

CHAPTER 30**NEW JERSEY BOARD OF DENTISTRY****Authority**

N.J.S.A. 45:6-3, 45:6-19.4 and 45:6-50.

Source and Effective Date

R.1995 d.191, effective March 10, 1995.
See: 27 N.J.R. 293(a), 27 N.J.R. 1424(b).

Executive Order No. 66(1978) Expiration Date

Chapter 30, New Jersey Board of Dentistry, expires on March 10, 2000.

Chapter Historical Note

Chapter 30, New Jersey Board of Dentistry, was filed and became effective prior to September 1, 1969. Chapter 30 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 was readopted as R.1995 d.191. See: Source and Effective Date. As a part of R.1995 d.191, old Subchapter 2, Applicants for License to Practice Dental Hygiene, was repealed and a new Subchapter 2 was adopted, effective April 3, 1995. See, also, section annotations.

Public Notice: Receipt of and action on petition for rulemaking. See: 28 N.J.R. 4531(a).

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SUBCHAPTER 1. APPLICANTS FOR LICENSE TO PRACTICE DENTISTRY**13:30-1.1 Qualifications of applicants**

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

(b) To qualify as a candidate for dental licensure, an applicant must present satisfactory evidence that he or she has graduated with a dental degree from a dental school, college or department of a university approved by the Board and the Commission on Dental Accreditation.

(c) To obtain a license to practice dentistry, the candidate must pass the Northeast Regional Board Examination. The Board will recognize successful completion of the Northeast Regional Board examination for up to five years. After five years, the Board will review each request on a case by case

basis and may, in its discretion, recognize successful completion of the Northeast Regional Board Examination provided the candidate submits, at a minimum, evidence satisfactory to the Board that the candidate:

1. Holds a license in good standing in every state where currently licensed; and
2. Has successfully completed 40 hours of continuing dental education in the two years immediately preceding the application.

(d) As part of its review of applicants requesting recognition of the Northeast Regional Board Examination after five years as set forth in (c) above, the Board will consider and evaluate any prior record of disciplinary action or pending disciplinary action or investigation in any other state and the applicant's complete professional employment history.

(e) All candidates for licensure in dentistry in the State of New Jersey shall, in addition to any and all other requirements for licensure, be required to take and pass to the satisfaction of the Board an examination which tests the candidate's knowledge of the rules, regulations and statutes pertaining to the practice of dentistry in New Jersey. Such examination shall be offered at least twice each year in the English language, at such time and place as the Board shall determine.

(f) To obtain a license to practice dentistry, the candidate must pass all parts of the National Board Dental Examinations.

Amended by R.1973 d.194, eff. December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Amended by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

Reorganized qualifications to this section.
Amended by R.1995 d.191, effective April 3, 1995.
See: 27 N.J.R. 293(a), 27 N.J.R. 1424(b).

13:30-1.2 Resident permit

Prior to obtaining licensure, a graduate of an approved dental school who has passed Part I and Part II of the National Board Dental Examination may serve as a resident in an approved hospital upon obtaining a resident permit from the Board. A resident permit shall be renewed annually for the length of the residency program.

Repeal and New Rule: R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).
The following annotations pertain to N.J.A.C. 13:30-1.2, Application process:

Amended by R.1973 d.194, effective December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Amended by R.1989 d.581, effective November 20, 1989.
See: 21 N.J.R. 2466(a), 21 N.J.R. 3670(a).

Deleted (d) regarding fees for simultaneous reexamination.
Amended by R.1995 d.191, effective April 3, 1995.
See: 27 N.J.R. 293(a), 27 N.J.R. 1424(b).

13:30-1.3 (Reserved)

Amended by R.1973 d.194, effective December 11, 1973.

See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.4 (Reserved)

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

13:30-1.5 (Reserved)

Amended by R.1973 d.114, effective April 26, 1973.
See: 5 N.J.R. 51(a), 5 N.J.R. 166(c).
Amended by R.1973 d.194, effective December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Administrative correction to (b).
See: 21 N.J.R. 2386(a).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.6 (Reserved)

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

13:30-1.7 (Reserved)

Amended by R.1973 d.194, eff. December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.8 (Reserved)

Amended by R.1973 d.194, eff. December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.9 (Reserved)

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

13:30-1.10 (Reserved)

Repeal and New Rule, R.1973 d.194, eff. December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.11 (Reserved)

Repeal and New Rule, R.1973 d.194, effective December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.12 (Reserved)

Repeal and New Rule, R.1973 d.194, effective December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).
Amended by R.1974 d.110, effective May 3, 1974.
See: 6 N.J.R. 118(c), 6 N.J.R. 246(d).
Amended by R.1989 d.581, effective November 20, 1989.
See: 21 N.J.R. 2466(a), 21 N.J.R. 3670(a).
In (d)3: deleted text regarding fees and increased license fee from \$50.00 to \$100.00.
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.13 (Reserved)

Repealed by R.1973 d.194, effective December 11, 1973.

See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).

13:30-1.14 (Reserved)

Repealed by R.1973 d.194, effective December 11, 1973.
See: 5 N.J.R. 154(c), 5 N.J.R. 291(c).

13:30-1.15 (Reserved)

Administrative correction to (b).
See: 21 N.J.R. 2386(a).
Amended by R.1989 d.581, effective November 20, 1989.
See: 21 N.J.R. 2466(a), 21 N.J.R. 3670(a).
In (d): raised fee from \$50.00 to \$75.00.
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-1.16 (Reserved)

Administrative correction to (a)2.
See: 21 N.J.R. 2386(a).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

SUBCHAPTER 2. APPLICANTS FOR LICENSE AND STANDARDS FOR PRACTICE FOR DENTAL AUXILIARIES

13:30-2.1 Qualifications of applicants for license to practice dental hygiene

(a) All persons desiring to practice dental hygiene in New Jersey must first secure a license from the Board.

(b) A candidate for licensure as a dental hygienist shall present proof satisfactory to the Board of the following:

1. National Dental Hygiene Board certification;
2. Northeast Regional Board certification;
3. Successful completion of the New Jersey jurisprudence examination; and
4. Graduation from an educational program in dental hygiene approved by the Board and the Commission on Dental Accreditation.

(c) The Board may, in its discretion, grant a waiver of Northeast Regional Board performance testing depending upon the record of the candidate. The candidate shall submit, at a minimum, evidence in the form required by the Board of the following:

1. Licensure in another state and licensure in good standing in all states where licensed;
2. Graduation from an educational program in dental hygiene approved by the Board and the Commission on Dental Accreditation;
3. Test results of any clinical examination other than the Northeast Regional Board; and
4. Ten credits of continuing education in dental hygiene earned within two years prior to the application.

(d) The Board will recognize successful completion of the Northeast Regional Board Examination for up to five years. After five years, the Board will review each request on a case by case basis and may, in its discretion, recognize successful completion of the Northeast Regional Board examination provided the candidate submits, at a minimum, evidence in the form required by the Board of the following:

1. Licensure in good standing in every state where currently licensed; and
2. Ten credits of continuing education in dental hygiene earned within two years prior to the application.

(e) As part of its review of applicants requesting waiver of Northeast Regional Board testing as set forth in (c) above or recognition of the Northeast Regional Board Examination after five years as set forth in (d) above, the Board will consider and evaluate any prior record of disciplinary action or pending disciplinary action or investigation in any other state and the applicant's complete professional employment history.

13:30-2.2 Qualifications of registered dental assistants

(a) A dental assistant desiring to secure registration from the Board shall have the following qualifications:

1. Satisfactorily completed and graduated, within the past 10 years, from an educational program for dental assistants approved by the Board and the Commission on Dental Accreditation; or
2. Successfully completed high school (or its equivalent) and obtained at least two years' work experience as a dental assistant during the five year period prior to making application for registration.

(b) The candidate shall have satisfactorily completed the Certification Examination administered by the Dental Assisting National Board within 10 years prior to the application.

(c) All registered dental assistants shall furnish the Board with proof of one of the following:

1. A certificate of graduation from an approved educational program in dental assisting in which the expanded functions or duties as listed in N.J.A.C. 13:30-2.4(a) are taught;
2. A certificate of successful completion of an examination for clinical competency in expanded functions in dental assisting administered by the Board or its delegated authority; or
3. A certificate of successful completion of an approved program in expanded functions in dental assisting. The Board may recognize the following as providers of approved programs in expanded functions:
 - i. An institution approved by the Commission on Dental Accreditation;

ii. Institutions of higher education which have met the standards of the Commission of Higher Education or a regional agency recognized by the council on Post-Secondary Accreditation;

iii. In-service training programs conducted at the graduate level by agencies of the Federal, State, or local government; and

iv. Internship and residency programs conducted in hospitals which are approved by the Council on Hospital Dental Services of the American Dental Association.

13:30-2.3 Duties of licensed dental hygienist

(a) A licensed dental hygienist practicing under the direct supervision of a licensed dentist may:

1. Perform a complete prophylaxis including the removal of all hard and soft deposits from all surfaces of human natural and restored teeth to the epithelial attachments and the polishing of natural and restored teeth. Root planing may be performed as a separate procedure or as part of the prophylaxis;

2. Provide prophylactic and preventive measures such as the application of fluorides and pit and fissure sealants and other recognized topical agents for the prevention of oral disease or discomfort;

3. Examine soft and hard tissue of the head, neck and oral cavity; note deformities, defects and abnormalities therein;

4. Fabricate athletic mouth guard appliances;

5. Place and remove rubber dams;

6. Place and remove matrices and wedges;

7. Place temporary sedative restorations;

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

9. Remove sutures;

10. Fabricate and cement temporary crowns and bridges after preparation of tooth (teeth) by a dentist. This does not include intra-oral occlusal adjustment;

11. Take impressions for diagnostic models and models to be used as counters for fixed or removable prostheses;

12. Place amalgam and gold foil in a tooth for condensation by the dentist;

13. Place and remove retraction cords and medicated pellets;

14. Perform bite registration procedures to determine occlusal relationship of diagnostic models only;

15. Place and remove periodontal dressings and other surgical dressings;

16. Trial size (pre-select) orthodontic bands, wires, stainless steel crowns and temporary crowns intra-orally;

17. Prepare teeth for bonding;

18. Remove arch wires and ligature wires;

19. Make radiographic exposures as permitted by the Department of Environmental Protection;

20. Provide oral health education such as, but not limited to, dietary analysis and clinical instruction in order to promote dental health;

21. Apply topical anesthetic agents;

22. Take and record vital signs;

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

24. 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;

25. Isolate the operative field, not to include rubber dam;

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

27. Hold a curing light in the process of restoring a tooth;

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

29. Select shades for prosthetic appliances; and

30. 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) A licensed dental hygienist practicing within an institution subject to the supervision of a New Jersey licensed dentist in the institution may:

1. Perform a complete prophylaxis including the removal of all hard and soft deposits from all surfaces of human natural and restored teeth to the epithelial attachments and the polishing of natural and restored teeth. Root planing may be performed as a separate procedure or as part of the prophylaxis;

2. Provide prophylactic and preventive measures such as the application of fluorides and pit and fissure sealants and other recognized topical agents for the prevention of oral disease or discomfort;

3. Examine soft and hard tissue of the head, neck and oral cavity, and note deformities, defects and abnormalities therein;

4. Make radiographic exposures as permitted by the Department of Environmental Protection;

5. Provide oral health education such as, but not limited to, dietary analysis and clinical instruction in order to promote dental health;

6. Take and record vital signs; and

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

(c) Each licensed dentist may utilize no more than two licensed dental hygienists at one time in a dental office.

13:30-2.4 Duties of a registered dental assistant and a dental assistant without registration

(a) A registered dental assistant may perform the following duties under the direct supervision of a licensed dentist:

1. Place and remove rubber dams;
2. Place and remove matrices and wedges;
3. Place temporary sedative restorations;
4. Remove excess cement from crowns or other restorations and orthodontic appliances;
5. Remove sutures;
6. Fabricate and cement temporary crowns and bridges after preparation of tooth (teeth) by a dentist. This does not include intra-oral occlusal adjustment;
7. Take impressions for diagnostic models and models to be used as counters for fixed or removable prostheses;
8. Place amalgam and gold foil in a tooth for condensation by the dentist;
9. Place and remove retraction cords and medicated pellets;
10. Perform bite registration procedures to determine occlusal relationships of diagnostic models only;
11. Place and remove periodontal dressings and other surgical dressings;
12. Trial size (pre-select) orthodontic bands, wires, stainless steel crowns and temporary crowns intra-orally;
13. Prepare teeth for bonding not to include prophylaxis;
14. Remove arch wires and ligature wires;
15. Take impressions for and perform laboratory fabrication of athletic mouth guards not to include insertion of the appliance;
16. Make radiographic exposures as permitted by the Department of Environmental Protection;
17. Provide oral health education such as, but not limited to, dietary analysis and clinical instruction in order to promote dental health;
18. Apply topical anesthetic agents;

19. Take and record vital signs;

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

21. 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;

22. Isolate the operative field, not to include rubber dam;

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

24. Hold a curing light in the process of restoring a tooth;

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

26. Select shades of prosthetic appliances; and

27. 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) 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;
2. Provide oral health education such as, but not limited to, 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 operation;
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 dam;
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 the process of restoring a tooth;
10. Take dental photographs including the use of intra-oral cameras;
11. Select shades for prosthetic appliances; and
12. 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.

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

13:30-2.5 Continuing education requirements; dental hygienists and dental assistants

(a) All licensed dental hygienists and registered dental assistants shall submit proof of completion of 10 hours of continuing education every two years at the time of registration renewal. No more than four hours of continuing education in the two year period may be fulfilled through home study courses.

(b) An acceptable form of continuing education shall directly enhance the licensees or registrant's knowledge, skill or competence in dental service to the community.

(c) The following shall be considered acceptable forms of continuing education:

1. Scientific courses applicable to the delivery of dental care, including, but not limited to, preventive services, radiography, dental photography, nutrition, patient counseling, community health, C.P.R. certification, and infection control; and

2. Courses which directly relate to or concern the practice of dentistry, including, but not limited to, organization and office management, office design, communication skills, behavioral science, dental-legal matters and methods of health care delivery.

(d) The Board may recognize as acceptable the courses of study and amount of hours credited in continuing education programs approved by:

1. The American Dental Association and its constituents and components;

2. The Academy of General Dentistry and its constituents and components;

3. The American Dental Hygienists Association and its constituents and components;

4. The American Dental Assistants' Association and its constituents and components; and

5. Accredited colleges or universities which meet the definition of acceptable courses in (c) above.

(e) It shall be the responsibility of each licensee/registrant to maintain an authenticated record of all continuing education activity completed and to be prepared to submit evidence of completion of the credit requirements to the Board upon request. Each licensee/registrant shall obtain from the continuing education course sponsor and retain for a period of four years an authenticated record of attendance which shall include, at a minimum, the following:

1. The participant's name;
2. The title or subject area of the course;
3. The instructor;

4. The course sponsor;
5. The date and location of the course;
6. The number of hours; and
7. Verification of successful completion by the course sponsor.

(f) The Board may inspect the licensee/registrant's records as may be necessary to insure that the continuing education requirements have been met.

13:30-2.6 Resumption of active practice by inactive dental hygienists

(a) Any dental hygienist who has been on the inactive status list for any period of time and wishes to resume the active practice of dental hygiene shall, in addition to making application for a current certificate of registration and paying the appropriate fee, submit satisfactory evidence of completion of 10 hours of continuing education earned in the two years preceding the application for active status.

(b) The minimum standards which shall be met by applicants who have been on the inactive status list for five or more years and who want to resume the practice of dental hygiene are as follows:

1. The individual shall apply to the Board for a current biennial certificate of registration and pay the prescribed registration fee;

2. An individual licensed and practicing in another state shall furnish the Board with a certification from the other state that the license to practice dental hygiene is in good standing; and

3. An individual who has not practiced for five or more years shall:

i. Pass the Northeast Regional Board (N.E.R.B.) examination in dental hygiene; or

ii. Complete satisfactorily a Board approved clinical refresher course provided by an institution accredited by the American Dental Association Commission on Dental Accreditation.

(c) An individual who has not practiced for more than 10 years shall pass the N.E.R.B. examination in dental hygiene.

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

13:30-3.1 Qualifications of applicants

(a) All dentists desiring to teach dentistry in any of its branches, in this State, must hold a regularly issued license in dentistry, in the State of New Jersey, or must have procured a Limited Teaching Certificate from the New Jersey State Board of Dentistry, renewable annually prior to October 1.

(d) If the facilities of the clinic are used in any way in the illegal practice of dentistry and offenders are found guilty, the Director shall be held equally responsible and liable to prosecution.

(e) All names of persons employed and titles of employment are to be furnished to the Board at the time of request for annual renewal permit. Branch office or main office registration information shall be included with each name.

(f) Dental hygienists shall be limited by State Laws and statutes regarding the type of services and supervision.

(g) Director shall furnish to the Board the method of operation as to control, direction and authority in dental matters including:

1. To whom the Director is responsible; and
2. Type of service rendered.

(h) All matters pertaining to the operation of a dental clinic shall be determined by the Dental Director.

SUBCHAPTER 5. STANDARDS FOR APPROVAL OF DENTAL SCHOOLS

13:30-5.1 Requisites for dental schools

(a) The Board will accept for licensure only graduates of dental schools approved by the Commission on Dental Accreditation.

(b) For purposes of granting limited teaching certificates, the Board will accept graduates of dental schools approved by the Commission on Dental Accreditation or graduates of dental schools approved at the discretion of the Board.

Repeal and New Rule: R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-5.2 (Reserved)

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

13:30-5.3 (Reserved)

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

13:30-5.4 (Reserved)

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

13:30-5.5 (Reserved)

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

13:30-5.6 (Reserved)

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

13:30-5.7 (Reserved)

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

13:30-5.8 (Reserved)

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

13:30-5.9 (Reserved)

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

13:30-5.10 (Reserved)

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

13:30-5.11 (Reserved)

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

13:30-5.12 (Reserved)

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

13:30-5.13 (Reserved)

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

13:30-5.14 (Reserved)

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

SUBCHAPTER 6. STANDARDS FOR APPROVAL OF SCHOOLS OF ORAL HYGIENE

13:30-6.1 General requirements

All dental hygiene schools must be approved by the Commission on Dental Accreditation.

Repeal and New Rule: R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-6.2 (Reserved)

Petition for Rulemaking: Amend section.
See: 18 N.J.R. 1844(a).
Amended by R.1987 d.419, effective October 19, 1987.
See: 19 N.J.R. 849(a), 19 N.J.R. 1909(b).
Substantially amended.
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-6.3 (Reserved)

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

13:30-6.4 (Reserved)

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

13:30-6.5 (Reserved)

Amended by R.1987 d.419, effective October 19, 1987.
See: 19 N.J.R. 849(a), 19 N.J.R. 1909(b).
Substantially amended.
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-6.6 (Reserved)

Repealed by R.1987 d.419, effective October 19, 1987.
See: 19 N.J.R. 849(a), 19 N.J.R. 1909(b).
Section was dormitories.

13:30-6.7 (Reserved)

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

13:30-6.8 (Reserved)

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

13:30-6.9 (Reserved)

Petition for Rulemaking: Amend section.
See: 18 N.J.R. 1844(a).
Amended by R.1987 d.419, effective October 19, 1987.
See: 19 N.J.R. 849(a), 19 N.J.R. 1909(b).
Deleted (a), renumbered (b)-(c) to (a)-(b).
Administrative correction to (b)5.
See: 21 N.J.R. 2386(a).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

13:30-6.10 (Reserved)

Administrative correction to (a).
See: 21 N.J.R. 2386(a).
Repealed by R.1990 d.205, effective April 2, 1990.
See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

SUBCHAPTER 7. FORMS

13:30-7.1 (Reserved)

Repealed by R.1987 d.12, effective January 5, 1987.
See: 17 N.J.R. 2851(b), 19 N.J.R. 131(a).
Section was "Uniform penalty letter".

SUBCHAPTER 8. GENERAL PROVISIONS

13:30-8.1 Fee schedules

(a) The application fees charged by the Board of Dentistry shall be the following:

1. Dentists	\$125.00
2. Dentists Hygienists	\$75.00
3. Registered Dental Assistants	\$35.00

(b) The Biennial Registration fees charged by the Board of Dentistry shall be the following:

1. Dentists:	
i. Initial registration fee:	
(1) If paid during the first year of a biennial renewal period	\$220.00
(2) If paid during the second year of a biennial renewal period	\$110.00
ii. Active registration renewal	\$220.00
iii. Inactive registration renewal	\$100.00
iv. Initial branch office registration, dentist:	
1. If paid during the first year of a biennial renewal period	\$60.00
2. If paid during the second year of a biennial renewal period	\$30.00
v. Branch office registration renewal, dentist	\$60.00
2. Dental Hygienists:	
i. Initial registration fee:	
(1) If paid during the first year of a biennial renewal period	\$70.00
(2) If paid during the second year of a biennial renewal period	\$35.00
ii. Active registration renewal	\$70.00
iii. Inactive registration renewal	\$30.00
iv. Initial branch office registration, dental hygienists:	
1. If paid during the first year of a biennial renewal period	\$30.00
2. If paid during the second year of a biennial renewal period	\$15.00
v. Branch office renewal registration, dental hygienists	\$30.00
3. Registered Dental Assistants:	
i. Initial registration fee:	
(1) If paid during the first year of a biennial renewal period	\$70.00
(2) If paid during the second year of a biennial renewal period	\$35.00
ii. Active registration renewal	\$70.00

(c) Late fee for dentists, dental hygienists, and registered dental assistants \$100.00

(d) Reinstatement fee for dentists, dental hygienists and registered dental assistants \$200.00

(e) Other fees:	
1. Limited teaching certificate	
i. Application	\$125.00
ii. Annual renewal	\$80.00
2. Resident permit	\$10.00
3. Registration of dentists by reciprocity—application fee	\$250.00
4. Registration of dental hygienists by credentials—application fee	\$125.00
5. Verification of licensure	\$25.00
6. Duplicate wall certificate	\$50.00
7. Duplicate license	\$50.00

(f) Except for the fee herein established, other fees prescribed by statute shall continue to be assessed by the Board in the lawful amount.

New Rule, R.1975 d.259, effective August 25, 1975.
 See: 7 N.J.R. 482(b).
 Amended by R.1976 d.11, effective January 14, 1976.
 See: 7 N.J.R. 508(a), 8 N.J.R. 84(a).
 Repeal and New Rule, R.1980 d.527, effective December 4, 1980.
 See: 11 N.J.R. 453(a), 13 N.J.R. 41(d).
 Section was "Fee schedule".
 Amended by R.1985 d.196, effective April 15, 1985.
 See: 17 N.J.R. 378(a), 17 N.J.R. 972(a).
 Amended by R.1986 d.168, effective May 5, 1986.
 See: 18 N.J.R. 398(a), 18 N.J.R. 995(b).
 Fees raised; new (b); old (b) recodified to (c).
 Amended by R.1989 d.581, effective November 20, 1989.
 See: 21 N.J.R. 2466(a), 21 N.J.R. 3670(a).
 Fees increased throughout. Added new (a); relettered old (a)-(c) as new (b)-(d), with new (b)2ii and (c)2ii.
 Amended by R.1990 d.205, effective April 2, 1990.
 See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).
 New (d) added regarding other fees, (d) recodified to (e).
 Amended by R.1993 d.598, effective November 15, 1993.
 See: 25 N.J.R. 3927(a), 25 N.J.R. 5352(d).
 Amended by R.1995 d.502, effective September 5, 1995.
 See: 27 N.J.R. 2369(a), 27 N.J.R. 3363(a).
 Amended by R.1995 d.504, effective September 5, 1995.
 See: 27 N.J.R. 2367(a), 27 N.J.R. 3362(a).

Case Notes

Board obligated to refund monies collected in excess of statutory authority pursuant to former fee regulation judicially invalidated. In Re Fees of the State Bd. of Dentistry, 84 N.J. 582, 423 A.2d 640 (1980).

Former rule held invalid as establishing fees in excess of those required to defray Board's proper expenses. In re Increase in Fees by the New Jersey State Bd. of Dentistry, 166 N.J.Super. 219, 399 A.2d 665 (App.Div.1979), reversed on other grounds 84 N.J. 582, 423 A.2d 640 (1980).

13:30-8.2 Parenteral conscious sedation

(a) The use of parenteral conscious sedation (hereinafter referred to as "PCS") by a dentist without first having met the minimum standards of training and procedure as stated herein shall constitute a deviation from the normal standards of practice required of a licensee.

(b) Parenteral conscious sedation is defined as a depressed level of consciousness produced by the parenteral administration of pharmacologic substances that retains the patient's ability to independently and continuously maintain an airway and respond appropriately to physical stimulation or verbal command. This modality includes administration of medications via all parenteral routes, that is, intravenous, intramuscular, subcutaneous, submucosal, or inhalation, but does not include nitrous-oxide inhalation analgesia.

(c) No dentist shall use PCS for dental patients unless such dentist possesses a PCS permit issued by the State Board of Dentistry. The dentist holding such permit shall be subject to review, and such permit shall be renewed biennially.

(d) Any dentist who wishes to obtain a Board permit to employ PCS shall complete an application as provided by the Board office and shall provide certified or verifiable proof that the dentist has completed a minimum of 100 hours of continuing education in didactic training and 100

hours in clinical training in PCS within three years preceding the application.

(e) Every applicant for a permit to use PCS shall obtain emergency training by completing "Basic Life Support: Course C" of the American Heart Association or its equivalent and shall maintain current certification in the course. The applicant shall furnish proof of this training and certification to the Board upon application for a permit and proof of recertification upon biennial renewal of the permit.

(f) Every applicant for a permit to use PCS additionally shall certify to the Board that the dentist employs no fewer than two persons who will be present in the office, at least one of whom will assist in monitoring the patient whenever PCS is employed. The applicant shall further certify that these persons are trained in and capable of monitoring vital signs and of assisting in emergency procedures and that they maintain current certification in "Basic Life Support: Course C" or its equivalent.

(g) Every applicant for a permit to use PCS shall certify as part of the application that he or she possesses basic equipment and supplies to deal with emergency situations. The permit holder's facility shall contain the following readily accessible and properly operating equipment: emergency drug kit; positive pressure oxygen; stethoscope; suction; nasopharyngeal tubes; oropharyngeal tubes; and a blood pressure monitoring device.

(h) Any licensee who holds a current general anesthesia permit issued by the Board of Dentistry shall be authorized to use PCS and shall not be required to make application for a permit pursuant to this section.

(i) Any dentist who utilizes the services of a PCS permit holder or an M.D. or D.O. who is a member of the anesthesiology staff of an accredited hospital shall not be deemed to be practicing PCS, provided that such permit holder or anesthesiologist must remain present and bears full responsibility during the entire procedure and until any patient has recovered fully and has been dismissed. Any permit holder invited by a dentist to provide PCS services shall bear full responsibility for compliance with all terms and conditions of this rule including, but not limited to, the minimum requirements for equipment and assisting staff.

(j) Prior to the administration of a PCS agent for the purpose of controlling pain, a physical evaluation shall be made by the permit holder and a complete medical history shall be obtained which shall include previous medications, allergies and sensitivities. Said history shall be maintained in the files of each dentist for a period of not less than seven years. Specific records on the use of PCS shall be kept as part of every patient chart and shall include the type of agent, the dosage and the duration of sedation.

(k) Every licensee who holds a PCS permit shall present satisfactory proof to the Board upon biennial renewal that

the holder has completed at least 20 credit hours during the previous two year period in continuing education courses devoted to PCS and presented by an accepted program in a suitable institution. Satisfactory credit hours to fulfill this continuing education requirement may be obtained from the following:

1. Professional service review organizations;
2. Teaching;
3. Lectures;
4. Seminars; or
5. Other methods approved by the Board.

(l) Any designee of the Board shall be authorized during ordinary business hours to enter and inspect any dental office for the purpose of enforcing the provisions of this rule.

(m) Any licensee who administers PCS without first having obtained a permit from the Board or any licensee who fails to comply with the rules set forth herein, shall be deemed to have engaged in professional misconduct and/or gross malpractice or negligence and may be subjected to appropriate disciplinary action including an action for the suspension or revocation of the licensee's license to practice dentistry in the State of New Jersey.

New Rule, R.1976 d.353, eff. November 10, 1976.
 See: 8 N.J.R. 199(a), 8 N.J.R. 561(a).
 Repealed by R.1987 d.419, effective October 19, 1987.
 See: 19 N.J.R. 849(a), 19 N.J.R. 1909(b).
 Section was "Additional dental hygiene functions".
 New Rule, R.1990 d.174, effective March 19, 1990.
 See: 21 N.J.R. 3060(a), 22 N.J.R. 976(a).
 Amended by R.1995 d.191, effective April 3, 1995.
 See: 27 N.J.R. 293(a), 27 N.J.R. 1424(b).

13:30-8.3 Use of general anesthesia

(a) The use or employment of general anesthesia by a dentist without first having met the minimum standards of training and procedure as stated herein shall constitute a deviation from the normal standards of practice required of a licensee.

(b) General anesthesia consists of the deliberate use of any drug, combination of drugs, element or other material with the specified intent to induce a loss of sensation and consciousness.

(c) No dentist shall employ or use general anesthesia on an outpatient basis for dental patients unless such dentist possesses a permit or authorization issued by the State Board of Dentistry. The dentist holding such permit shall be subject to review, and such permit shall be renewed biennially.

(d) In order to receive such a permit, the dentist shall apply on an official application form and submit certified or verifiable proof that he or she:

i. Has completed a minimum of three years post-doctoral training in oral surgery, or a minimum one-year training course in anesthesiology; or

ii. Is a diplomate in oral surgery or is Board-eligible in oral surgery; or

iii. Is a fellow of the American Dental Society of Anesthesiology, or is a member of the American Society of Oral Surgeons and/or is a member of the New Jersey Society of Oral Surgeons.

(e) Every applicant for a general anesthesia permit must certify that he or she employs no fewer than two persons who must be present in the office, at least one of whom shall assist in monitoring the patient under general anesthesia. Such personnel shall be certified by the permit holder as being trained in and capable of monitoring vital signs, and of assisting in emergency procedures.

(f) Every applicant for a general anesthesia permit must certify that he or she possesses basic equipment and supplies to deal with emergency situations, which equipment and supplies shall be readily accessible and in good order. This shall consist of no less than the list that shall be supplied by the Board.

(g) The dental facility of any permit holder shall be inspected and approved by the State Board of Dentistry or its designee, once every six years.

(h) This permit shall be renewed biennially upon satisfactory proof being submitted to the Board that the holder has completed at least 20 hours during the previous two year period in continuing education courses devoted to general anesthesia and approved by the Board.

(i) Satisfactory credit hours to fulfill the continuing education requirement may be obtained in any one of the following areas:

1. Professional service review organizations;
2. Teaching;
3. Lectures;
4. Seminars; or
5. Other methods approved by the Board.

(j) Prior to the administration of an anesthetic agent for the purpose of controlling pain, a physical evaluation shall be made by the permit holder and a complete medical history which shall include previous medications, allergies and sensitivities shall be obtained. Said history shall be maintained in the files of each dentist for a period of not less than seven years succeeding the taking of same. Specific records on use of general anesthesia shall be kept and shall include type of agent, dosage and duration.