

CHAPTER 30
NEW JERSEY BOARD OF DENTISTRY

Authority

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

Source and Effective Date

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

Chapter Expiration Date

Chapter 30, New Jersey Board of Dentistry, expires on January 5, 2016.

Chapter Historical Note

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

Subchapter 7, Forms, was repealed by R.1987 d.12, effective January 5, 1987.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

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

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as R.1995 d.191, effective March 10, 2000, and Subchapter 2, Applicants for License to Practice Dental Hygiene, was repealed and Subchapter 2, Applicants for License and Standards for Practice for Dental Auxiliaries, was adopted as new rules by R.1995 d.191, effective April 3, 1995.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

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

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

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

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5, Standards for Approval of Dental Schools, and Subchapter 6, Standards for Approval of Schools of Oral Hygiene, were repealed and Subchapter 1A, Dental Hygienists, Subchapter 2, Dental Assistants, Subchapter 5, Continuing Education, and Subchapter 6, Advertising, were adopted as new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

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Subchapter 2A, Registered Dental Assistant and Limited Registered Dental Assistant Three-Month Internship Programs, was repealed, effective September 19, 2005.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

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

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SUBCHAPTER 1. LICENSURE TO PRACTICE DENTISTRY

13:30-1.1 Purpose and scope

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

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

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

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

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

13:30-1.2 Application for licensure to practice dentistry

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

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

1. A certified transcript from the secretary or dean of a dental school, college or department of a university approved by the Commission on Dental Accreditation verify-

ing that the applicant has obtained a dental degree from such institution;

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

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

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

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

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

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

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

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

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

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

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

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

3. Results of the successful completion of parts I and II of the National Board Dental examination;

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

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

5. The American Academy of Dental Hygiene and its constituents and components; and

6. Accredited colleges or universities.

(e) A licensee shall maintain a record of all continuing education activity completed and shall submit a certification verifying the completion of the credit requirements to the Board upon request. Records shall be maintained for two full biennial periods from the date of completion of the continuing education activity. Each licensee shall obtain from the continuing education course sponsor 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.

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

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

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

Rewrote (a); deleted former (b) and (c); recodified former (d) and (e) as (b) and (c), rewriting former (e); recodified former (f) as (d); recodified and rewrote the introductory paragraph of (g) as (e); recodified former (h) as (f).

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

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

In (a), substituted "20" for "10", and deleted the last sentence; in (b), substituted "10" for "five"; in (c)3i, deleted "new" preceding the first occurrence of "teaching", inserted "up to a maximum of four hours of credit per biennial period" and "up to a maximum of two hours of credit per biennial period", and deleted the last sentence; deleted (c)3ii; in (d)4, deleted "and" from the end; added new (d)5; and recodified former (d)5 as (d)6.

13:30-5.3 Continuing education requirements for registered dental assistants and limited registered dental assistants in orthodontics

(a) All registered dental assistants and limited registered dental assistants in orthodontics shall submit a certification verifying the completion of 10 hours of continuing education every two years at the time of registration renewal. 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.

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

1. Scientific courses applicable to the delivery of dental care by dental auxiliaries, including preventive services, radiography, dental photography, nutrition, patient counseling, community health, Cardiopulmonary Resuscitation or Advanced Cardiac Life Support certification, and infection control;

2. Courses which directly relate to or concern the practice of dentistry, including organization and office management, office design, communication skills, behavioral science, dental-legal matters and methods of health care delivery; and

3. Teaching and research appointments:

i. A registrant 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 two hours of continuing education credit annually for each full day of teaching or research up to a maximum of four hours of credit per biennial period and one credit annually for each half day of teaching or research up to a maximum of two hours of credit per biennial period.

(c) The Board shall recognize as acceptable the courses of study and amount of hours credited in continuing education programs approved by the following, provided that the courses satisfy the minimum requirements set forth in this subchapter:

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;

5. The American Academy of Dental Hygiene and its constituents and components; and

6. Accredited colleges or universities.

(d) A registrant shall maintain a record of all continuing education activity completed and shall submit a certification verifying the completion of the continuing education credit requirements to the Board upon request. Records shall be maintained for two full biennial periods from the date of completion of the continuing education activity. Each registrant shall obtain from the continuing education course sponsor 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.

(e) The Board may inspect the registrant's records upon request as may be necessary to insure that the continuing education requirements have been satisfied.

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

In (a), rewrote the introductory paragraph and added the last sentence in i; in (d), added the second sentence, "Records shall be maintained for two full biennial periods from the date of completion of the continuing education activity.", and deleted "and retain for a period of four years" in the introductory paragraph.

Amended by R.2011 d.041, effective February 7, 2011.
See: 42 N.J.R. 2217(a), 43 N.J.R. 310(a).

In (b)3i, deleted "new" preceding the first occurrence of "teaching", inserted "up to a maximum of four hours of credit per biennial period" and "up to a maximum of two hours of credit per biennial period", and deleted the last sentence; deleted (b)3ii; in (c)4, deleted "and" from the end; added new (c)5; and recodified former (c)5 as (c)6.

7. Periodontics;
8. Prosthodontics; and
9. Public health.

(d) The Board shall grant permission to announce a dental specialty or specialization of a dental practice to:

1. A licensed dentist who is certified or eligible for certification by a specialty board recognized by the American Dental Association appropriate to that area of dental practice listed in (c) above; or

2. A licensed dentist who successfully completes a post-doctoral education of two or more years in duration in one or more of the specialty areas listed in (c) above and which, at the time of completion, was accredited or provisionally accredited by the American Dental Association Council on Dental Education.

(e) A licensed dentist permitted to announce a specialty in an area of dentistry pursuant to (d) above shall avoid any inference, implication or announcement by press, sign, card, letterhead or printed matter or any other means of public advertising that another licensed dentist who is associated with or employed in the same practice, but who is not permitted to announce a specialization, is also qualified for the announcement in the specialty practice area.

(f) This section shall not prohibit any licensed dentist from engaging in any aspect of the practice of dentistry in accordance with N.J.S.A. 45:6-1 et seq., and the rules in this chapter.

(g) Applications for a specialty permit may be obtained by writing to the Office of the Board of Dentistry, 124 Halsey Street, PO Box 45005, Newark, New Jersey 07101.

Petition for Rulemaking.
See: 42 N.J.R. 2332(c).
Petition for Rulemaking.
See: 43 N.J.R. 66(d), 889(a).

SUBCHAPTER 6. ADVERTISING

13:30-6.1 Announcement of practice in a special area of dentistry

(a) A licensee who seeks to announce to the public that he or she is a specialist or specializes in one or more area(s) of dental practice listed in (c) below shall first obtain a permit to do so from the Board of Dentistry.

(b) A licensee shall apply to the Board for permission to announce a dental specialty. When granted a permit to announce a specialty in a designated area(s) of dentistry, a licensee shall display the specialty permit or a copy of the specialty permit in all office location(s) during the period of specialty practice. If a licensee discontinues a specialty practice, the specialty permit shall be returned to the Board.

(c) The following special areas of dentistry may be announced as specialty dental practices:

1. Endodontics;
2. Oral or maxillofacial surgery;
3. Oral or maxillofacial radiology;
4. Oral pathology;
5. Orthodontics;
6. Pediatric dentistry (also called Pedodontics);

13:30-6.2 Professional advertising

(a) The following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

"Advertisement" means any attempt directly or indirectly by publication, dissemination, solicitation, endorsement or circulation or in any other way to attract directly or indirectly any person to enter into an express or implied agreement to accept dental services or treatment related thereto.

"Electronic media" means radio, television and the Internet.

"Print media" means newspapers, magazines, periodicals, professional journals, telephone directories, circulars, handbills, flyers and other similar documents or comparable publications, the content of which is disseminated by means of the printed word. "Printed media" shall also include stationary and business cards.

respond to a collective advertisement are directed to one licensee or one dental practice, disclosure of that fact shall be made clearly and unambiguously in all advertisements.

(r) A licensee shall be required to keep copies of all advertisements for a period of three years and such copies shall be made available to the Board upon request. A video or audio tape of every advertisement communicated by electronic media, or a printed copy of an advertisement communicated on the Internet, shall also be retained by the licensee. All copies of advertisements in the licensee’s possession shall indicate the date and place of publication.

Amended by R.2008 d.76, effective April 7, 2008.
See: 39 N.J.R. 1991(a), 40 N.J.R. 1889(a).

In (e), deleted “phrase ‘N.J. Specialty Permit No _____’ and the” preceding the second occurrence of “specialty”, and substituted “licensee has been granted a permit by the Board” for “permit is granted”; and in (g), substituted “the specialty for” for “ ‘N.J. Specialty Permit No _____’ and the specialty in”, inserted “licensee has been granted a”, and substituted “by the Board” for “is granted”.

Petition for Rulemaking.

See: 42 N.J.R. 2332(c).

Petition for Rulemaking.

See: 43 N.J.R. 66(d), 889(a).

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

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

In (i), inserted “by the Board”; added new (j); recodified former (j) through (q) as (k) through (r); added new (n)4; recodified former (n)4 as (n)5; in (n)5, substituted “(n)2” for “(m)2”; and in (p), substituted “(q)” for “(p)”.

SUBCHAPTER 7. (RESERVED)

SUBCHAPTER 8. GENERAL PROVISIONS

13:30-8.1 Fee schedules

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

- 1. Dentists \$125.00
- 2. Dentists Hygienists \$ 75.00
- 3. Registered Dental Assistants and Limited Registered Dental Assistants..... \$ 35.00
- 4. Supervisor of three-month internship program for training of registered dental assistants \$ 35.00

(b) The biennial license and registration fees charged by the New Jersey State Board of Dentistry shall be the following:

- 1. Dentists:
 - i. Initial license fee:
 - (1) If paid during the first year of a biennial renewal period..... \$390.00
 - (2) If paid during the second year of a biennial renewal period..... \$195.00
 - ii. Active license renewal..... \$390.00
 - iii. Inactive license renewal \$140.00
 - iv. Initial branch office registration, dentist:
 - (1) If paid during the first year of a biennial renewal period..... \$90.00
 - (2) If paid during the second year of a biennial renewal period..... \$45.00
 - v. Branch office renewal registration renewal, dentist..... \$90.00