

iv. The name and home address of each dental assistant;

v. The name and home address of each dental technician;

vi. The names, titles and home addresses of all other personnel;

vii. If the clinic is to be operated by a public corporation, the names and addresses of all directors and officers of the corporation;

viii. If the clinic is to be operated by a closed corporation, the names and addresses of all directors, officers and stockholders of the corporation;

ix. If the clinic is to be operated by an entity other than a public or closed corporation, the names and addresses of all persons having any responsibility with respect to the maintenance, operation, or establishment of the clinic in either a professional or business capacity; and

x. Information concerning whether any person listed in the clinic application pursuant to (a)2 above has been convicted of a crime, including the dates of the conviction and a description of the nature of the conviction or whether any criminal charges are pending;

3. A copy of all contracts involving the clinic including:

i. A list of services to which eligible persons are entitled;

ii. A copy of the contract between the owner of the clinic and the dental director;

iii. A copy of the contract between the owner of the clinic and the dentists;

iv. A copy of the contract between the owner of the clinic and the dental hygienists and all other personnel;

v. If the dental director engages the services of dentists and dental hygienists and other personnel, a copy of such contracts;

vi. If the dentists are to be remunerated on a fee for service basis, a copy of the fee schedule; and

4. A proposed budget for the operation of the clinic and a financial statement of the applicant.

(b) All contracts specified in (a)3 above shall be filed with the New Jersey State Board of Dentistry and no change shall be made to such contracts without prior Board approval.

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

13:30-4.4 Permits not transferable

Clinic permits shall not be transferable.

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

13:30-4.5 Annual certificate of renewal

(a) Every dental clinic in New Jersey that has been issued a permit to operate pursuant to this subchapter shall procure from the Executive Director of the Board on or before January 1 each year an annual certificate of renewal. Such certificate shall be issued by the Executive Director upon the payment of the renewal fee set forth in N.J.A.C. 13:30-8.1.

(b) The Executive Director of the Board shall on or before December 1 each year, mail to each holder of a clinic permit a printed renewal application to be filled out and returned by the permit holder to the Executive Director.

(c) Upon receipt of the renewal application, the annual certificate of renewal shall be issued and transmitted to the permit holder.

(d) Any industrial or corporate clinic that fails to procure an annual certificate of renewal or gives misleading or false information on a request for an annual certificate of renewal shall be subject to disciplinary action pursuant to the provisions of N.J.S.A. 45:1-25.

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

13:30-4.6 Changes require Board approval

No industrial or corporate clinic shall make a change in its administrative organization, personnel, construction, physical plant or, stated objectives without first apprising the Board of such contemplated changes and receiving written approval from the Board.

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

Deleted "fundamental" following "make a", and deleted "changes" following "plant".

13:30-4.7 Provision of services

No dental procedure shall be performed in any dental clinics operated, conducted or maintained in this State pursuant to this subchapter except by licensed dentists or licensed dental hygienists in accordance with the provisions of N.J.S.A. 45:6-1 et seq. and this chapter.

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

13:30-4.8 (Reserved)

Repealed by R.2000 d.147, effective April 3, 2000.
See: 32 N.J.R. 215(a), 32 N.J.R. 1221(a).
Section was "Crime involving moral turpitude".

13:30-4.9 Standards of service and facilities

(a) A dental clinic shall provide only those services set forth in the clinic permit application pursuant to N.J.A.C. 13:30-4.2.

(b) The dental clinic permit holder shall ensure that:

1. The services rendered at the dental clinic are provided consistent within the requisite standard of care for Board licensees;

2. The clinic facilities consist of adequate dental equipment and armamentarium, including proper and efficiently operating sterilizing and sanitary devices;

3. The recovery rooms and emergency equipment meet hospital standards;

4. The rest rooms and waiting rooms are of sufficient number and size to accommodate the number of patients to be treated at the clinic; and

5. The clinic complies with all rules adopted for such places of health service as promulgated by the New Jersey State Department of Health and Senior Services and any other State and/or local governmental agency.

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

Rewrote the section.

13:30-4.10 Inspection; requirements of director

(a) Members of the New Jersey State Board of Dentistry or their duly appointed representatives may visit the dental clinic for the purpose of inspection.

(b) The director of the clinic shall be a dentist. The director and all dentists or dental hygienists employed in the dental clinic shall be licensed to practice dentistry or dental hygiene in the State of New Jersey.

(c) The director shall be responsible for all activities performed by clinic personnel, including any dental decisions made by professional and auxiliary personnel employed in the clinic.

(d) The director shall be responsible for the use of the dental clinic by any person engaged in the illegal practice of dentistry and shall be subject to prosecution if any offenders are found guilty of such illegal practice.

(e) All names of persons employed by the dental clinic and their titles of employment shall be furnished to the Board at the time of permit renewal.

(f) Dental hygienists employed by the dental clinic shall provide only those services permitted pursuant to N.J.A.C. 13:30-1A.2.

(g) The director shall furnish to the Board the clinic's method of operation as to control, direction and authority in dental matters including:

1. To whom the director reports; and
2. Type of service rendered by the clinic.

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

SUBCHAPTER 5. CONTINUING EDUCATION**13:30-5.1 Continuing dental education requirements for dentists**

(a) 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. All licensed dentists shall submit a certification verifying completion of 40 hours of continuing dental education every two years at the time of registration renewal, except for the following:

1. Any licensee who holds an inactive license or a retired license pursuant to N.J.A.C. 13:30-1.6 shall be exempt from the requirements of this subchapter, except as provided in (a)1i and ii below:

i. Any inactive or retired licensee, any licensee who has had his or her license revoked or suspended, who has ceased practicing dentistry in all states or jurisdictions in which the licensee may practice and who desires to resume the practice of dentistry in New Jersey shall complete a minimum of 20 hours of continuing education for each year of inactive, retired, revoked or suspended licensure, not to exceed a cumulative total of 80 hours, 40 hours of which shall have been obtained within two years of the date of application for resumption of practice.

ii. Any inactive or retired licensee, or any licensee who has had his or her license revoked or suspended, who has continued the practice of dentistry in any state or jurisdiction other than New Jersey and who desires to resume the practice of dentistry in New Jersey shall complete a minimum of 20 hours of continuing education for each year of inactive, retired, revoked or suspended registration, not to exceed a cumulative total of 40 hours, 20 hours of which shall have been obtained within two years of the date of application for resumption of practice.

2. A licensee whose license has expired pursuant to N.J.A.C. 13:30-1.7 shall complete a minimum of 40 hours of continuing education for each biennial period the license was expired.

3. A licensee who was initially licensed during the preceding biennial period, except as provided in (a)4 below, shall submit a certification verifying the completion of continuing dental education credits on a pro rata basis as follows:

- i. Licensed November-January in the first year of period 40 credits;
- ii. Licensed February-April in first year of period 35 credits;
- iii. Licensed May-July in first year of period..... 30 credits;
- iv. Licensed August-October in the first year of period 25 credits;
- v. Licensed November-January in second year of period 20 credits;
- vi. Licensed February-April in second year of period..... 15 credits;
- vii. Licensed May-July in second year of period.....10 credits; and
- viii. Licensed August-October in second year of period..... Five credits.

4. An individual who graduates from a dental school or who completes a residency program in the first year of the biennial period shall complete 20 credits of continuing education. An individual who graduates from a dental school or who completes a residency program in the second year of the biennial period shall be exempt from continuing education requirements for that biennial period.

(b) One hour of continuing education credit shall be granted for each hour of instruction at lectures, seminars, clinical or laboratory participatory courses, the program portion of dinner and other meetings of national, constituents, 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, shall be counted toward continuing dental education.

(c) It shall be the responsibility of each licensee to maintain a 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 shall obtain from the continuing education course sponsor and retain for a period of four years a 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's name;
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.

(d) 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.

(e) 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, and personal health shall not be acceptable for continuing education credit.

(f) If a continuing education sponsor desires prior approval for a course of acceptable subject matter and seeks to be assigned a designated number of continuing education credits by the Board, the program sponsor shall provide, 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.

(g) Applications for pre-approval of continuing education programs shall 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 an inability to grant approval prior to commencement of the program. Although an inability to obtain prior approval may not preclude acceptance of the program, there is no assurance that the Board will grant approval retroactively.

(h) A licensee may obtain continuing education credits from any of the areas of study listed below. A licensee shall not exceed the maximum number of hours permitted in each area of study for each biennial period, as set forth in (h)1 through 4 below.

1. Educational and scientific courses related to the practice of dentistry;
 - i. A licensee may obtain 40 hours of continuing education in this category.
 - ii. The following shall satisfy the requirement of 40 hours of continuing education for a biennial registration period:
 - (1) Completion of an accredited one-year dental residency program; or

(2) Attendance at, 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.

iii. A maximum of 15 hours of continuing education credit shall be given to a student or an instructor for basic Cardiopulmonary Resuscitation courses or Advanced Cardiac Life Support courses.

iv. A maximum of 10 hours of continuing education credit shall be given for videotape, audiotape or written or electronic correspondence courses. The videotape, audiotape or correspondence course shall include a written post-test, and such test shall be retained by the licensee as an additional record of completion of the course.

v. A maximum of seven hours of continuing education credit shall be given for practice management/managed care courses;

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, the 10 hours may be divided among co-authors based upon the length of the scientific paper and the contributions of each author.

iii. For each original presentation of a paper, essay or formal lecture to a recognized group of fellow professionals, a licensee 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 of teaching or research activity or two hours annually for each half day of teaching or research activity.

ii. A licensee may obtain a maximum of 20 hours of continuing education credit 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. A licensee may obtain up to one hour of continuing education for each two hours of original presentation

of a table clinic or scientific exhibit at a professional meeting.

(i) Licensees who complete the required 20 hours of continuing education credit pursuant to the requirements for parenteral conscious sedation and/or general anesthesia permit holders as set forth in N.J.A.C. 13:30-8.2 and 8.3 shall be given credit for all 20 hours so completed. Licensees who complete the required 20 hours of continuing education credit pursuant to the requirements for enteral sedation permit holders as set forth in N.J.A.C. 13:30-8.4 shall be given credit for all 20 hours so completed.

(j) A maximum of seven continuing education credits completed by a licensee in excess of the 40 credit hours required pursuant to (a) above may be credited to the subsequent biennial registration period.

(k) Any continuing education courses taken by a licensee at the direction or order of the Board as a remedial measure shall not be used to fulfill the continuing education requirement set forth in (a) above.

(l) The Board may, in its discretion, waive all or a portion of the requirements for continuing education on an individual basis for reasons of hardship such as illness or disability or other good cause. Any licensee seeking a waiver of continuing education requirements shall apply to the Board in writing and set forth with specificity the reasons for requesting the waiver. The licensee shall also provide the Board with such additional information as the Board may reasonably request in support of the application.

Amended by R.2005 d.304, effective September 6, 2005.
See: 36 N.J.R. 3629(a), 37 N.J.R. 3432(a).

Added the last sentence in (i).

13:30-5.2 Continuing education requirements for dental hygienists

(a) All licensed dental hygienists shall submit a certification verifying the completion of 10 hours of continuing education every two years at the time of license renewal, except as provided in (b) and (d) below. No more than one-half of the required continuing education hours in the two-year period may be obtained through written or electronic media distance learning courses. For the biennial renewal period commencing on January 1, 2006 and thereafter, all licensed dental hygienists shall be required to complete 20 hours of continuing education every two years at the time of license renewal, consistent with the requirements of this section.

(b) An individual who graduates from a program in dental hygiene in the first year of the biennial period shall complete five credits of continuing education for biennial renewal. An individual who graduates from a program in dental hygiene in the second year of the biennial period shall be exempt from continuing education requirements for that biennial period.