators or teachers in the laboratories or clinics where the practice of dentistry of any kind is performed on patients.

(b) The Board shall prescribe a form for such roster and make rules governing their submission.

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**SUBCHAPTER 4. INDUSTRIAL OR CORPORATE CLINICS**

**13:30-4.1 Industrial or corporate clinic defined**

“An industrial or corporate clinic” means a privately owned clinic maintained and operated by an industrial corporation, an organization composed of the management of several industries, or a labor organization(s) or any combination thereof where dentistry in any or all of its branches is practiced, demonstrated or taught on a nonprofit basis for the benefit of the employees of the industries involved and their dependents or for the benefit of the members of the labor organization(s) and their dependents.

Amended by R.2000 d.147, effective April 3, 2000.  
See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).  
Amended by R.2005 d.309, effective September 19, 2005.  
See: 37 N.J.R. 1149(a), 37 N.J.R. 3709(a).  
Changed “combinations” to “combination” preceding “thereof”.

**13:30-4.2 Application for permit**

(a) All industrial or corporate agencies that wish to operate a dental clinic in New Jersey shall make application to the New Jersey State Board of Dentistry and pay the fee set forth in N.J.A.C. 13:30-8.1 for a permit to operate such a clinic.

(b) A dental clinic permit shall be effective upon the date the Board approves the application and shall terminate on December 31, of the same year.

(c) All industrial or corporate agencies that wish to operate a dental clinic in New Jersey shall define in the dental clinic application the type of services to be rendered at the clinic.

(d) All industrial or corporate agencies that wish to operate more than one dental clinic shall apply for a separate permit for each dental clinic to be operated.

Amended by R.2000 d.147, effective April 3, 2000.  
See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).  
Rewrote the section.

**13:30-4.3 Documents submitted with application for permit**

(a) The following information and materials shall accompany the application for a dental clinic permit:

1. A floor plan of the clinic (to scale) setting forth:

- i. Operatories;
- ii. Recovery rooms;
- iii. Reception room or rooms;
- iv. Rest-room facilities;
- v. Laboratory facilities;
- vi. Storage-room facilities; and
- vii. Record room;

2. A list of all personnel connected with the clinic setting forth:

- i. The name, home address and license number of the director;
- ii. The name, home address and license number of each dentist;
- iii. The name, home address and license number of each dental hygienist;