

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 As a part of R.1995 d.191, old Subchapter 2, Applicants for License to Practice Dental Hygiene, was repealed and a new Subchapter 2 was adopted, effective April 3, 1995.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). Public Notice: Notice of Receipt of and Action on a Petition for Rulemaking. See: 29 N.J.R. 3745(a), 29 N.J.R. 4202(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. APPLICANTS FOR LICENSE TO PRACTICE DENTISTRY

- 13:30-1.1 Qualifications of applicants
- 13:30-1.2 Resident permit
- 13:30-1.3 through 13:30-1.16 (Reserved)

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
- 13:30-2.2 Qualifications of registered dental assistants and limited registered dental assistants
- 13:30-2.3 Duties of licensed dental hygienist
- 13:30-2.4 Duties of a registered dental assistant, a limited registered dental assistant, and a dental assistant without registration
- 13:30-2.5 Continuing education requirements; dental hygienists and dental assistants
- 13:30-2.6 Resumption of active practice by inactive dental hygienists

SUBCHAPTER 2A. REGISTERED DENTAL ASSISTANT AND LIMITED REGISTERED DENTAL ASSISTANT THREE-MONTH INTERNSHIP PROGRAMS

- 13:30-2A.1 Purpose and scope
- 13:30-2A.2 Prerequisites for participation in an internship program
- 13:30-2A.3 Six months' work experience; exception
- 13:30-2A.4 Three month internship program; general provisions
- 13:30-2A.5 Three month internship program; required clinical training for a registered dental assistant

- 13:30-2A.6 Three month internship program; required clinical training for a limited registered dental assistant in orthodontics
- 13:30-2A.7 Supervisor of three-month internship program; general provisions
- 13:30-2A.8 Responsibilities of supervisor
- 13:30-2A.9 Responsibilities of the intern
- 13:30-2A.10 Examination

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

- 13:30-3.1 Qualifications of applicants
- 13:30-3.2 Application procedure
- 13:30-3.3 Limitations on certificate
- 13:30-3.4 Educational institutions

SUBCHAPTER 4. INDUSTRIAL OR CORPORATE CLINICS

- 13:30-4.1 Industrial or corporate clinic defined
- 13:30-4.2 Application for permit
- 13:30-4.3 Documents submitted with application for permit
- 13:30-4.4 Permits not transferable
- 13:30-4.5 Annual registration renewal
- 13:30-4.6 Changes require Board approval
- 13:30-4.7 Qualifications
- 13:30-4.8 Crimes involving moral turpitude
- 13:30-4.9 Standards of service and facilities
- 13:30-4.10 Inspection; requirements of Director

SUBCHAPTER 5. STANDARDS FOR APPROVAL OF DENTAL SCHOOLS

- 13:30-5.1 Requisites for dental schools
- 13:30-5.2 through 13:30-5.14 (Reserved)

SUBCHAPTER 6. STANDARDS FOR APPROVAL OF SCHOOLS OF ORAL HYGIENE

- 13:30-6.1 General requirements
- 13:30-6.2 through 13:30-6.10 (Reserved)

SUBCHAPTER 7. FORMS

- 13:30-7.1 (Reserved)

SUBCHAPTER 8. GENERAL PROVISIONS

- 13:30-8.1 Fee schedules
- 13:30-8.2 Parenteral conscious sedation
- 13:30-8.3 Use of general anesthesia
- 13:30-8.4 Announcement of practice in a special area of dentistry
- 13:30-8.5 Complaint review procedures
- 13:30-8.6 Professional advertising
- 13:30-8.7 Patient records
- 13:30-8.8 Reporting of incidents or deaths
- 13:30-8.9 Display of names; identifying badges
- 13:30-8.10 Dental insurance forms; professional misconduct
- 13:30-8.11 Removable prosthesis identification
- 13:30-8.12 Notification of change of address; service of process
- 13:30-8.13 Referral fees
- 13:30-8.14 Dental X-rays; lead shields
- 13:30-8.15 Dentist of record; fee reimbursement
- 13:30-8.16 Right to hearing
- 13:30-8.17 Delegation of physical modalities to unlicensed dental assistants
- 13:30-8.18 Continuing dental education

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 and limited registered dental assistants**

(a) A registered dental assistant or a limited registered dental assistant desiring to secure registration from the Board shall have:

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
  - i. Obtained at least two years' work experience as a dental assistant during the five-year period prior to making application for registration; or
  - ii. Until three years from the date the Board implements the first internship program, obtained at least six months' work experience, as defined in N.J.A.C. 13:30-2A.3, as a dental assistant or a limited registered dental assistant and successfully completed a three-month internship program in the office and under the direct supervision of a New Jersey licensed dentist as set forth in N.J.A.C. 13:30-2A.

(b) Candidates for registered dental assistant or limited registered dental assistant 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 expand-

ed 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;

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; or

4. A certificate of successful completion of a three-month internship program as set forth in N.J.A.C. 13:30-2A together with a certificate of successful completion of the Registered Dental Assistant or Limited Registered Dental Assistant Certification Examination administered by the Dental Assisting National Board.

Amended by R.1997 d.44, effective January 21, 1997.

See: 28 N.J.R. 4719(a), 29 N.J.R. 367(a).

In (a), inserted reference to limited registered dental assistance; inserted (a)2ii; in (b), inserted reference to registered dental assistance and limited registered dental assistance; and added (c)4.

### 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, a limited 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 limited registered dental assistant in orthodontics may perform the following duties under the direct supervision of a New Jersey licensed dentist who has obtained a Board permit number to announce a specialty in orthodontics:

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

2. Take impressions for and perform laboratory fabrication of athletic mouth guards not to include insertion of the appliance;

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

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

5. Pre-select (trial size) orthodontic bands, wires, stainless steel crowns and temporary crowns intra-orally;

6. Pre-select (trial size) orthodontic bands, wires, stainless steel crown, and temporary crowns on a diagnostic model;

7. Prepare teeth for bonding not to include prophylaxis;

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

9. Perform bite registration procedures to determine occlusal relationships of diagnostic models only;

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

11. Remove arch wires and ligature wires;

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

13. 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.

(c) 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.

(d) 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.

Amended by R.1997 d.44, effective January 21, 1997.

See: 28 N.J.R. 4719(a), 29 N.J.R. 367(a).

Inserted new (b); and recodified former (b) and (c) as (c) and (d).

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

(a) All licensed dental hygienists, registered dental assistants and limited 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.

Amended by R.1997 d.44, effective January 21, 1997.  
See: 28 N.J.R. 4719(a), 29 N.J.R. 367(a).

In (a), inserted reference to limited registered dental assistant.

### **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 2A. REGISTERED DENTAL ASSISTANT AND LIMITED REGISTERED DENTAL ASSISTANT THREE-MONTH INTERNSHIP PROGRAMS**

### **Authority**

N.J.S.A. 45:6-3, 45:6-49, 45:6-50, 45:6-50.1, 45:6-50.2, 45:6-55 and 45:6-56.

### **Source and Effective Date**

R.1997 d.44, effective January 21, 1997.  
See: 28 N.J.R. 4719(a), 29 N.J.R. 367(a).

### **13:30-2A.1 Purpose and scope**

(a) The rules in this subchapter implement the provisions of P.L. 1995, c.367, by establishing the required training which shall be included in a three-month dental assisting internship program.

(b) This subchapter shall apply to an individual seeking registration as a dental assistant or a limited registered dental assistant by completing a three-month internship program as an alternative to the primary registration pathway of completing an educational program for dental assistants approved by the Board and the Commission on Dental Accreditation, as set forth in N.J.A.C. 13:30-2.2(a)1. This subchapter shall also apply to a New Jersey licensed dentist approved by the Board to supervise an internship program.

### **13:30-2A.2 Prerequisites for participation in an internship program**

(a) To be eligible to participate in an approved internship program, an applicant shall have:

1. Obtained a high school diploma or its equivalent;
2. Completed at least six months of work experience as a dental assistant pursuant to the provisions of N.J.A.C. 13:30-2A.3 unless the applicant is exempt pursuant to the exemption outlined in N.J.A.C. 13:30-2A.3(d);
3. Obtained annual cardiopulmonary resuscitation (CPR) certification with the American Heart Association or the American Red Cross;

4. Passed the appropriate Dental Assisting National Board (DAB) examination, for example, General Chairside (GC) component of the Certified Dental Assistant (CDA) Examination or Certified Orthodontic Assistant (COA) Examination; and

5. Passed the DAB Infection Control Examination (ICE).

### 13:30-2A.3 Six months' work experience; exception

(a) For purposes of this section, "six months' work experience" means a structured learning experience in the basic knowledge and skills necessary for the practice of dental assisting.

(b) An intern shall render only those duties set forth in N.J.A.C. 13:30-2.4 during the six months' work experience period.

(c) During this period, the supervisor shall prepare the intern for the Dental Assisting National Board General Chairside or Certified Orthodontic Assistant and the Dental Assisting National Board Infection Control Examination. The supervisor shall use a teaching module which includes a written post-test and, at a minimum, instruction and experience opportunities in the following functions:

1. Collection and recording of clinical data;
2. Chairside dental procedures;
3. Chairside dental materials (preparation, manipulation, application);
4. Laboratory materials and procedures;
5. Universal precautions and prevention of disease transmission;
6. Patient education and oral health management;
7. Prevention and management of emergencies;
8. Occupational safety; and
9. Office management procedures.

(d) This section shall not apply to an individual who was employed as a dental assistant in the office of a New Jersey licensed dentist for at least six months during the one-year period immediately preceding (the effective date) of this subchapter.

### 13:30-2A.4 Three-month internship program; general provisions

(a) An individual seeking to supervise or participate in a three-month dental assisting internship program shall obtain the approval of the Board. The Board shall approve only a New Jersey licensed dentist as the supervisor of an internship program.

(b) An internship program shall consist of formal clinical training in general dentistry or in a dental specialty area within the office and under the direct supervision of a licensed New Jersey dentist pursuant to the provisions set forth in this subchapter. The program shall be designed to be completed in no less than three and no more than six months.

(c) An internship program in general dentistry shall be conducted in the office and under the direct supervision of a New Jersey dentist licensed for general practice.

(d) An internship program in a dental specialty shall be conducted in the office and under the direct supervision of a New Jersey licensed dentist who has obtained a Board specialty permit number pursuant to the provisions of N.J.A.C. 13:30-8.4.

### 13:30-2A.5 Three-month internship program; required clinical training for a registered dental assistant

(a) A supervisor shall not commence a three-month internship program until the intern has successfully completed all of the requirements set forth in N.J.A.C. 13:30-2A.2.

(b) For clinical training for a registered dental assistant, the supervisor shall use an appropriate teaching module and shall provide a structured learning experience that includes, at a minimum, instruction and experience opportunities in the following functions:

1. Making impressions for study models;
2. Making bite registrations;
3. Preparation of teeth for bonding;
4. Placement and removal of retraction cord;
5. Selection, placement and removal of rubber dam armamentarium;
6. Preparation, placement and removal of matrices and wedges;
7. Construction of mouthguard appliance;
8. Selection of orthodontic bands;
9. Selection of arch wires;
10. Placement of amalgam in cavity preparations;
11. Placement of gold foil in cavity preparations;
12. Fabrication of acrylic temporary crown restorations;
13. Removal of orthodontic arch wires and ligature wires;
14. Cement temporary crown and bridges; place sedative restorations;
15. Remove excess cement;

16. Placement and removal of dressings utilized following periodontal surgery and other surgical procedures; and

17. Removal of sutures that have been previously placed.

**13:30-2A.6 Three-month internship program; required clinical training for a limited registered dental assistant in orthodontics**

(a) A supervisor shall not commence a three-month internship program until the intern has successfully completed all of the requirements set forth in N.J.A.C. 13:30-2A.2.

(b) For clinical training for a limited registered dental assistant in orthodontics, the supervisor shall use an appropriate teaching module and shall provide a structured learning experience that includes, at a minimum, instruction and experience opportunities in the following functions:

1. Making impressions for study models;
2. Making bite registrations;
3. Preparation of teeth for bonding;
4. Construction of mouthguard appliance;
5. Selection of orthodontic bands;
6. Selection of arch wires;
7. Removal of orthodontic arch wires and ligature wires; and
8. Remove excess cement.

**13:30-2A.7 Supervisor of three-month internship program; general provisions**

(a) A New Jersey licensed dentist seeking Board approval to supervise an internship program shall forward to the Board a written request which includes:

1. The dentist's name, current office address, current office telephone number and license number;
2. A statement indicating whether the dentist shall conduct an internship program in general dentistry or in a dental specialty;
3. If the dentist intends to conduct an internship program in a dental specialty, the dentist shall have a Board specialty permit, and shall include the specialty permit number;
4. An outline of the teaching module which the dentist shall use in the internship program;
5. A detailed description of the texts, videotapes, audiotapes or other program materials which the dentist will utilize in the internship program; and
6. The application fee as set forth in N.J.A.C. 13:30-8.1.

(b) Upon receipt and evaluation of the materials set forth in (a) above, the Board shall determine whether the applicant is approved to conduct the internship program, and shall advise the applicant in writing of its determination.

New Rule, R.1997 d.492, effective November 17, 1997.  
See: 29 N.J.R. 3108(a), 29 N.J.R. 4859(a).

Former N.J.A.C. 13:30-2A.7, "Responsibilities of supervisor", recodified to N.J.A.C. 13:30-2A.8.

**13:30-2A.8 Responsibilities of supervisor**

(a) A licensed dentist may supervise no more than two interns in an approved program at any one time. A multi-dentist practice shall be limited to two interns under supervision at any one time.

(b) The supervisor shall at all times be responsible for, and shall provide direct supervision of, the work performed by the intern. For purposes of this subsection, "direct supervision" means:

1. When direct patient services are being provided, the supervisor shall be chairside at all times and readily available to provide advice, instruction and assistance to the intern and the patient; and
2. In all other instances, the supervisor shall be in the same facility as, and in proximity to, the location where the intern renders services.

(c) The supervisor shall ensure that before an intern performs any direct patient services, the patient receives an oral explanation regarding the intern's status. The supervisor shall also ensure that the intern wears a badge which identifies himself or herself as an intern whenever rendering services or otherwise engaging in professional activity.

(d) The supervisor shall at all times be personally responsible for ensuring that the intern complies with accepted standards of practice, this subchapter, and applicable statutory requirements.

(e) The supervisor shall assign only those patient treatments which are within the scope of practice of the supervisor and the intern; which the intern can perform safely and effectively; and which are consistent with the level of training of the intern.

(f) The supervisor shall notify the Board in writing within 10 days of the termination of any internship agreement for any reason.

(g) The supervisor shall file a final report with the Board, on a form to be provided, within 30 days after the intern completes the internship program. The final report shall include at least the following information:

1. The name, address and current telephone number of the intern;

2. An itemized list and description of the functions which the supervisor included in the teaching module and whether the intern demonstrated proficiency in each function;

3. A description of any deficiency which the intern demonstrated during the program, an outline of any steps which the supervisor employed to address the deficiency, and whether the intern ultimately corrected the deficiency; and

4. A detailed description of any extraordinary circumstances or significant information which arose throughout the course of the internship.

Recodified from N.J.A.C. 13:30-2A.7 by R.1997 d.492, effective November 17, 1997.

See: 29 N.J.R. 3108(a), 29 N.J.R. 4859(a).

Former N.J.A.C. 13:30-2A.8, "Responsibilities of the intern", recodified to N.J.A.C. 13:30-2A.9.

### 13:30-2A.9 Responsibilities of the intern

(a) The intern shall wear a badge which identifies himself or herself as an intern when rendering services or otherwise engaging in professional activity.

(b) The intern shall not provide services independently or without the required supervision and shall not provide any services for which he or she is not trained or being trained to competently perform.

(c) The intern shall comply with the standards of practice set forth in these rules as well as all applicable statutory requirements.

Recodified from N.J.A.C. 13:30-2A.8 by R.1997 d.492, effective November 17, 1997.

See: 29 N.J.R. 3108(a), 29 N.J.R. 4859(a).

Former N.J.A.C. 13:30-2A.9, "Examination", recodified to N.J.A.C. 13:30-2A.10.

### 13:30-2A.10 Examination

(a) An intern who has completed a three-month internship program shall be permitted to continue to work under direct supervision pending the results of the Dental Assisting National Board certification examination.

(b) An intern who fails the certification examination shall be permitted to continue to work as an intern under direct supervision provided the intern registers for the next scheduled examination.

(c) An intern who fails the examination for the second time shall be required to repeat the internship program.

Recodified from N.J.A.C. 13:30-2A.9 by R.1997 d.492, effective November 17, 1997.

See: 29 N.J.R. 3108(a), 29 N.J.R. 4859(a).

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## 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.

(b) The name of the dentist of record shall be conspicuously identified on the patient record. If the dentist of record is not identified on the patient record, it shall be presumed that the dentist of record is the owner(s) of the practice in which the patient was treated.

(c) Each dentist or dental hygienist shall sign or initial each entry on the patient record pertaining to the treatment he or she rendered. If no such entry appears on the patient record, it shall be presumed that such treatment was rendered by the dentist of record, unless the latter shall establish, to the satisfaction of the Board, the identity of the individual who rendered such treatment.

(d) In a multi-dentist practice, the dentist of record shall not change unless the subsequent treating dentist acknowledges in writing in the patient record that he or she is currently the dentist of record for the patient. The dentist of record shall be changed when such individual leaves the practice where treatment was provided and the patient elects to continue treatment in the facility in which treatment began.

(e) A new dentist of record shall be presumed to have obtained or reviewed the patient's medical history and dental records, examined the patient, and either developed a new treatment plan or concurred with the continuance of the pre-existing treatment plan.

(f) Any licensee found to have rendered deficient treatment and the owner of the facility in which the licensee rendered the deficient treatment shall be jointly and several-

ly responsible for the reimbursement to the patient of any fees as may be directed by the Board.

New Rule, R.1988 d.81, effective February 16, 1988.

See: 19 N.J.R. 1629(a), 20 N.J.R. 403(c).

Recodified from N.J.A.C. 13:30-8.17 by R.1990 d.205, effective April 2, 1990.

See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

### **13:30-8.16 Right to hearing**

Prior to any suspension, revocation or refusal to renew a license, the licensee shall have the right to request a hearing which shall be conducted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

New Rule, R.1990 d.205, effective April 2, 1990.

See: 22 N.J.R. 149(b), 22 N.J.R. 1145(a).

### **13:30-8.17 Delegation of physical modalities to unlicensed dental assistants**

(a) A dentist may direct an unlicensed assistant to administer to the dentist's patients certain physical modalities in the limited circumstances set forth in this section.

(b) Physical modalities, for the purpose of this section, shall be limited to heat, cold, ultrasound, and electrogalvanic stimulation. An unlicensed assistant shall not be permitted to perform any rehabilitative exercise programs. No other modalities including, but not limited to, transcutaneous electrical nerve stimulation ("T.E.N.S.") and phonophoresis, shall be performed by an unlicensed assistant.

(c) A dentist may direct the administration of the physical modalities by the unlicensed assistant provided all of the following conditions are satisfied:

1. The dentist shall examine the patient to ascertain the nature of the dental condition or disease; to determine whether the application of a physical modality will encourage the alleviation of dentally related pain and the promotion of healing; to assess the risks of the modality for a given patient and the diagnosed condition, injury or disease, and to decide that the anticipated benefits are likely to outweigh those risks.

2. The dentist shall examine the patient prior to each visit and shall determine all components of the treatment to be performed at the present patient visit. This determination shall include all types of modalities to be employed, a delineation of the precise area to which the application of each modality shall be limited, the dosage, wattage, or other applicable setting, the length of the treatment, and any and all other factors peculiar to the risks of that modality such as strict avoidance of certain parts of the body or static placement of the applicator. This information shall be written on the patient's chart prior to each patient's treatment after the dentist has examined the patient, and it shall be made available at all times to the unlicensed assistant carrying out the instructions. Each dentist who employs such assistants shall submit written notice to the Board of such employment prior to permitting an unlicensed assistant to perform physical modalities as provided in this section.

3. The dentist shall provide instruction to and shall ascertain a satisfactory level of education, competence and comprehension of each unlicensed assistant in regard to all modalities used in that office prior to the use of any modality by an unlicensed assistant. The dentist shall prepare and maintain a written document listing the names of all such unlicensed assistants and outlining the instructions given to each unlicensed assistant. The dentist shall submit such document to the Board upon request.

4. The dentist shall evaluate the patient prior to any subsequent scheduled application of the modality to ascertain that continued treatment is appropriate and that no contraindications to treatment have become apparent.

5. The dentist shall be physically present in the dental office at all times that treatment orders are being carried out by the unlicensed assistant and shall be within reasonable proximity to the treatment room.

(d) A dentist shall have due regard for the specialized training and experience of registered physical therapists. The application of these physical modalities in cases of injuries, diseases or conditions requiring prolonged treatment, if not administered personally by the dentist, shall normally be referred to a licensed physical therapist or other appropriate health care provider.

(e) On a health insurance claim form pertaining to such service and requiring certification by the dentist, the dentist shall identify the specific modality applied and shall not generically identify the treatment as physical therapy.

New Rule, R.1991 d.351, effective July 15, 1991.  
See: 23 N.J.R. 2647(b), 23 N.J.R. 2159(a).

**13:30-8.18 Continuing dental education**

(a) No renewal certificate of registration shall be issued by the Board of Dentistry for the biennial period commencing November 1, 1993 or any following year until the applicant certifies as part of the application for renewal of the certificate of registration that he or she has completed courses of continuing professional dental education of the types and number of credits specified in this section. Such continuing education shall be a mandatory requirement for license renewal, except that the Board shall not require completion of continuing dental education credits for initial registration of dentists.

(b) Any licensee who has no authority to practice dentistry in New Jersey because the licensee holds an inactive registration issued to persons not practicing in this State or a retired registration issued to persons who, for at least 25 years, practiced dentistry in this State and then retired from practice shall be exempt from the continuing education requirements upon biennial renewal of the inactive or retired registration. Any such licensee who desires to resume the practice of dentistry in this State shall be required to certify, as part of the application for an active registration, that he or she has completed 20 hours of continuing education courses for each year of inactive or retired registration retroactive to July 16, 1992 prior to the issuance of an active registration.

(c) Each applicant for a biennial license renewal shall be required to complete, during the preceding biennial period, a minimum of 40 credits of continuing dental education. Any applicant who is initially licensed subsequent to the commencement of any biennial registration period shall be required to complete dental education credits on a pro rata basis prior to the next renewal period in accordance with the following schedule:

- 1. Licensed October-January in the first year of period ..... 40 credits
- 2. Licensed February-April in first year of period ..... 35 credits
- 3. Licensed May-July in first year of period ..... 30 credits
- 4. Licensed August-October in the first year of period ..... 25 credits
- 5. Licensed November-January in second year of period ..... 20 credits
- 6. Licensed February-April in second year of period ..... 15 credits
- 7. Licensed May-July in second year of period ..... 10 credits
- 8. Licensed August-October in second year of period ..... Five credits

(d) One hour of continuing education credit shall be granted for each hour of instruction at lectures, seminars, clinical or laboratory participatory courses, meetings of national, constituent, and components of dental professional associations recognized by the Board, or other educational methods as may be approved by the Board, excluding time spent at meals, breaks or business sessions. Credit shall be granted only for full instructional hours, but not for less than one instructional hour. Successful completion of an entire course or segment of course instruction is required in order to receive any continuing education credit. Unless otherwise provided, only in class participation, not student time devoted to preparation, will be counted.

(e) It shall be the responsibility of each licensee 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 must 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 shall monitor compliance with the mandatory continuing dental education requirement by requesting some licensees, at the discretion of the Board, to provide documentary proof of successful completion of continuing education credits.

(g) All continuing education activities to be accepted for credit shall have significant intellectual or practical content which deals primarily with matters directly related to the practice of dentistry or with the professional responsibilities or ethical obligations of licensees. Subjects such as estate planning, financial or investment/tax planning, personal health or others so deemed by the Board from time to time shall not be acceptable for continuing education credit.

(h) A continuing education sponsor may receive prior approval for a course of acceptable subject matter and be assigned a designated number of continuing education credits by the Board if the program sponsor provides, in writing and on a form provided by the Board, information required by the Board to document that the course meets the following requirements:

1. The course is offered in a subject matter and in a format permissible pursuant to the provisions of this section;
2. The course is conducted by a qualified instructor or discussion leader; and
3. The course is at least one hour in length.

(i) Applications for pre-approval of continuing education programs must be submitted by the program sponsor on the form provided by the Board at least 45 days prior to the date the continuing education program is to be offered. Incomplete applications shall be returned to the sponsor and may result in a failure to grant prior approval of the program. Although failure to obtain prior approval shall not preclude acceptance of the program, there shall be no assurance that the Board will grant approval retroactively.

(j) A licensee may select from any of the areas of study listed below, except that for purposes of obtaining continuing education credits towards the mandatory requirement the licensee may not exceed the maximum number of hours permitted in each category for each biennial period.

1. Educational and scientific courses:
  - i. A licensee may obtain all of the required continuing education hours in this category.
  - ii. Completion of an accredited one year dental residency program or completion of an approved advanced education program leading to specialty certification in endodontics, oral surgery, oral pathology, orthodontics, pediatric dentistry, periodontics, prosthodontics, or public health shall satisfy the entire requirement of continuing education hours for one biennial registration period.
  - iii. A maximum of five hours of continuing education shall be given to a student or an instructor for basic C.P.R. courses.
  - iv. A maximum of five hours of continuing education shall be given for videotape, audiotape and/or correspondence courses. The course must include a written post-test in order to be eligible for credit, and such test shall be retained by the licensee as an additional record of completion of the course.
  - v. The program portion of dinner meetings of constituents and components of professional dental associations recognized by the Board shall be granted a maximum of one credit per meeting as long as the program meets the educational requirements of (g) above.
2. Papers, publications and scientific presentations:
  - i. A licensee may obtain a maximum of 20 hours of continuing education credit in this category.

ii. A maximum of 10 hours of continuing education credit shall be given for each original scientific paper authored by the licensee and published in a refereed journal. At the discretion of the Board, these 10 hours may be divided among all co-authors.

iii. For each original presentation of a paper, essay or formal lecture to a recognized group of fellow professionals, the presenter shall receive two hours of continuing education credit for every hour of presentation.

3. Teaching and research appointments:

i. A licensee involved in teaching or research activities at least one full day or the equivalent of one full day per week per academic year and who holds at least a part time faculty or research appointment shall receive four hours of continuing education credit annually for each full day.

ii. A licensee may obtain a maximum of 20 continuing education credit hours in this category in a biennial period.

4. Table clinics and scientific exhibits:

i. A licensee may obtain a maximum of eight continuing education hours in this category.

ii. The original presentation of a table clinic or scientific exhibit at a professional meeting will provide a maximum of one hour of continuing education credit per clinic or exhibit for each two hours of presentation.

(k) Those licensees who complete 20 hours of continuing education credit in accordance with the requirements for

parenteral conscious sedation and/or general anesthesia permit holders pursuant to N.J.A.C. 13:30-8.2 and 8.3 shall be given credit for all 20 hours towards fulfilling the general requirement for professional continuing education under this section so long as the credits otherwise comply with the provisions of this section.

(l) A maximum of seven continuing education credits completed by a licensee in excess of the requirement as herein provided may be credited to the subsequent registration period.

(m) Any continuing education courses directed or ordered by the Board as a remedial measure shall not be eligible to fulfill the general mandatory continuing education requirement.

(n) The Board may, in its discretion, waive all or a portion of the requirements for continuing dental education on an individual basis for reasons of hardship such as illness or disability or other good cause including, but not limited to, a full time faculty appointment to an accredited dental school or dental hygiene school. Any licensee seeking a waiver of the continuing education requirement must apply to the Board in writing and set forth with specificity the reasons for requesting the waiver. The licensee also shall provide the Board with such additional information as it may reasonably request in support of the application.

New Rule, R.1993 d.413, effective August 16, 1993.

See: 25 N.J.R. 1344(a), 25 N.J.R. 3837(b).

Amended by R.1994 d.621, effective December 19, 1994.

See: 26 N.J.R. 1948(a), 26 N.J.R. 5032(b).