

Synopsis of AB2637 (Eng)

(Throughout this document, the term "B&P" means "Business and Professions Code")

AB2637 has been signed by the Governor, and will become effective January 1, 2009. Generally, the bill retains the DA, RDA, and EF licensure categories, establishes Orthodontic Assistant and Dental Sedation Assistant permit categories, and includes the following effective January 1, 2010:

1. Unlicensed Dental Assistants

a. Duties. B&P Section 1750.1 places into statute the duties that regulations currently allow DAs to perform, with the addition of certain duties. Following are all of the duties, with new duties noted in italics:

(a) A dental assistant may perform the following duties **under the general supervision of a supervising licensed dentist**:

(1) Extra-oral duties or procedures specified by the supervising licensed dentist, provided that those duties or procedures meet the definition of a basic supportive procedure specified in Section 1750.

(2) Operate dental radiography equipment for the purpose of oral radiography if the dental assistant has complied with the requirements of Section 1656.

(3) *Perform intraoral and extraoral photography*

(b) A dental assistant may perform the following duties **under the direct supervision of a supervising dentist**:

(1) Apply non-aerosol and non-caustic topical agents

(2) Apply topical fluoride

(3) *Take intraoral impressions for all nonprosthodontic appliances*

(4) *Take facebow transfers and bite registrations*

(5) Place and remove rubber dams *or other isolation devices*

(6) Place, wedge, and remove matrices for restorative procedures

(7) Remove post-extraction dressings after inspection of the surgical site by the supervising licensed dentist

(8) Perform measurements for the purposes of orthodontic treatment

(9) Cure restorative or orthodontic materials in operative site with a light-curing device

(10) Examine orthodontic appliances

(11) Place and remove orthodontic separators

(12) Remove ligature ties and arch wires

(13) After adjustment by the dentist, examine and seat removable orthodontic appliances and deliver care instructions to the patient

(14) Remove periodontal dressings

(15) Remove sutures after inspection of the site by the dentist

(16) *Place patient monitoring sensors*

(17) *Monitor patient sedation, limited to reading and transmitting information from the monitor display during the intraoperative phase of surgery for electrocardiogram waveform, carbon dioxide and end tidal carbon dioxide concentrations, respiratory cycle data, continuous noninvasive blood pressure data, or pulse arterial oxygen saturation measurements, for the purpose of interpretation and evaluation by a supervising licensed dentist who shall be at the patient's chairside during this procedure.*

(18) Assist in the administration of nitrous oxide when used for analgesia or sedation. A dental assistant shall not start the administration of the gases and shall not adjust the flow of the gases unless instructed to do so by the supervising licensed dentist who shall be present at the patient's chairside during the implementation of these instructions. This paragraph shall not be construed to prevent any person from taking appropriate action in the event of a medical emergency.

(c) **Under the supervision of a registered dental hygienist in alternative practice**, a dental assistant may perform intraoral retraction and suctioning.

(d) The board may specify additional allowable duties by regulation.

(e) The duties of a dental assistant or a dental assistant holding a permit in orthodontic assisting or in dental sedation do not include any of the following procedures unless specifically allowed by law:

(1) Diagnosis and comprehensive treatment planning.

(2) Placing, finishing, or removing permanent restorations.

(3) Surgery or cutting on hard and soft tissue including, but not limited to, the removal of teeth and the cutting and suturing of soft tissue.

(4) Prescribing medication.

(5) Starting or adjusting local or general anesthesia or oral or parenteral conscious sedation, except for the administration of nitrous oxide and oxygen, whether administered alone or in combination with each other and except as otherwise provided by law.

(f) The duties of a dental assistant are defined in subdivision (a) of Section 1750 and do not include any duty or procedure that only an orthodontic assistant permit holder, dental sedation assistant permit holder, registered dental assistant, registered dental assistant in extended functions, registered dental hygienist, or registered dental hygienist in alternative practice is allowed to perform.

b. Required Courses. B&P Section 1750 retains the SB1546/SB1541 statutory requirement that unlicensed DAs who are in a dentist's continuous employment 120 days or more must complete, within a year of the date of employment, a course in basic life support, a board-approved course in infection control, and a board-approved course in the California Dental Practice Act.

B&P Section 1750 also provides that the employer of a dental assistant shall be responsible for ensuring that the dental assistant maintains certification in basic life support.

B&P Section 1756 provides that the board-approved infection control course must be at least 8 hours in length.

2. Orthodontic Assistants (OAs) and Dental Sedation Assistants (DSAs)

a. Permit Requirements. B&P Sections 1750.2 and 1750.4 establish Orthodontic Assistant (OA) and Dental Sedation Assistant (DSA) permit categories, which require completion of 12 months of work experience as a DA, completion of a board-approved OA or DSA course which may commence after 6 months of work experience, a written examination, and completion of board-approved courses in the California Dental Practice Act, infection control, and basic life support. These permits must be maintained in the same manner as other licenses, including renewal and required CE.

b. Course Requirements. B&P Sections 1756.1 and 1756.2 specifies that the OA course must be a minimum of 84 hours, and the DSA course a minimum of 110 hours, and that both must be board-approved. B&P Sections 1754.5, 1755, 1756.1 and 1756.2 specify the requirements that courses must meet to obtain Board approval.

c. RDAs Seeking OA or DSA Permits. OA and DSA permits may be applied for prior to RDA licensure, or an RDA may apply for such permits post-RDA licensure.

d. OA Duties. B&P Section 1750.3 specifies the duties of an OA as:

1750.3. A person holding an orthodontic assistant permit pursuant to Section 1750.2 may perform the following duties **under the direct supervision of a supervising licensed dentist**:

(a) All duties that a dental assistant is allowed to perform.

(b) Prepare teeth for bonding, and select, preposition, and cure orthodontic brackets after their position has been approved by the licensed dentist.

(c) Remove only orthodontic brackets and attachments with removal of the bonding material by the supervising licensed dentist.

(d) Size, fit, and cement orthodontic bands.

(e) Remove orthodontic bands and remove excess cement from supragingival surfaces of teeth with a hand instrument.

- (f) Place and ligate archwires.
- (g) Remove excess cement with an ultrasonic scaler from supragingival surfaces of teeth undergoing orthodontic treatment.
- (h) Any additional duties that the board may prescribe by regulation.

e. DSA Duties. B&P Section 1750.5 specifies the duties of a DSA as:

1750.5. A person holding a dental sedation assistant permit pursuant to Section 1750.4 may perform the following duties **under the direct supervision of a licensed dentist or other licensed health care professional authorized to administer conscious sedation or general anesthesia in the dental office:**

- (a) All duties that a dental assistant is allowed to perform.
- (b) Monitor patients undergoing conscious sedation or general anesthesia utilizing data from noninvasive instrumentation such as pulse oximeters, electrocardiograms, capnography, blood pressure, pulse, and respiration rate monitoring devices. Evaluation of the condition of a sedated patient shall remain the responsibility of the dentist or other licensed health care professional authorized to administer conscious sedation or general anesthesia, who shall be at the patient's chairside while conscious sedation or general anesthesia is being administered.
- (c) Drug identification and draw, limited to identification of appropriate medications, ampule and vial preparation, and withdrawing drugs of correct amount as verified by the supervising licensed dentist.
- (d) Add drugs, medications, and fluids to intravenous lines using a syringe, provided that a supervising licensed dentist is present at the patient's chairside, limited to determining patency of intravenous line, selection of injection port, syringe insertion into injection port, occlusion of intravenous line and blood aspiration, line release and injection of drugs for appropriate time interval. The exception to this duty is that the initial dose of a drug or medication shall be administered by the supervising licensed dentist.
- (e) Removal of intravenous lines.
- (f) Any additional duties that the board may prescribe by regulation.
- (g) The duties listed in subdivisions (b) to (e), inclusive, may not be performed in any setting other than a dental office or dental clinic.

f. Overlapping RDA and OA Duties. RDAs will be allowed to continue to perform the overlapping OA duties that they are currently allowed to perform without seeking an OA permit (placing ligature ties and archwires, removing orthodontic bands, and removing excess cement from tooth surfaces with a hand instrument), and RDAs applying for an OA permit will not be required to complete further training in such duties.

3. Registered Dental Assistants (RDAs)

a. Duties. B&P Section 1752.4 places into statute most of the duties that regulations currently allow RDAs to perform, with the addition of certain duties, and with some duties moved to the DA category. Following are all of the duties, with new duties noted in italics:

- (a) A registered dental assistant may perform all of the following duties:
 - (1) All duties that a dental assistant is allowed to perform;
 - (2) Mouth-mirror inspections of the oral cavity, to include charting of obvious lesions, existing restorations, and missing teeth
 - (3) Apply and activate bleaching agents using a nonlaser light-curing device
 - (4) *Use of automated caries detection devices and materials to gather information for diagnosis by the dentist*
 - (5) *Obtain intraoral images for computer-aided design (CAD), milled restorations.*
 - (6) Pulp vitality testing and recording of findings
 - (7) Place bases, liners, and *bonding agents*

- (8) *Chemically prepare teeth for bonding*
- (9) *Place, adjust, and finish direct provisional restorations* (broader definition of current duty)
- (10) *Fabricate, adjust, cement and remove indirect provisional restorations, including stainless steel crowns when used as a provisional restoration* (broader definition of current duty)
- (11) Place post-extraction dressings after inspection of the surgical site by the supervising licensed dentist
- (12) Place periodontal dressings
- (13) Dry endodontically treated canals using absorbent paper points
- (14) *Adjust dentures extra-orally*
- (15) *Remove excess cement from surfaces of teeth with a hand instrument* (broader definition of current duty)
- (16) Polish coronal surfaces of the teeth
- (17) Place ligature ties and arch wires.
- (18) Remove orthodontic bands
- (19) All duties that the board may prescribe by regulation.

(b) A registered dental assistant may only perform the following additional duties if he or she has completed a board-approved registered dental assistant educational program in those duties, or if he or she has provided evidence, satisfactory to the board, of having completed a board-approved course in those duties.

(1) Remove excess cement with an ultrasonic scaler from supragingival surfaces of teeth undergoing orthodontic treatment.

(2) The allowable duties of an orthodontic assistant permitholder as specified in Section 1750.3. A registered dental assistant shall not be required to complete further instruction in the duties of placing ligature ties and archwires, removing orthodontic bands, and removing excess cement from tooth surfaces with a hand instrument.

(3) The allowable duties of a dental sedation assistant permitholder as specified in Section 1750.5.

(4) The application of pit and fissure sealants.

(c) Except as provided in Section 1777, **the supervising licensed dentist shall be responsible for determining whether each authorized procedure performed by a registered dental assistant should be performed under general or direct supervision.**

b. Optional RDA Duties. B&P Section 1752.4 (see section above) allows an RDA to optionally perform the following additional duties if he or she has completed a board-approved RDA educational program approved to instruct in such duty or duties, or if he or she has provided evidence to the Board of having completed a board-approved course in such duty or duties:

(1) Remove excess cement with an ultrasonic scaler from supragingival surfaces of teeth undergoing orthodontic treatment.

(2) The permitted duties of an orthodontic assistant (except that a licensed RDA shall not be required to complete further instruction in the duties of placing ligature ties and archwires, removing orthodontic bands, and removing excess cement from tooth surfaces with a hand instrument).

(3) The permitted duties of a dental sedation assistant.

(4) The application of pit and fissure sealants.

c. Pit and Fissure Sealants. B&P Section 1752.6 requires that RDAs who are licensed on and after January 1, 2010, complete a board-approved course in the application of pit and fissure sealants as a condition of the first renewal that requires CE.

d. Work Experience. B&P Section 1752.1 requires that individuals applying via the work experience pathway on or after January 1, 2010, must have 15 months of work experience rather than 12 months. B&P Section 1752.1 allows credit toward the 15-month work experience requirement for graduation from non-board dental assisting programs on a week-for-week basis, eliminating the current 16-week maximum credit.

e. RDA Licensure Requirements. B&P Section 1752.1 requires that all applicants for RDA licensure must have completed a board-approved course in the California Dental Practice Act,

an 8-hour board-approved course in infection control, and a course in basic life support within five years prior to application.

f. Law and Ethics Examinations. B&P Section 1752.1 requires that individuals applying after January 1, 2010 must pass a written examination in Law and Ethics.

g. Examination Requirements. B&P Section 1752.3 places the RDA examination requirements into statute.

4. RDA Educational Programs

B&P Section 1757 places into statute the requirements that RDA programs must meet to obtain and maintain board approval. B&P Sections 1754.5 and 1755 also contain requirements that all Board-approved courses and programs must meet. Following are some of the highlights of the new requirements, but programs should thoroughly review the entire text of B&P Sections 1754.5, 1755, and 1757, which are attached:

a. Optional Instruction. RDA programs are allowed, but not required, to apply for approval to teach OA, DSA, and ultrasonic scaling courses.

b. Required Pit and Fissure Sealant Instruction. RDA programs will be required to provide instruction in the application of pit and fissure sealants on and after July 1, 2009. Programs must apply for approval to provide this instruction.

c. Required Certification by April 30, 2009, and Required Instruction Beginning July 1, 2009. An existing approved RDA program will continue to be approved only if it has certified to the board no later than April 30, 2009, on a form specified by the board, that it shall, no later than July 1, 2009, comply with all of the requirements of Section 1757 in providing instruction in all duties that dental assistants and registered dental assistants will be allowed to perform on and after January 1, 2010. The certification to the board shall contain the date on which the program will begin teaching those duties.

Beginning July 1, 2009, each program must teach the content specified in Sections 1755 and 1757, as well as the following additional content:

- (1) A radiation safety course that meets all of the requirements of the regulations of the board.
- (2) A coronal polishing course that meets all of the requirements of the regulations of the board.
- (3) A pit and fissure sealant course that meets all of the requirements of the regulations of the board.
- (4) A course in basic life support provided by an instructor approved by the American Red Cross or the American Heart Association, or any other course approved by the board as equivalent.

d. Requirements of Faculty

Each program faculty member shall have successfully completed a board-approved course in the application of pit and fissure sealants. (Excerpt: B&P 1757(c))

By January 1, 2010, each faculty member shall have completed a board-approved course in instructional methodology of at least 30 hours, unless he or she holds any one of the following: a postgraduate degree in education, a Ryan Designated Subjects Vocational Education Teaching Credential, a Standard Designated Subjects Teaching Credential, or, a Community College Teaching Credential. Each faculty member employed on or after January 1, 2010, shall complete a course in instructional methodology within six months of employment.

Note: Current regulations require that all faculty responsible for clinical evaluation in teaching a pit and fissure sealant course or a coronal polishing course shall have completed a two hour methodology course in clinical evaluation. Current regulations also require that all faculty responsible for clinical evaluation in teaching a Radiation Safety Course shall have completed a two hour methodology course which shall include clinical evaluation criteria, course outline development, process evaluation, and product evaluation.

e. Program Hours. The program shall be of sufficient duration for the student to develop minimum competence in performing dental assistant and registered dental assistant duties, but in no event less than 800 hours, including at least 275 hours of didactic instruction, at least 260 hours of laboratory instruction, and at least 85 hours of preclinical and clinical instruction conducted in the program's facilities under the direct supervision of program faculty. No more than 20 hours shall be devoted to instruction in clerical, administrative, practice management, or similar duties.

f. Extramural Instruction. No more than 25 percent of the required clinical instruction shall take place in extramural clinical facilities, and no more than 25 percent of extramural clinical instruction shall take place in a specialty dental practice.

g. Equipment and Armamentaria

The following are minimum requirements for equipment and armamentaria during laboratory, preclinical, and clinical sessions as appropriate to each type of session and in ratios specified in Section 1070.2 of Title 16 of the California Code of Regulations: amalgamator, model trimmers (one for every 5 students), dental rotary equipment (one for every 3 students), vibrators (one for every 3 students), light curing devices, functional tyodont and bench mounts (one for every 2 students), functional orthodontically banded tyodonts, facebows, automated blood pressure device, EKG machine, pulse oximeters, capnograph or simulated device, sets of hand instruments for each procedure (one set for every 2 students), respiration device, camera for intraoral use, camera for extraoral use, CAD machine or simulated device, caries detection device, and all other equipment and armamentaria required to teach dental assistant and registered dental assistant duties.

One permanently preassembly tray for each procedure shall be provided for reference purposes.

Provision shall be made for reasonable access to current and diverse dental and medical reference texts, current journals, audiovisual materials, and other necessary resources. Library holdings, which may include access through the Internet, shall include materials relating to all subject areas of the program curriculum.

5. Registered Dental Assistants in Extended Functions (EFs)

a. Duties. B&P Section 1753.3 places into statute most of the duties that regulations currently allow EFs to perform, with the addition of certain duties, and certain duties moved to other categories. Following are all of the duties that EFs licensed after January 1, 2010, will be allowed to perform, with new duties noted in italics:

1753.5. (a) A registered dental assistant in extended functions licensed on or after January 1, 2010, is authorized to perform all duties and procedures that a registered dental assistant is authorized to perform as

specified in and limited by Section 1752.4, and those duties that the board may prescribe by regulation.

(b) A registered dental assistant in extended functions licensed on or after January 1, 2010, is authorized to perform the following additional procedures **under direct supervision and pursuant to the order, control, and full professional responsibility of a licensed dentist:**

(1) *Conduct preliminary evaluation of the patient's oral health, including, but not limited to, charting, intraoral and extra-oral evaluation of soft tissue, classifying occlusion, and myofunctional evaluation.*

(2) *Perform oral health assessments in school-based, community health project settings under the direction of a dentist, registered dental hygienist, or registered dental hygienist in alternative practice.*

(3) Cord retraction of gingiva for impression procedures.

(4) Size and fit endodontic master points *and accessory points.*

(5) Cement endodontic master points and accessory points.

(6) Take final impressions for permanent indirect restorations.

(7) *Take final impressions for tooth-borne removable prosthesis.*

(8) *Polish and contour existing amalgam restorations.*

(9) *Place, contour, finish, and adjust all direct restorations.*

(10) *Adjust and cement permanent indirect restorations.*

(11) Other procedures authorized by regulations adopted by the board.

(c) All procedures required to be performed under direct supervision shall be checked and approved by the supervising licensed dentist prior to the patient's dismissal from the office.

b. Existing EFs. B&P Section 1753.4 requires EFs who are licensed prior to January 1, 2010, and who wish to perform the new duties, to complete a board-approved course in all of the new duties, and complete specified examinations.

c. EF Examinations. B&P Section 1753.4 places the EF examination requirements in statute.

6. EF Educational Programs

a. Program Requirements. B&P Section 1758 places into statute the requirements that EF programs must meet to obtain and maintain board approval. B&P Sections 1754.5 and 1755 also contain requirements that all Board-approved courses and programs must meet.

The requirements of B&P Section 1758 include a requirement that a program approved prior to January 1, 2009, shall comply with board regulations with regard to program content until the date specified in a written certification from the program to the board that it will begin teaching the duties that RDAEFs will be allowed to perform beginning January 1, 2010, which may include the instruction of existing RDAEFs in the additional duties specified in Section 1753.6. The certification shall be filed with the board no later than July 1, 2009, and the date on which the program shall comply with the program content specified in this section shall be no later than January 1, 2010.

ATTACHMENT: APPLICABLE LAWS

RDA Allowable Duties Beginning 1/1/10

Following are sections of the Business and Professions Code that describe the allowable duties of unlicensed dental assistants and RDAs beginning January 1, 2010.

Business and Professions Code Section 1750.1 – DA Duties Beginning 1/1/10

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

(1) Extra-oral duties or procedures specified by the supervising licensed dentist, provided that these duties or procedures meet the definition of a basic supportive procedure specified in Section 1750.

(2) Operate dental radiography equipment for the purpose of oral radiography if the dental assistant has complied with the requirements of Section 1656.

(3) Perform intraoral and extraoral photography.

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

(1) Apply nonaerosol and noncaustic topical agents.

(2) Apply topical fluoride.

(3) Take intraoral impressions for all nonprosthodontic appliances.

(4) Take facebow transfers and bite registrations.

(5) Place and remove rubber dams or other isolation devices.

(6) Place, wedge, and remove matrices for restorative procedures.

(7) Remove post-extraction dressings after inspection of the surgical site by the supervising licensed dentist.

(8) Perform measurements for the purposes of orthodontic treatment.

(9) Cure restorative or orthodontic materials in operative site with a light-curing device.

(10) Examine orthodontic appliances.

(11) Place and remove orthodontic separators.

(12) Remove ligature ties and archwires.

(13) After adjustment by the dentist, examine and seat removable orthodontic appliances and deliver care instructions to the patient.

(14) Remove periodontal dressings.

(15) Remove sutures after inspection of the site by the dentist.

(16) Place patient monitoring sensors.

(17) Monitor patient sedation, limited to reading and transmitting information from the monitor display during the intraoperative phase of surgery for electrocardiogram waveform, carbon dioxide and end tidal carbon dioxide concentrations, respiratory cycle data, continuous noninvasive blood pressure data, or pulse arterial oxygen saturation measurements, for the purpose of interpretation and evaluation by a supervising licensed dentist who shall be at the patient's chairside during this procedure.

(18) Assist in the administration of nitrous oxide when used for analgesia or sedation. A dental assistant shall not start the administration of the gases and shall not adjust the flow of the gases unless instructed to do so by the supervising licensed dentist who shall be present at the patient's chairside during the implementation of these instructions. This paragraph shall not be construed to prevent any person from taking appropriate action in the event of a medical emergency.

(c) Under the supervision of a registered dental hygienist in alternative practice, a dental assistant may perform intraoral retraction and suctioning.

(d) The board may specify additional allowable duties by regulation.

(e) The duties of a dental assistant or a dental assistant holding a permit in orthodontic assisting or in dental sedation do not include any of the following procedures unless specifically allowed by law:

(1) Diagnosis and comprehensive treatment planning.

(2) Placing, finishing, or removing permanent restorations.

(3) Surgery or cutting on hard and soft tissue including, but not limited to, the removal of teeth and the cutting and suturing of soft tissue.

(4) Prescribing medication.

(5) Starting or adjusting local or general anesthesia or oral or parenteral conscious sedation, except for the administration of nitrous oxide and oxygen, whether administered alone or in combination with each other and except as otherwise provided by law.

(f) The duties of a dental assistant are defined in subdivision (a) of Section 1750 and do not include any duty or procedure that only an orthodontic assistant permitholder, dental sedation assistant permitholder, registered dental assistant, registered dental assistant in extended functions, registered dental hygienist, or registered dental hygienist in alternative practice is allowed to perform.

Business and Professions Code Section 1752.4. – RDA Duties Beginning 1/1/10

- (a) A registered dental assistant may perform all of the following duties:
- (1) All duties that a dental assistant is allowed to perform.
 - (2) Mouth-mirror inspections of the oral cavity, to include charting of obvious lesions, existing restorations, and missing teeth.
 - (3) Apply and activate bleaching agents using a nonlaser light-curing device.
 - (4) Use of automated caries detection devices and materials to gather information for diagnosis by the dentist.
 - (5) Obtain intraoral images for computer-aided design (CAD), milled restorations.
 - (6) Pulp vitality testing and recording of findings.
 - (7) Place bases, liners, and bonding agents.
 - (8) Chemically prepare teeth for bonding.
 - (9) Place, adjust, and finish direct provisional restorations.
 - (10) Fabricate, adjust, cement, and remove indirect provisional restorations, including stainless steel crowns when used as a provisional restoration.
 - (11) Place post-extraction dressings after inspection of the surgical site by the supervising licensed dentist.
 - (12) Place periodontal dressings.
 - (13) Dry endodontically treated canals using absorbent paper points.
 - (14) Adjust dentures extra-orally.
 - (15) Remove excess cement from surfaces of teeth with a hand instrument.
 - (16) Polish coronal surfaces of the teeth.
 - (17) Place ligature ties and archwires.
 - (18) Remove orthodontic bands.
 - (19) All duties that the board may prescribe by regulation.
- (b) A registered dental assistant may only perform the following additional duties if he or she has completed a board-approved registered dental assistant educational program in those duties, or if he or she has provided evidence, satisfactory to the board, of having completed a board-approved course in those duties.
- (1) Remove excess cement with an ultrasonic scaler from supragingival surfaces of teeth undergoing orthodontic treatment.
 - (2) The allowable duties of an orthodontic assistant permitholder as specified in Section 1750.3. A registered dental assistant shall not be required to complete further instruction in the duties of placing ligature ties and archwires, removing orthodontic bands, and removing excess cement from tooth surfaces with a hand instrument.
 - (3) The allowable duties of a dental sedation assistant permitholder as specified in Section 1750.5.
 - (4) The application of pit and fissure sealants.
- (c) Except as provided in Section 1777, the supervising licensed dentist shall be responsible for determining whether each authorized procedure performed by a registered dental assistant should be performed under general or direct supervision.
- (d) This section shall become operative on January 1, 2010.

Requirements for Registered Dental Assistant Programs

Following are the statutes that will govern Registered Dental Assistant programs.

Business and Professions Code Section 1754.5 – Definitions/Faculty to Student Ratios

1754.5. As used in this article, the following definitions shall apply:

- (a) "Didactic instruction" means lectures, demonstrations, and other instruction without active participation by students. The approved provider or its designee may provide didactic instruction via electronic media, home study materials, or live lecture methodology if the provider has submitted that content for approval.
- (b) "Laboratory instruction" means instruction in which students receive supervised experience

performing procedures using study models, mannequins, or other simulation methods. There shall be at least one instructor for every 14 students who are simultaneously engaged in laboratory instruction.

(c) "Preclinical instruction" means instruction in which students receive supervised experience performing procedures on students, faculty, or staff members. There shall be at least one instructor for every six students who are simultaneously engaged in preclinical instruction.

(d) "Clinical instruction" means instruction in which students receive supervised experience in performing procedures in a clinical setting on patients. Clinical instruction shall only be performed upon successful demonstration and evaluation of preclinical skills. There shall be at least one instructor for every six students who are simultaneously engaged in clinical instruction.

(e) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

Business and Professions Code Section 1755 – General Provisions Governing all Dental Assistant Programs and Courses

1755. (a) (1) The criteria in subdivisions (b) to (h), inclusive, shall be met by a dental assisting program or course and all orthodontic assisting and dental sedation assisting permit programs or courses to secure and maintain approval by the board as provided in this article.

(2) The board may approve, provisionally approve, or deny approval of any program or course.

(3) Program and course records shall be subject to inspection by the board at any time.

(4) The board may withdraw approval at any time that it determines that a program or course does not meet the requirements established in this section or any other requirements of law.

(5) All programs and courses shall be established at the postsecondary educational level or deemed equivalent thereto by the board.

(b) The program or course director shall possess a valid, active, and current license issued by the *board*.

The program or course director shall actively participate in and be responsible for the day-to-day administration of the program or course, including the following requirements:

(1) Maintaining for a period of not less than five years copies of curricula, program outlines, objectives, and grading criteria, and copies of faculty credentials, licenses, and certifications, and individual student records, including those necessary to establish satisfactory completion of the program or course.

(2) Informing the board of any major change to the program or course content, physical facilities, or faculty, within 10 days of the change.

(3) Ensuring that all staff and faculty involved in clinical instruction meet the requirements set forth in this article.

(c) No faculty member shall instruct in any procedure that he or she is not licensed or permitted to perform. Each faculty member shall have been licensed or permitted for a minimum of two years and possess experience in the subject matter he or she is teaching.

(d) A certificate or other evidence of completion shall be issued to each student who successfully completes the program or course and shall include the student's name, the name of the program or course, the total number of program or course hours, the date of completion, and the signature of the program or course director or his or her designee.

(e) Facilities and class scheduling shall provide each student with sufficient opportunity, with instructor supervision, to develop minimum competency in all duties for which the program or course is approved to instruct.

(1) The location and number of general use equipment and armamentaria shall ensure that each student has the access necessary to develop minimum competency in all of the duties for which the program or course is approved to instruct. The program or course provider may either provide the specified equipment and supplies or require that the student provide them. Nothing in this section shall preclude a dental office that contains the equipment required by this section from serving as a location for laboratory instruction.

(2) The minimum requirement for armamentaria includes infection control materials specified by the Division of Occupational Safety and Health and the regulations of the board, protective eyewear, mask, and gloves for each student and faculty member, and appropriate eye protection for each piece of equipment.

(3) Clinical instruction shall be of sufficient duration to allow the procedures to be performed to clinical

proficiency. Operatories shall be sufficient in number to allow a ratio of at least one operatory for every five students who are simultaneously engaged in clinical instruction.

(A) Each operatory shall contain functional equipment, including a power-operated chair for treating patients in a supine position, operator and assistant stools, air-water syringe, adjustable light, oral evacuation equipment, work surface, and adjacent hand-washing sink.

(B) Each operatory shall be of sufficient size to simultaneously accommodate one student, one instructor, and one patient.

(f) The program or course shall establish written clinical and laboratory protocols to ensure adequate asepsis, infection, and hazard control and disposal of hazardous wastes, that comply with the board's regulations and other federal, state, and local requirements. The program or course shall provide these protocols to all students, faculty, and appropriate staff to ensure compliance with these protocols. Adequate space shall be provided for preparing and sterilizing all armamentarium. All reusable armamentarium shall be sterilized and nonreusable items properly disposed.

(g) A written policy on managing emergency situations shall be made available to all students, faculty, and staff. All faculty and staff involved in the direct provision of patient care shall be certified in basic life support procedures, including cardiopulmonary resuscitation. Recertification intervals may not exceed two years. The program or course director shall ensure and document compliance by faculty and staff. A program or course shall not be required to ensure that students complete instruction in basic life support prior to performing procedures on patients.

(h) A detailed program or course outline shall clearly state curriculum subject matter and specific instruction hours in the individual areas of didactic, laboratory, and clinical instruction. General program or course objectives and specific instructional unit objectives shall be stated in writing, and shall include theoretical aspects of each subject as well as practical application. Objective evaluation criteria shall be used for measuring student progress toward attainment of specific program or course objectives. Students shall be provided with all of the following:

(1) Specific unit objectives and the evaluation criteria that will be used for all aspects of the curriculum including written, practical, and clinical examinations.

(2) Standards of performance that state the minimum number of satisfactory performances that are required for each procedure.

(3) Standards of performance for laboratory, preclinical, and clinical functions, those steps that constitute a critical error and would cause the student to fail the procedure, and a description of each of the grades that may be assessed for each procedure.

(i) (1) If an extramural clinical facility is utilized, students shall, as part of an extramural organized program of instruction, be provided with planned, supervised clinical instruction. Laboratory and preclinical instruction shall be performed under the direct supervision of program or course faculty and shall not be provided in extramural facilities.

(2) The program or course director, or a designated faculty member, shall be responsible for selecting extramural clinical sites and evaluating student competence in performing procedures both before and after the clinical assignment.

(3) The program or course director, or a designated faculty member, shall orient dentists who intend to provide extramural clinical facilities prior to the student assignment. Orientation shall include the objectives of the program or course, the student's preparation for the clinical assignment, and a review of procedures and criteria to be used by the dentist in evaluating the student during the assignment. The program or course faculty and extramural clinic personnel shall use the same objective evaluation criteria.

(4) There shall be a written contract of affiliation with each extramural clinical facility, which shall describe the settings in which the clinical training will be received, and affirm that the dentist and clinic personnel acknowledge the legal scope of duties and infection control requirements, that the clinical facility has the necessary equipment and armamentaria appropriate for the procedures to be performed, and that the equipment and armamentaria are in safe operating condition.

(j) Any additional requirements that the board may prescribe by regulation.

(k) This section shall remain in effect only until January 1 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

Business and Professions Code Section 1757 - Registered Dental Assistant Programs.

1757. (a) A registered dental assistant program shall receive board approval prior to operation.

(1) In order for a registered dental assistant program to secure and maintain approval by the board, it shall meet the requirements of Section 1755 and the following requirements:

(A) Programs approved on or after January 1, 2009, shall meet all of the requirements of this section.

(B) Programs approved prior to January 1, 2009, shall meet all of the requirements of this section except as otherwise specified. Such a program shall continue to be approved only if it has certified to the board no later than April 30, 2009, on a form specified by the board, that it shall, no later than July 1, 2009, comply with all of the requirements of this section in providing instruction in all duties that registered dental assistants will be allowed to perform on and after January 1, 2010. The certification to the board shall contain the date on which the program will begin teaching those duties.

(2) A program shall notify the board in writing if it wishes to increase the maximum student enrollment for which it is approved and shall provide whatever additional documentation the board requires to reapprove the program for the increased enrollment prior to accepting additional students.

(3) The board may at any time conduct a thorough evaluation of an approved educational program's curriculum and facilities to determine whether the program meets the requirements for continued approval.

(4) The board may, in lieu of conducting its own investigation, accept the findings of any commission or accreditation agency approved by the board and adopt those findings as its own.

(b) Programs shall have an advisory committee consisting of an equal number of registered dental assistants and dentists, including at least two registered dental assistants and two dentists, all currently licensed by the board. The advisory committee shall meet at least once each academic year with the program director, faculty, and appropriate institutional personnel to monitor the ongoing quality and performance of the program. Programs that admit students at different phases shall meet at least twice each year.

(c) Adequate provision for the supervision and operation of the program shall be made. In addition to the requirements of Section 1755, the following requirements shall be met:

(1) Each program faculty member shall have successfully completed a board-approved course in the application of pit and fissure sealants.

(2) By January 1, 2010, each faculty member shall have completed a board-approved course in instructional methodology of at least 30 hours, unless he or she holds any one of the following: a postgraduate degree in education, a Ryan Designated Subjects Vocational Education Teaching Credential, a Standard Designated Subjects Teaching Credential, or, a Community College Teaching Credential. Each faculty member employed on or after January 1, 2010, shall complete a course in instructional methodology within six months of employment.

(3) The program director shall have teaching responsibilities that are less than those of a full-time faculty member. He or she shall actively participate in and be responsible for the day-to-day administration of the program including the following:

(A) Participating in budget preparation and fiscal administration, curriculum development and coordination, determination of teaching assignments, supervision and evaluation of faculty, establishment of mission criteria and procedures, design and operation of program facilities, and selection of extramural facilities and coordination of instruction in those facilities.

(B) Holding periodic faculty meetings to provide for subject matter correlation and curriculum evaluation, and coordinating activities of full-time, part-time, and volunteer faculty.

(C) Maintaining for not less than five years' copies of minutes of all advisory committee meetings.

(4) The owner or school administrator shall be responsible for the compliance of the program director with the provisions of this section and Section 1755.

(d) The program shall have sufficient financial resources available to support the program and to comply with this section. If the program or school requires approval by any other governmental agency, that approval shall be obtained prior to application to the board for approval and shall be maintained at all times. The failure to maintain that approval shall result in the automatic withdrawal of board approval of the program.

(e) The program shall be of sufficient duration for the student to develop minimum competence in performing dental assistant and registered dental assistant duties, but in no event less than 800 hours, including at least 275 hours of didactic instruction, at least 260 hours of laboratory instruction, and at least 85 hours of preclinical and clinical instruction conducted in the program's facilities under the direct supervision of program faculty. No more than 20 hours shall be devoted to instruction in clerical,

administrative, practice management, or similar duties. A program approved prior to January 1, 2009, shall comply with board regulations with regard to required program hours until the date specified in the written certification from the program to the board that it will begin teaching the duties that registered dental assistants will be authorized to perform on and after January 1, 2010.

(f) In addition to the requirements of Section 1755 with regard to extramural instruction, no more than 25 percent of the required clinical instruction shall take place in extramural clinical facilities, and no more than 25 percent of extramural clinical instruction shall take place in a speciality dental practice.

(g) Facilities and class scheduling shall provide each student with sufficient opportunity, with instructor supervision, to develop minimum competency in all duties that registered dental assistants are authorized to perform. The following requirements are in addition to those contained in Section 1755:

(1) The following are minimum requirements for equipment and armamentaria during laboratory, preclinical, and clinical sessions as appropriate to each type of session and in ratios specified in Section 1070.2 of Title 16 of the California Code of Regulations: amalgamator, model trimmers, dental rotary equipment, vibrators, light curing devices, functional typodont and bench mounts, functional orthodontically banded typodonts, facebows, automated blood pressure device, EKG machine, pulse oximeters, capnograph or simulated device, sets of hand instruments for each procedure, respiration device, camera for intraoral use, camera for extraoral use, CAD machine or simulated device, caries detection device, and all other equipment and armamentaria required to teach dental assistant and registered dental assistant duties.

(2) One permanently preassembled tray for each procedure shall be provided for reference purposes.

(3) Provision shall be made for reasonable access to current and diverse dental and medical reference texts, current journals, audiovisual materials, and other necessary resources. Library holdings, which may include access through the Internet, shall include materials relating to all subject areas of the program curriculum.

(4) Emergency materials shall include, but not be limited to, an oxygen tank that is readily available and functional. Medical materials for treating patients with life-threatening conditions shall be available for instruction and accessible to the operatories. Facilities that do not treat patients shall maintain a working model of a kit of such emergency materials for instructional purposes.

(h) The curriculum shall be established, reviewed, and amended as necessary to allow for changes in the practice of dentistry and registered dental assisting. Programs that admit students in phases shall provide students with basic instruction prior to participation in any other portion of the program that shall, at a minimum, include tooth anatomy, tooth numbering, general program guidelines and safety precautions, and infection control and sterilization protocols

associated with and required for patient treatment. All programs shall provide students with additional instruction in the infection control regulations and guidelines of the board and Cal-DOSH prior to the student's performance of procedures on patients.

(i) (1) A program approved prior to January 1, 2009, shall comply with board regulations with regard to program content until the date specified in the written certification from the program to the board, as specified in subparagraph (B) of paragraph (1) of subdivision (a), after which time the program content shall meet the requirements of paragraph (2).

(2) Programs receiving initial approval on or after January 1, 2009, shall meet all the requirements of Section 1755, and subdivisions (j) and (k) of this section, and shall include the following additional content:

(A) A radiation safety course that meets all of the requirements of the regulations of the board.

- (B) A coronal polishing course that meets all of the requirements of the regulations of the board.
- (C) A pit and fissure sealant course that meets all of the requirements of the regulations of the board.
- (D) A course in basic life support provided by an instructor approved by the American Red Cross or the American Heart Association, or any other course approved by the board as equivalent.

(3) On and after January 1, 2009, a program that desires to provide instruction in the following areas shall apply separately for approval to provide the following courses:

(A) A course in the removal of excess cement with an ultrasonic scaler, which course shall meet the requirements of the regulations of the board.

(B) A orthodontic assistant permit course that shall meet the requirements of Section 1756.1, except that a program shall not be required to obtain separate approval to teach the duties of placing ligature ties and archwires, removing orthodontic bands, and removing excess cement from surfaces of teeth with a hand instrument. Notwithstanding Section 1756.1, an orthodontic assistant permit course provided by a registered dental assistant program, to the students enrolled in such program, shall be no less than 60 hours, including at least 12 hours of didactic instruction, at least 26 hours of preclinical instruction, and at least 22 hours of clinical instruction.

(C) A dental sedation assistant permit course that shall meet the requirements of Section 1756.2.

(j) General didactic instruction shall include, at a minimum, the following:

- (1) Principles of general anatomy, physiology, oral embryology, tooth histology, and head-neck anatomy.
- (2) Principles of abnormal conditions related to and including oral pathology, orthodontics, periodontics, endodontics, pediatric dentistry, oral surgery, prosthodontics, and esthetic dentistry.
- (3) Legal requirements and ethics related to scope of practice, unprofessional conduct, and, patient records and confidentiality.
- (4) Principles of infection control and hazardous communication requirements in compliance with the board's regulations and other federal, state, and local requirements.
- (5) Principles and federal, state, and local requirements related to pharmacology.
- (6) Principles of medical-dental emergencies and first aid management, including symptoms and treatment.
- (7) Principles of the treatment planning process including medical health history data collection, patient and staff confidentiality, and charting.
- (8) Principles of record classifications including management, storage, and retention protocol for all dental records.
- (9) Principles and protocols of special needs patient management.
- (10) Principles, protocols, and armamentaria associated with all dental assisting chairside procedures.
- (11) Principles, protocols, manipulation, use, and armamentaria for dental materials.
- (12) Principles and protocols for oral hygiene preventative methods including, plaque identification, toothbrushing and flossing techniques, and nutrition.
- (13) Principles, protocols, armamentaria, and procedures associated with operative and specialty dentistry.
- (14) Principles, protocols, armamentaria, and procedures for each duty that dental assistants and registered dental assistants are allowed to perform.

(k) Laboratory and clinical instruction shall be of sufficient duration and content for each student to achieve minimum competence in the performance of each procedure that a dental assistant and registered dental assistant is authorized to perform.

(l) Each student shall pass a written examination that reflects the curriculum content, which may be administered at intervals throughout the course as determined by the course director.

(m) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.

