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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

**MICHIGAN BOARD OF DENTISTRY
RULES COMMITTEE WORK GROUP
MEETING**

**MINUTES
JUNE 13, 2019**

The Michigan Board of Dentistry Rules Committee Work Group, met on June 13, 2019, at 611 West Ottawa Street, Upper Level Conference Room 4, Lansing, Michigan 48933.

CALL TO ORDER

Mark Johnston, DDS, Chairperson, called the meeting to order at 8:16 a.m.

ATTENDANCE

Members Present: Mark Johnston, DDS, Chairperson
Lori Barnhart, RDA
Cheryl Bentley, RDH
Joshua Goodrich, Public Member
Kathleen Inman, RDA, RDH, BS
Vaijanthi Oza, DDS
Kathleen Weber, CDA, RDA, BAS

Members Absent: Daniel Briskie, DDS
Grace Curcuru, DDS

Staff Present: Andria Ditschman, Analyst, Boards and Committees Section
Stephanie Wysack, Board Support, Boards and Committees Section

Public Present: Christine Farrell – Michigan Department of Health & Human Services,
Oral Health Program
Margaret Gingrich, DDS – Michigan Dental Association
Sarah Hubbard – Michigan Dental Hygienists' Association
Josh Kluzak – Michigan Dental Association
Ann Lynch – American Dental Hygienists' Association
Debra Peters, DDS – Michigan Dental Association
Theresa A. Raglin – Ferris State University, Dental Hygiene
Erin Suddeth, RDH, BS, MPA – Michigan Department of Health &
Human Services, Oral Health

Bill Sullivan – Michigan Dental Association
Stefanie VanDuine – University of Michigan
Amy Zaagman – Michigan Council for Maternal & Child Health

WELCOME

Ditschman explained the plan for the meeting, covering the Dental Therapy Rules and Dentistry – General Rules.

RULES DISCUSSION – A copy of the draft rules is attached.

R 338.11209 Dental therapy supervised clinical practice in board approved program; requirements.

Subrule (1)(a): Ditschman stated that clinical practice for a dental therapist must be completed be under the supervision of a dentist licensed in Michigan comes from the term “dentist” as used in the code. The statute specifically defines a dentist as being licensed under Article 15, which refers to the Michigan Public Health Code in Michigan. The requirement that the supervisor of the clinical practice be licensed in Michigan is not a requirement for endorsement. An applicant for endorsement, pursuant to MCL 333.16186, must “substantially” meet the licensure requirements, so a clinical practice under the supervision of a dentist licensed in another state may be acceptable to the Board. Ditschman explained that if the legislature did not intend for the supervisor to be a dentist licensed in Michigan, this issue could be identified when the rules are with the Joint Committee on Administrative Rules (JCAR).

Subrule (1)(c): Ditschman indicated that the phrase “Michigan licensed dentist” is in statute, MCL 333.16651(c), but not in the rule for those educated in another state. The statute specifically defines a dentist as being licensed in Michigan. The language of MCL 333.16186, is written differently for endorsement and this may be caught at the Joint Committee on Administrative Rules (JCAR).

Johnston stated that endorsement would allow an individual to come into Michigan without clinical practice under a Michigan licensed dentist.

Zaagman stated that she did not believe the intent of the endorsement language was to prohibit an individual from using a dentist, licensed in another state, for the clinical practice.

Ditschman asked if a clinical practice could be offered by a program in another state with a Michigan licensed dentist.

Bentley stated that it is too restrictive to universities to require them to hire Michigan licensed dentists to complete the clinical practice supervision. Dentists shouldn't be limited to Michigan schools if their intent is to practice in Michigan after graduation.

Raglin stated that supervised clinical practice language is up to interpretation by adding Michigan licensed dentist. Ditschman clarified that the term “dentist” is always going to be a dentist licensed in Michigan, as the rules use the term as defined in the Public Health Code unless another definition is added to the rules.

Subrule (1)(f): Ditschman stated that this has been removed as requested by the Rules Committee. If a provision in this rule was clearly expressed in the Commission on Dental Accreditation (CODA) standards, then the requirement need not be repeated in rule. However, if the requirement is not clearly in the standards, the requirement should remain in the rules.

Ditschman clarified that the Department sets the requirements and the students will need to find a school that complies in order to obtain licensure in Michigan.

Bentley stated that by requiring 5 years of licensure in order to provide clinical practice as a supervisor limits a university’s hiring decisions. Inman agreed. Johnston disagreed.

VanDuine stated that faculty is hired by the university and that should be sufficient.

Gingrich stated that the Michigan Dental Association (MDA) considered a dentist as a new dentist for their first 10 years and that requiring 5 years in order to provide supervision is necessary.

Zaagman asked if there are similar supervision requirements for other professions. The other dental professions don’t have a clinical practice for comparison. Ditschman indicated that the 5-year issue arose during discussions about patient safety.

Goodrich stated that the schools will have to comply with the supervision requirements if they want to prepare their students for licensure in Michigan. Law schools are similar in this aspect. He stated that on the job experience is important and that the 5-year requirement should stay.

The Rules Committee agreed with the proposed rule as presented.

R 338.11101 Definitions.

“Patient of record”: Inman stated that the definition should be changed to read the same as the wording in Table 1 in the Dentistry – General Rules. Ditschman explained that Table 1 does not include dental therapists.

Zaagman stated that dental therapists aren’t subject to assignments and, should be removed from the definition. Ditschman read MCL 333.16651(2)(c) which defines direct supervision in regard to a dental therapist’s clinical practice. Ditschman indicated that because the definition of direct supervision was clear in the statute, she will remove

“dental therapist” under the definition of “Patient of Record” and move the definition back to part 4 of the rules.

Ditschman noted that the Dental Therapy rule changes have not yet been made to the Dentistry – General Rules.

Lynch asked for clarification as to what was being changed. Ditschman clarified that the term “dental therapist” was being removed from the “Patient of Record” definition and then the entire definition would be moved back to part 4 of the Dentistry – General Rules.

The Rules Committee agreed with changes as proposed.

R338.11255 Licensure by endorsement of dentist therapist; requirements.

Subrule (2)(c): Inman had concerns about requiring a supervising dentist to be licensed in Michigan.

Bentley stated that “Michigan” should be removed.

Ditschman stated that the language from the endorsement provision of the statute could replace what is currently in the rule. This would include adding “substantially meets the clinical practice in R 338.11209.”

Goodrich agreed with the change.

Bentley asked if this meant that the CODA standards are not being recognized. Johnston stated that wasn’t what it meant. It was being added to the rule to fix that. The problem is with the definition of dentist in the statute which requires a dentist licensed in Michigan to be the supervisor.

The Rules Committee agreed with the changes as discussed.

R 338.11264 Relicensure requirements for dental therapists.

Requirement (d): Inman asked where the second sentence in the second paragraph regarding giving the applicant two years to complete deficient hours came from as she did not see it included as part of the other dental professions. Ditschman clarified that the language is being applied to all health professions and will be included in the rules for the other dental professions.

R 338.11302 Approval of dental therapy programs; accreditation standards; adoption by reference.

Provision (3): Ditschman asked if there were any questions regarding the exception to meeting the CODA standards.

Ditschman asked if the date that was proposed, January 1, 2024, should be modified.

Bentley stated that because this is new to the state, the date should be removed. Johnston agreed, stating that the schools would be in a “conditional” status. Goodrich agreed, stating the date may hinder endorsement applicants for individuals who have been licensed for many years in another state.

Ditschman will remove the date.

R 338.11501 Definitions

Zaagman asked if the “supervision” definition was verbatim from the statute. Ditschman indicated that licensed and practicing in Michigan was added, but otherwise, yes.

R 338.11503 Practice agreement; care or services.

Ditschman stated that a request to add language that the referral to another licensee should be within a reasonable distance. She indicated this is not a requirement in the statute, but it could be included as part of the practice agreement.

Bentley stated that it should not be added as this could be difficult for those in rural areas.

Weber felt that it would be too restrictive.

The Rules Committee agreed to not add the wording regarding reasonable distance.

Goodrich stated that the supervising dentist doesn’t currently have a requirement to visit the dental therapist but is still held liable for what goes on in the practice. He stated that language should be added to require visits. Ditschman stated that the definition of supervision does not require it, and the statute specifically states what is required to meet “supervision”, therefore, it should not be added to the rule.

Johnston stated that if a violation occurs at the clinic, both the supervising dentist and the dental therapist are liable.

Ditschman pointed out that the practice agreement section of the rule reiterates language from the statute.

Provision (7): Weber stated that it is important for patients to know who it is that is treating them and that they should be identifying themselves, as stated in the rule.

Goodrich stated that other states have a similar requirement for physician's assistants. The licensee is able to identify themselves in many ways such as signage or simply their name tag/identification badge. He stated that the rules should stay.

Bentley stated that the rule could stay as long as the same requirement applied to registered dental assistants and registered dental hygienists. She stated that the word "clearly" should be added before "identify themselves." Inman agreed. She stated that this is not a requirement under PA 161, so it should not be required for dental therapists.

Johnston stated that the public benefits by being informed about who is treating them to easily identify licensees who should be disciplined, when necessary.

Weber stated that the public should become educated about and more involved in their care.

Ditschman asked for direction as to how licensees would identify themselves if it were to be required for all dental professions.

Goodrich suggested a universal type of statement. Ditschman asked if this meant written consent for all involved in the office for all dental professions.

The majority of the Rules Committee agreed with requiring a universal document within the office. Bentley and Inman disagreed.

Barnhart stated that the statement could be addressed similar to how HIPAA is within the office. The individual signs that they are aware and can either take the documentation and read it, or not.

Zaagman stated that this could become problematic for elderly and children, due to the lack of understanding.

Bentley stated that identification is covered under the general rules. That rule could be written to be more specific to include all dental professions.

Lynn stated that the rule should be removed entirely as it could be covered under the collaborative agreement.

Suddeth stated that the concept of identifying is great but there should be a better way of addressing it. It is a new concept now, but it won't always be.

Sullivan stated that the goal is for patients to know who is treating them. The question is how they are being identified. He stated that a generic form could be used that identified the positions within the office, without including the names.

R 338.11505 Health settings.

Ditschman stated that the rule clarifies health settings listed in the statute. It will reference the other health settings included in the statute to limit confusion.

The Rules Committee agreed with the change as proposed.

ADJOURNMENT

Ditschman indicated that, with regard to the requests to have LARA collect the data that may be necessary for the 7-year study referenced in the statute, the Department suggested adding a provision to require dental therapists to cooperate with DHHS/LARA in conducting the study required by the statute.

Johnston stated that if NPI numbers were issued to dental therapists for billing purposes with Medicaid, some data could be collected through that.

Ditschman stated that the Dental Therapy Rules will not be ready to vote on at the full Board meeting. She will send the changes to the Rules Committee for review.

Ditschman stated that the effective date of the rules will be one year from the date of promulgation.

Johnston adjourned the meeting at 9:45 a.m.

Prepared by:
Stephanie Wysack, Board Support
Bureau of Professional Licensing

June 25, 2019

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

DENTISTRY - GENERAL RULES

Filed with the Secretary of State on

These rules become effective immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45(a)(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections ~~2226~~, 16145, 16148, **16201, 16204**, 16215~~(6)~~, **16611**, 16625, **11626, 16631**, and 16644, **16651, 16652, 16653, 16656, and 16658** of 1978 PA 368, MCL ~~333.2226~~, 333.16145, 333.16148, **333.16201, 333.16204**, 333.16215~~(6)~~, **333.16611**, 333.16625, **333.16626, 333.16631**, and 333.16644, **333.16651, 333.16652, 333.16653, 333.16656, and 333.16658** and Executive Reorganization Order Nos. ~~1996-1~~ **1996-9**, 1996-2, 2003-1, and 2011-4, and MCL ~~330.3101~~ **338.3501**, 445.2001, 445.2011, and 445.2030)

R 338.11107, R 338.11117, R 338.11123, R 338.11222, R 338.11241, R 338.11245, R 338.11402, R 338.11403, R 338.11404, R 338.11404a, R 338.11405, R 338.11405a, R 338.11405b, R 338.11405c, R 338.11406, R 338.11408, R 338.11409, R 338.11410, R 338.11505, R 338.11604, R 338.11704b, and R 338.11704c of the Michigan Administrative Code are rescinded, and R 338.11101, R 338.11103, R 338.11120, R 338.11121, R 338.11201, R 338.11202, R 338.11203, R 338.11221, R 338.11223, R 338.11233, R 338.11235, R 338.11239, R 338.11247, R 338.11253, R 338.11255, R 338.11259, R 338.11261, R 338.11267, R 338.11301, R 338.11303, R 338.11307, R 338.11401, R 338.11501, R 338.11512, R 338.11513, R 338.11515, R 338.11517, R 338.11519, R 338.11521, R 338.11523, R 338.11525, R 338.11527, R 338.11601, R 338.11602, R 338.11603, R 338.11605, R 338.11701, R 338.11703, R 338.11704, R 338.11704a, R 338.11705, R 338.11801, R 338.11811, R 338.11813, R 338.11815, R 338.11817, and R 338.11819 of the Michigan Administrative Code are amended, and R 338.11209, R 338.11213, R 338.11218, R 338.11257, 338.11263, R 338.11265, R 338.11269, R 338.11271, R 338.11273, R 338.11302, R 338.11302a, R 338.11411, R 338.11415, R 338.11417, R 338.11419, and R 338.11507 are added to the Michigan Administrative Code to read as follows:

PART 1. GENERAL PROVISIONS

R 338.11101 Definitions.

Rule 1101. **(1)** As used in these rules:

July 19, 2019

(a) **“Allied dental personal” means any of the dentist’s supporting team who receives appropriate delegation from the dentist or dental therapist to participate in dental treatment.**

(b) “Analgesia” means the diminution or elimination of pain in the conscious patient as a result of the administration of an agent including, but not limited to, local anesthetic, nitrous oxide, and pharmacological and non-pharmacological methods.

~~(b)~~ (c) “Approved course” means a course offered by either a dental, dental hygiene, or dental assisting **assistant** program accredited by the commission on dental accreditation (CODA) of the American dental association (ADA) and approved by the department, or as defined in section 16611 of the code, **MCL 333.16611**.

~~(c)~~ (d) “Assistant” means a nonlicensed person who may perform basic supportive procedures under the supervision of a dentist as provided in these rules.

~~(d)~~ (e) “Board” means the Michigan board of dentistry.

~~(e)~~ (f) “Conscious sedation” means a minimally depressed level of consciousness that retains a patient’s ability to independently and continuously maintain an airway and respond appropriately to physical stimulation or verbal command and that is produced by a pharmacological or a non-pharmacological method or a combination of both.

~~(f)~~ (g) “Code” means 1978 PA 368, MCL 333.1101 to 333.25211.

~~(g)~~ ~~“Combination inhalation-enteral conscious sedation” means conscious sedation using inhalation and enteral agents. Nitrous oxide/oxygen when used in combination with sedative agents may produce conscious or deep sedation or general anesthesia.~~

(h) “Dental school” means an institution that offers a curriculum that provides a core of required dental education, training, and experience, and includes at least 4 years of academic instruction or its equivalent leading to the degree of doctor of dental surgery or doctor of dental medicine. The dental school is a component of an institution of higher education that is accredited by an agency recognized by the United States department of education and that ~~the American dental association’s commission on dental accreditation~~ CODA has accredited as a dental education program.

(i) **“Dental therapist” means a person licensed under part 165 of the code to provide the care and services and perform any of the duties described in section 16656 of the code, MCL 333.16656.**

~~(i)~~ (j) “Dentist” means a person licensed by the board under the code and these rules **to engage in the practice of dentistry.**

~~(j)~~ (k) “Department” means the department of licensing and regulatory affairs.

~~(k)~~ (l) “Enteral” means any technique of administration in which the agent is absorbed through the gastrointestinal or oral mucosa.

~~(l)~~ (m) “General anesthesia” means the elimination of all sensations accompanied by a state of unconsciousness and loss of reflexes necessary to maintain a patent airway.

~~(m)~~ (n) “Licensed” means the possession of a full license to practice, unless otherwise stated by the code or these rules.

~~(n)~~ (o) “Local anesthesia” means the elimination of sensation, especially pain, in ~~one~~ **1** part of the body by the topical application or regional injection of a drug.

~~(o)~~ (p) “Office” means the building or suite in which dental treatment is performed.

~~(p)~~ (q) “Parenteral” means a technique of administration in which the drug bypasses the gastrointestinal (gi) tract, such as intramuscular (im), intravenous (iv), intranasal (in), submucosal (sm), subcutaneous (sc), and intraocular (io).

~~(q)~~ “Patient of record” means a patient who has been examined and diagnosed by a licensed dentist and whose treatment has been planned by a licensed dentist.

~~(r)~~ “Public health service” means the United States public health service. A person applying for an exemption under this classification shall submit a certified copy of his or her official papers verifying active duty status.

~~(s)~~ **(r)** “Registered dental assistant” **(RDA)** means a person licensed as such by the board under the code and these rules. A dental hygienist may perform the functions of a registered dental assistant if he or she is licensed by the board as a registered dental assistant.

~~(t)~~ **(s)** “Registered dental hygienist” **(RDH)** means a person licensed as such by the board under the code and these rules.

~~(u)~~ **(t)** “Second pair of hands,” as used in R 338.11109, means acts, tasks, functions, and procedures performed by a dental assistant, registered dental assistant, or registered dental hygienist at the direction of a dentist **or dental therapist** who is in the process of rendering dental services and treatment to a patient. The acts, tasks, functions, and procedures performed by a dental assistant, registered dental assistant, or registered dental hygienist are ancillary to the procedures performed by the dentist **or dental therapist** and intended to provide help and assistance at the time the procedures are performed. This definition ~~shall~~ **does** not be deemed to expand the duties of the dental assistant, registered dental assistant, or registered dental hygienist as provided by the code and rules promulgated by the board.

~~(v)~~ **(u)** “Sedation” means the calming of a nervous, apprehensive individual, without inducing loss of consciousness, through the use of systemic drugs. Agents may be given orally, parenterally, or by inhalation.

~~(w)~~ “Titration” means the administration of small incremental doses of a drug until a desired clinical effect is observed. In accordance with this definition, titration of oral medication for the purposes of sedation is unpredictable. Repeated dosing of orally administered sedative agents may result in an alteration of the state of consciousness beyond the intent of the practitioner. The maximum recommended dose (mrd) of an oral medication shall not be exceeded. Facilities, personnel, and standards for enteral sedation are the same as those for parental sedation.

~~(x)~~ “Treatment room” means the particular room or specific area in which the dental treatment is performed upon a patient.

(2) Unless otherwise defined in the rules the terms defined in the code have the same meaning when used in these rules.

R 338.11103 ~~Applicability of rules.~~ **Identification, written consent.**

Rule 1103. These rules apply to dentists, registered dental assistants, and registered dental hygienists. At the inception of care for a patient, a dentist, dental therapist, dental assistant, registered dental assistant, and registered dental hygienist shall identify themselves to the patient as a dentist, dental therapist, dental assistant, registered dental assistant, or registered dental hygienist and the patient shall be provided with a written consent for treatment.

R 338.11107 ~~Signs; disclosure of names of dentists practicing in an establishment.~~
Rescinded.

~~Rule 1107. The name of the dentist actually practicing dentistry within an establishment shall be clearly disclosed by means of a sign or letting on or near a door, window, or wall of the establishment. If more than 1 dentist practices in a single establishment, the names of all the dentists practicing at the establishment shall be listed.~~

R 338.11117 ~~Violations of the act.~~ **Rescinded.**

~~Rule 1117. All of the following activities are violations of the act:~~

- ~~-(a) Abandonment of dental treatment of a patient of record without advising the patient of the necessity of immediate dental or medical treatment when needed and without advising the patient to seek treatment from another health professional is a violation of section 16221(a) of the act.~~
- ~~-(b) Performance of dental treatment without the patient's express or implied consent or the express or implied consent of the patient's guardian is a violation of section 16221(a) of the act.~~
- ~~-(c) Practicing or offering to practice professional responsibilities which the licensee knows or has reason to know he or she is not competent to perform is a violation of section 16221(a) and (b)(i) of the act.~~
- ~~-(d) Practicing or offering to practice, without adequate supervision, professional services which the licensee is authorized to perform only under the supervision of a licensed dentist as provided for in these rules, except in an emergency situation where a person's life or health is in immediate danger, is a violation of section 16221(a) and (b)(i) of the act.~~
- ~~-(e) Delegating or assigning professional responsibilities to a person when the licensee delegating or assigning such responsibilities knows or has reason to know that such person is not qualified by training, by experience, or by licensure to perform them is a violation of section 16221(a) and (b)(i) of the act.~~
- ~~-(f) Failure to be present in the office as needed to supervise, or failure to provide needed level of supervision of, the work of an assistant, registered dental assistant, registered dental hygienist, or other employee not licensed as a dentist under the act is a violation of section 16221(a) of the act.~~
- ~~-(g) Failure to provide the same level of emergency care at all offices or facilities is a violation of section 16221(a) of the act.~~
- ~~-(h) It shall be deemed a violation of section 16221(c)(ii) of the act if a dentist allows his or her license to be used by a person who is unlawfully engaged in the practice of dentistry. "Person," as used in this rule, is defined in section 1106 of the act.~~

R 338.11120 Dental treatment records; requirements.

Rule 1120. (1) A dentist **or dental therapist** shall make and maintain a dental treatment record on each patient.

(2) ~~The A~~ dental treatment records for patients **record** shall include all of the following information:

- (a) Medical and dental history.
- (b) The patient's existing oral health care status and the results of any diagnostic aids used.
- (c) Diagnosis and treatment plan.
- (d) Dental procedures performed upon the patient; that specify both of the following:

- (i) The date the procedure was performed.
- (ii) Identity of the dentist or the ~~dental auxiliary~~ **allied dental personal** performing each procedure.
- (e) Progress notes that include a chronology of the patient's progress throughout the course of all treatment.
- (f) The date, dosage, and amount of any ~~medication or~~ drug prescribed, dispensed, or administered to the patient.
- (g) ~~Radiographs~~ **Radiographic images** taken in the course of treatment. If ~~radiographs~~ **radiographic images** are transferred to another dentist, the name and address of that dentist shall be entered in the treatment record.
- (3) All dental treatment records shall be ~~permanent and shall be~~ maintained for not less than 10 years from the date of the last treatment ~~provided~~.

R 338.11121 Scheduled controlled substances; inventory record requirements.

Rule 1121. (1) When a controlled substance, as described in article 7 of the ~~aet code~~, **MCL 333.7101 to 333.7545**, is stocked in a dental office for dispensing or administering to a patient, **the dentist shall maintain** an accurate inventory **record** of the drug ~~shall be maintained and include that includes~~ all of the following information:

- (a) The date and quantity of the drug purchased.
- (b) The amount, dosage **of the drug**, and **the date the drug was** dispensed or administered.
- (c) The name of the patient to whom ~~it~~ **the drug** was dispensed or administered.
- (2) The inventory record shall be available for inspection for not less than 10 years.
- (3) **The dentist shall keep an** inventory record ~~shall be~~ in addition to the dental treatment records required by ~~R 338.11120~~ **R 338.11120**.

~~R 338.11123 Training standards for identifying victims of human trafficking; requirements.~~ **Rescinded.**

~~Rule 1123. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure or license renewal shall complete training in identifying victims of human trafficking that meets the following standards:~~

- ~~(a) Training content that covers all of the following:~~
 - ~~(i) Understanding the types and venues of human trafficking in Michigan or the United States.~~
 - ~~(ii) Identifying victims of human trafficking in health care settings.~~
 - ~~(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.~~
 - ~~(iv) Identifying resources for reporting the suspected victims of human trafficking.~~
- ~~(b) Acceptable providers or methods of training include any of the following:~~
 - ~~(i) Training offered by a nationally recognized or state-recognized health-related organization.~~
 - ~~(ii) Training offered by, or in conjunction with, a state or federal agency.~~
 - ~~(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.~~

~~(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.~~

~~(c) Acceptable modalities of training may include any of the following:~~

~~(i) Teleconference or webinar.~~

~~(ii) Online presentation.~~

~~(iii) Live presentation.~~

~~(iv) Printed or electronic media.~~

~~(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:~~

~~(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.~~

~~(b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:~~

~~(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.~~

~~(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.~~

~~(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the first renewal cycle after the promulgation of this rule and for initial licenses issued 5 or more years after the promulgation of this rule.~~

PART 2. LICENSURE

R 338.11201 Licensure by examination to practice dentistry; graduates of schools **programs** in compliance with board standards.

Rule 1201. (1) **Amendments to this rule are effective 1 year after promulgation.**

(2) In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, An an applicant for dentist licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee. ~~In addition to meeting the requirements of the code and administrative rules promulgated under the code, an applicant for dentist licensure by examination and shall meet all of the following requirements:~~

(a) Graduate from a dental **school educational program** that is in compliance with the standards in R 338.11301, **in which he or she has obtained a dental surgery degree (dds) or doctor of dental medicine (dmd) degree.**

(b) Pass all parts of the national board examination that is conducted and scored by the joint commission on national dental examinations (**JCNDE**), in order to qualify for the licensing examination provided in subdivision (c) of this rule. ~~The requirement does not apply to applicants who have graduated before 1950.~~

(c) ~~Pass a dental simulated all parts, written and clinical, of the American Board of Dental Examiners, Inc (ADEX) clinical written examination, that is conducted by and scored by the northeast regional board of dental examiners, commission on dental competency assessments (CDCA), previously known as north east regional board (NERB), or a successor organization, or by another regional testing agency. and 1 of the following:~~

~~(i) Pass all parts of a clinical examination that is conducted and scored by the north east regional board of dental examiners, incorporated, or a successor organization, or pass all parts of a clinical examination that is conducted by a regional testing agency that is approved by the board.~~

~~(ii) Pass all parts of a clinical examination developed and scored by a state or other entity and that is substantially equivalent, as provided in R 338.11203(5), to the clinical examination of the north east regional board of dental examiners, incorporated, or a successor organization.~~

(d) Demonstrate a working knowledge of the English language as required in R 338.11273.

(f) Beginning January 6, 2022 have completed a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

(g) Beginning September 1, 2019 have completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.

R 338.11202 Licensure to practice dentistry; graduates of **school programs** not meeting board standards; requirements.

Rule 1202. (1) **Amendments to this rule are effective 1 year after promulgation.**

(2) **In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an individual applicant for dentist licensure by examination who graduated from a **school of dentistry a dental educational program** that does not comply with the standards provided in R 338.11301 ~~may be licensed by the board if the individual meets~~ shall submit a completed application, on a form provided by the department, together with the requisite fee and meet all of the following requirements:**

(a) ~~Complies~~ **Comply** with section 16174 of the code, MCL 333.16174.

(b) ~~Presents to~~ **Submit to the board department** a final, official transcript establishing graduation from a **school program** in which he or she has obtained a dental degree. If the transcript is issued in a language other than English, an original, official translation shall also be submitted.

(c) ~~Meets~~ **Meet** 1 of the following requirements:

(i) ~~Successfully completes~~ **Graduate from a** **minimum 2-year** program in dentistry, ~~in a dental school~~ that complies with the standards in R 338.11301 ~~and that leads to the awarding of a doctor of~~ **in which he or she has obtained a dental surgery degree (dds) or doctor of dental medicine (dmd) degree.** The completion of the program shall be confirmed by ~~the dean of the school attended or~~ official transcripts from the dental school.

(ii) ~~Successfully completes~~ **Graduate from a** **minimum 2-year** master's degree or certificate program ~~in a dental school~~ **in dentistry** that complies with the standards in R

338.11301, and that leads to the awarding of in which he or she has obtained a degree or certificate from a dental specialty program in a specialty branch of dentistry recognized in R 338.11501.

(d) ~~Passes~~ **Pass** all parts of the national board examination that is conducted and scored by the joint commission on national dental examinations JCNDE.

(e) ~~Passes~~ **Pass** all parts, written and clinical, of the American Board of Dental Examiners, Inc (ADEX) clinical written examination the dental simulated clinical written examination and a clinical examination, as described in R 338.11201(2)(c).

(f) **Demonstrate a working knowledge of the English language as required in R 338.11273.**

(g) **Beginning January 6, 2022 have completed a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.**

(h) **Beginning September 1, 2019 have completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.**

R 338.11203 Dental examinations; required passing scores.

Rule 1203. (1) **Amendments to this rule are effective 1 year after promulgation.**

(2) The board approves and adopts the ~~examination~~ **examinations** developed and scored by the joint commission on national dental examinations JCNDE. An applicant shall ~~present~~ **provide** evidence to the department of passing each component of the examination with a converted score of not less than 75.

~~(2) The board approves and adopts the dental simulated clinical written examination developed and scored by the north east regional board of dental examiners, incorporated, or a successor organization. An applicant shall present evidence of passing each component of the examination with a converted score of not less than 75.~~

(3) The board approves and adopts ~~the~~ **all parts of the ADEX** clinical examination developed and scored by the north east regional board of dental examiners, incorporated. A passing score on the clinical examination ~~shall be~~ **is** the score recommended by the north east regional board of dental examiners, incorporated CDCA, or its successor organization. ~~In no case the~~ **The** applicant shall ~~present~~ **provide** evidence to the **department** of less than a converted score of 75 **or higher** on each component of the examination.

~~(4) The board approves and adopts the clinical examinations of other regional testing agencies or state boards if the examinations are considered to be substantially equivalent to the clinical examination of the north east regional board of dental examiners, incorporated. A passing score on the clinical examination shall be the score recommended by the sponsoring organization. In no case shall the applicant present evidence of less than a converted score of 75 on each component of the examination.~~

~~(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider factors such as the following:~~

- ~~-(a) Subject areas included.~~
- ~~-(b) Detail of material.~~
- ~~-(c) Comprehensiveness.~~
- ~~-(d) Length of an examination.~~
- ~~-(e) Degree of difficulty.~~

~~-(6) To demonstrate substantial equivalency as specified in subrule (4) of this rule, an applicant may be required to submit, or cause to be submitted, materials such as the following:~~

~~-(a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.~~

~~-(b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards which were in effect at the time of the examination.~~

~~-(c) An affidavit from a state licensing board or examination agency that describes the examination.~~

R 338.11209 Licensure by examination to practice dental therapy.

Rule 1209. In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for dental therapist licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee and shall meet all of the following requirements:

(a) Graduate from a dental therapy educational program that meets the standards in R 338.11302.

(b) Pass the comprehensive, competency-based clinical examination developed and scored by the CDCA with a passing converted score of not less than 75 on each component of the examination.

(c) Complete at least 500 hours of supervised clinical practice as required under R 338.11218.

(d) Demonstrate a working knowledge of the English language as required under R 338.11273.

(e) Beginning January 6, 2022 have completed a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

R 338.11213 Dental therapy examinations; required passing scores.

Rule 1213. The board approves and adopts the comprehensive, competency-based clinical examination developed and scored by the CDCA. An applicant shall provide evidence to the department of passing each component of the examination with a converted score of not less than 75.

R 338.11218 Dental therapy supervised clinical practice in board approved program; requirements.

Rule 1209. (1) The dental therapy supervised clinical practice required for licensure shall comply with all of the following:

(a) The supervised clinical practice shall be included in a dental therapy education program that meets the standards in R 338.11302.

(b) The dental therapy student shall complete at least 500 supervised clinical practice hours within the educational program in irreversible procedures in extractions and restorations.

(c) The dental therapy student shall be supervised under the direct supervision of a dentist currently licensed in this state and in good standing, that has been licensed for a minimum of 5 years before the supervised clinical practice begins.

(d) A dentist under disciplinary review or action shall not supervise a dental therapy student in a supervised clinical practice. If a dentist is notified by the department that he or she is under disciplinary review or action by any state, within 7 days of notification he or she must notify the dental therapist program and discontinue supervising the dental therapy student in their clinical practice.

(e) For the purposes of this rule “direct supervision” means that the supervising dentist complies with all of the following:

(i) Designates a patient of record upon whom the procedures are to be performed by the dental therapy student.

(ii) Describes the procedures to be performed to the dental therapy student.

(iii) Examines the patient before prescribing the procedures to be performed by the dental therapy student.

(iv) Examines the patient upon completion of the procedures that were performed by the dental therapy student.

(v) Is physically present in the office at the time the procedures are being performed by the dental therapy student.

R 338.11221 Licensure by examination to practice dental hygiene; requirements; graduates of schools in compliance with board standards.

Rule 1221. (1) **Amendments to this rule are effective 1 year after promulgation.**

(2) **In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, An an applicant for dental hygienist licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee.** ~~In addition to meeting the requirements of the code and administrative rules promulgated under the code, and an applicant for dental hygienist licensure by examination shall meet all of the following requirements:~~

(a) Graduate from a dental hygiene **educational** program in compliance with the standards in R 338.11303.

(b) Pass all parts of the dental hygiene national board examination that is conducted and scored by the ~~joint commission on national dental examinations~~ **JCNDE** in order to qualify for the licensing examination provided for in subdivision (c) of this rule. The requirement does not apply to applicants who have graduated **from a dental hygiene program** before 1962.

(c) ~~Pass a dental hygiene simulated clinical written examination conducted and scored by the north east regional board of dental examiners incorporated, or a successor organization, and 1 of the following:~~

(i) ~~Pass all parts, written and clinical, of a the ADEX clinical examination that is conducted and scored by the north east regional board of dental examiners, incorporated CDCA, or a successor organization or by a regional testing agency or pass all parts of a clinical examination that is conducted by a regional testing agency approved by the board.~~

(ii) ~~Pass all parts of a clinical examination developed and scored by a state or other entity that is substantially equivalent to the clinical examination of the north east regional board of dental examiners, incorporated, or a successor organization.~~

(d) Demonstrate a working knowledge of the English language as required in R 338.11273.

(e) Beginning January 6, 2022 have completed a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

R 338.11222 ~~Licensure to practice dental hygiene; graduates of schools not in compliance with board standards; requirements.~~ **Rescinded.**

~~Rule 1222. An individual who graduated from a school of dental hygiene that is not in compliance with the standards provided in R 338.11303 may be licensed by the board if the individual meets all of the following requirements:~~

- ~~-(a) Complies with section 16174 of the act.~~
- ~~-(b) Presents to the board a final, official transcript establishing graduation from a school in which he or she has obtained a dental hygiene degree.~~
- ~~-(c) Successfully completes a program in a dental hygiene school that is in compliance with R 338.11303. The completion of the program shall be confirmed by the administrator of the school attended.~~
- ~~-(d) Passes all parts of the dental hygiene national board examination that is conducted and scored by the joint commission on national dental examinations.~~
- ~~-(e) Passes a dental hygiene simulated clinical written examination conducted and scored by the north east regional board of dental examiners, incorporated, or a successor organization, and 1 of the following:~~
 - ~~-(i) Passes all parts of a clinical examination that is conducted and scored by the north east regional board of dental examiners, incorporated, or a successor organization or pass all parts of a clinical examination that is conducted by a regional testing agency approved by the board.~~
 - ~~-(ii) Passes all parts of a clinical examination developed and scored by a state or other entity that is substantially equivalent to the clinical examination of the north east regional board of dental examiners under R , incorporated, or a successor organization.~~

R 338.11223 Registered dental hygienist examinations; passing scores.

Rule 1223. (1) **Amendments to this rule are effective 1 year after promulgation.**

(2) The board approves and adopts the dental hygiene examination developed and scored by the joint commission on national dental examinations JCNDE. An applicant shall ~~present~~ **provide evidence to the department** of passing each component of the examination with a converted score of not less than 75.

~~(2) The board approves and adopts the dental hygiene simulated clinical written examination developed and scored by the northeast regional board of dental examiners, incorporated, or a successor organization. An applicant shall present evidence of passing each component of the examination with a converted score of not less than 75.~~

(3) The board approves and adopts **all parts of the ADEX** clinical examination developed and scored by the north east regional board of dental examiners, incorporated. A passing score on the clinical examination ~~shall be~~ **is** the score recommended by the north east regional board of dental examiners, incorporated **CDCA**, or its successor organization. ~~In no case shall the~~ **The applicant shall present provide evidence to the**

department of ~~less than~~ a converted score of 75 **or greater** on each component of the examination.

~~(4) The board approves and adopts the clinical examinations of other regional testing agencies or state boards, if they are considered to be substantially equivalent. A passing score on the clinical examination shall be the score recommended by the sponsoring organization. In no case shall the applicant evidence of less than a converted score of 75 on each component of the examination.~~

~~-(5) To determine substantial equivalency, as specified in subrule (4) of this rule, the board shall consider factors such as the following:~~

- ~~-(a) Subject areas included.~~
- ~~-(b) Detail of material.~~
- ~~-(c) Comprehensiveness.~~
- ~~-(d) Length of an examination.~~
- ~~-(e) Degree of difficulty.~~

~~-(6) To demonstrate substantial equivalency as specified in subrule (4) of this rule, an applicant may be required to submit, or cause to be submitted, materials such as the following:~~

- ~~-(a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.~~
- ~~-(b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards which were in effect at the time of the examination.~~
- ~~-(c) An affidavit from a state licensing board or examination agency that describes the examination.~~

R 338.11233 Registered dental hygienist; use of letters "R.D.H."; registered dental assistant; use of letters "R.D.A."

Rule 1233. (1) Pursuant to section 16264 of the ~~act~~ **code, MCL 333.16264**, the registered dental hygienist who has ~~received~~ **received a** bona fide degree or certificate of dental hygiene from a duly recognized and accredited school of dental hygiene and who has completed all requirements for licensure may use the letters "R.D.H." after his or her name in connection with the practice of dental hygiene.

(2) Pursuant to section 16264 of the ~~act~~ **code, MCL 333.16264**, a registered dental assistant who has received a bona fide degree or certificate of dental assisting from a duly recognized and accredited school of dental assisting and who has completed all requirements for licensure may use the letters "R.D.A." after his or her name in connection with the practice of dental assisting.

R 338.11235 Licensure to practice as a registered dental assistant; requirements.

Rule 1235. **In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, An individual an applicant applying for a license to practice as a registered dental assistant licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee and shall meet all both of the following requirements:**

- ~~(a) Comply with section 16174 of the act.~~

~~(b)~~ (a) Graduate or receive a certificate from a school **an educational program** which meets the standards set forth in R 338.11307.

~~(c)~~ (b) **Provide evidence to the department of Pass the board comprehensive- passing both a board approved written examination and board approved clinical examination that meets the requirements in R 338.11239, with a score of not less than 75, on all sections of both examinations.**

(c) Demonstrate a working knowledge of the English language as required in R 338.11273.

(d) Beginning January 6, 2022 have completed a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

R 338.11239 Registered dental assistant examination; content; time; place; passing score.

Rule 1239. (1) **Upon a written request** ~~The the board shall conduct a will review a written and clinical examination for individuals seeking licensure as a registered dental assistant examination for compliance with the criteria in subrule (2) of this rule.~~

(2) ~~The Examination examinations~~ for licensure as a registered dental assistant shall be both written and clinical and shall include, but not be limited to, all of the following:

- (a) Oral anatomy.
- (b) Law and rules governing **allied dental personal auxiliaries.**
- (c) Instrumentation and use of dental materials.
- (d) Mouth mirror inspection.
- (e) ~~Rubber/Dental~~ dam application.
- (f) Application of anticariogenics, **which includes sealants, fluoride varnish, and fluoride applications.**
- (g) Placement and removal of temporary crowns and bands.
- (h) Radiography.
- (i) ~~Periodontal dressings,; application, and removal.~~ **Application and removal of post extraction and periodontal dressings.**
- (j) Removal of sutures.
- (k) ~~Construction~~ **Fabrication** of temporary crowns.
- (l) Placing, condensing, and carving amalgam restorations.
- (m) ~~Making~~ **Taking** final impressions for indirect restorations.
- (n) Assisting and monitoring in the administration of nitrous oxide analgesia.
- (o) Placing, condensing, and carving intracoronal temporaries.
- (p) **Infection control and safety/OSHA.**
- (q) **Orthodontic procedures.**
- (r) **Placing resin bonded restorations, occlusal adjustment, finishing and polishing with a non-tissue cutting slow-speed handpiece.**
- (s) **Selective coronal polishing.**
- (t) **Charting the oral cavity.**
- (u) **Classifying occlusion.**
- (v) **Nutritional counseling.**
- (w) **Emergency procedures.**
- (x) **Pulp vitality testing.**

- (y) Placement and removal of gingival retraction materials or agents.
- (z) Drying endodontic canals.
- (aa) Taking impressions for study and opposing models.
- (bb) Instructing in the use and care of dental appliances.
- (cc) Applying topical anesthetic solution.
- (dd) Etching, placing, contouring and polishing of sealants with a slow-speed rotary handpiece for occlusal adjustment.
- (ee) Placing and removing matrices and wedges.
- (ff) Applying cavity liners and bases.
- (gg) Applying and dispensing in-office bleaching products.
- (hh) Adjusting and polishing contacts and occlusion of indirect restorations.
- (3) The examination shall be given at least once a year. The passing score for the each examination shall be a converted score of 75 on each section.
- (4) A candidate who fails to achieve a passing score on all parts within an 18-month period shall reapply to take the entire clinical and written examination.

R 338.11241 ~~Registered dental assisting licensure candidate who fails the clinical or comprehensive examination twice; requirements before reexamination. Rescinded.~~

~~Rule 1241. (1) Before being permitted to retake the clinical examination, a registered dental assisting licensure candidate who sustains 2 successive failures in the clinical examination shall be required to meet both of the following requirements subsequent to the last examination failed:~~

- ~~-(a) The candidate shall present evidence of additional education consisting of a minimum of 20 hours of board approved instruction, which shall be both didactic and clinical, in a school approved by the board.~~
- ~~-(b) The course shall be satisfactorily completed as evidenced by certification by the dean or his or her appointee.~~

~~-(2) Before being permitted to retake the comprehensive examination, a registered dental assisting licensure candidate who sustains 2 successive failures in the comprehensive section of the examination, shall be required to meet both of the following requirements, subsequent to the last examination failed:~~

- ~~-(a) The candidate shall present evidence of additional education consisting of a minimum of 20 hours of board approved instruction in a school approved by the board.~~
- ~~-(b) The course shall be satisfactorily completed as evidenced by a certification by the dean or his or her appointee.~~

R 338.11245 ~~Registered dental assisting licensure candidate who fails the examination 3 times; requirements before reexamination. Rescinded.~~

~~Rule 1245. Before being permitted to retake the examination, a registered dental assisting licensure candidate who fails any part of the examination 3 times shall be required by the board to return to an accredited school, for 1 academic semester or term. The course of the 1 academic semester or term shall be satisfactorily completed as evidenced by certification by the dean or his or her appointee.~~

R 338.11247 Limited licenses; issuance; requirements.

Rule 1247. (1) The board may issue a limited license **for postgraduate education**, under section 16182(2)(a) of the code, **MCL 333.16182(2)(a)**, to an **individual applicant** who is a graduate of a dental, **dental therapy**, dental hygiene, or dental **assistant** program approved by the board, under part 3 of these rules, and who is enrolled or involved **engaged** in a postgraduate course of study **CODA accredited postgraduate dental education**. An educational limited license is renewable for not more than 7 times. An extension may be granted by the board. An applicant for an educational limited license shall comply with all of the following:

(a) Submit the required fee and a completed application on a form provided by the department.

(b) Meet the requirements of section 16174 of the code, **MCL 333.16174**.

(c) Submit proof of graduation from a dental, **dental therapy**, dental hygiene, or dental assistant program in the form of a certified copy of a diploma and transcript. If the transcript is issued in a language other than English, the applicant shall submit an original, official translation.

(d) Submit documentation verifying that the applicant has been accepted into a CODA accredited postgraduate dental education program.

(e) Shall not hold himself or herself out to the public as being engaged in the practice of dentistry **or dental therapy**, or the practice as a dental hygienist or a dental assistant or provide dental services outside his or her postgraduate dental education program.

(f) An educational limited licensed dentist or an educational limited licensed dental hygienist may perform dental procedures upon patients as directed by their postgraduate dental education program if the procedures are performed under the general supervision, as defined in R 338.11401(d), of a fully licensed dentist.

(g) An educational limited licensed dental assistant may perform dental procedures upon patients as directed by their postgraduate dental education program if he or she complies with all of the following:

(i) The procedures are performed under the direct supervision, as defined in R 338.11401(c), of a fully licensed dentist.

(ii) The limited licensed dental assistant has satisfied the 35 hours of additional education required under sections 16611(7), and 11611(11) to (13) of the code, **MCL 333.16611(7)**, and **MCL 333.16611(11) to MCL 333.16611(13)**.

(iii) The limited licensed dental assistant has successfully completed a course in dental radiography that is substantially equivalent to a course taught in a program approved by the board under R 338.11303 or R 338.11307.

(2) The board may issue a limited license, under section 16182(2)(b) of the code, **MCL 333.16182(2)(b)**, **for nonclinical services**, to an **individual applicant** who is a graduate of a dental, **dental therapy**, dental hygiene, or dental assistant program ~~or a dental auxiliary program as a faculty member, and~~ who functions only in a nonclinical academic, research, setting or in an administrative setting. An applicant for a nonclinical limited license shall comply with all of the following:

(a) Submit the required fee and a completed application on a form provided by the department.

(b) Meet the requirements of section 16174 of the code, **MCL 333.16174**.

(c) Submit proof of graduation from a dental, **dental therapy**, dental hygiene, or dental assistant program in the form of a certified copy of a diploma and transcript. If the transcript is issued in a language other than English, the applicant shall submit an original, official translation.

(d) Submit documentation verifying that the applicant has been placed in a nonclinical academic, research, or administrative setting.

(e) Shall not hold himself or herself out to the public as being engaged in the practice of dentistry **or dental therapy**, or the practice as a dental hygienist or a dental assistant other than in their nonclinical academic, research, or administrative setting or provide dental services outside of his or her nonclinical academic, research, or administrative setting.

(3) The board may issue a limited license, under section 16182(2)(c) of the code, ~~MCL 333.16182(2)(b)~~ **MCL 333.16182(2)(c)**, for clinical academic services, to an individual applicant who is a graduate of a dental, **dental therapy**, dental hygiene, or dental assistant program, ~~dentist, dental hygienist, or dental assistant and who is employed by a dental program or a dental auxiliary program as a faculty member. Both of the following apply to a limited license:~~ who practices the health profession only in connection with his or her employment or other contractual relationship with that academic institution. An applicant for a clinical limited license shall comply with all of the following:

(a) Submit the required fee and a completed application on a form provided by the department

(b) Meet the requirements of section 16174 of the code, MCL 333.16174.

(c) Submit proof of graduation from a dental, **dental therapy**, dental hygiene, or dental assistant program in the form of a certified copy of a diploma and transcript. If the transcript is issued in a language other than English, the applicant shall submit an original, official translation.

(d) Submit documentation verifying that the applicant has been offered and accepted employment in an academic institution.

(e) Shall not hold himself or herself out to the public as being engaged in the practice of dentistry **or dental therapy**, or the practice as a dental hygienist or a dental assistant other than in connection with his or her employment or other contractual relationship with an academic institution or provide dental services outside his or her employment or other contractual relationship with an academic institution.

(f) A clinical academic limited licensed dentist **or dental therapist**, or an clinical academic limited licensed dental hygienist may perform dental procedures upon patients in connection with his or her employment or contractual relationship with an academic institution if the procedures are performed under the general supervision, as defined in R 338.11401(d), of a fully licensed dentist.

(g) A clinical academic limited licensed dental assistant may perform dental procedures upon patients in connection with his or her employment or contractual relationship with an academic institution if he or she complies with all of the following:

(i) The procedures are performed under the direct supervision, as defined in R 338.11401(d), of a fully licensed dentist.

(ii) The limited licensed dental assistant has satisfied the 35 hours of additional education required under sections 16611(7), and 11611(11) to (13) of the code, MCL 333.16611(7), and MCL 333.16611(11) to MCL 333.16611(13).

(iii) The limited licensed dental assistant has successfully completed a course in dental radiography that is substantially equivalent to a course taught in a program approved by the board pursuant to R 338.11303 or R 338.11307.

~~(a) A limited licensed dentist or a limited licensed dental hygienist may perform dental procedures upon patients while employed as a faculty member by the dental or dental auxiliary program if the procedures are performed under the general supervision, as defined in R 338.11401(d), of a faculty member who is a fully licensed dentist.~~

~~—(b) A limited licensed dental assistant may perform dental procedures upon patients while employed as a faculty member of a dental or dental auxiliary program, if such procedures are performed under the general supervision, as defined in R 338.11401(d), of a faculty member who is fully licensed as a dentist and the limited licensed dental assistant has satisfied the 35 hours of additional education required under section 16611(7), (11), (12) and (13) of the code, MCL 333.16611(7), (11), (12) and (13).~~

~~(4) An individual licensed under this rule shall not do either of the following:~~

~~—(a) Hold himself or herself out to the public as being engaged in the practice of dentistry or the practice as a dental hygienist or a dental assistant, other than as a faculty member.~~

~~—(b) Provide dental services outside his or her employment as a faculty member.~~

~~(5) An individual applying for a limited license under section 16182(2) of the code, MCL 333.16182(2), shall meet both of the following requirements:~~

~~—(a) Comply with section 16174 of the code, MCL 333.16174.~~

~~—(b) Submit proof of graduation from an accredited school of dentistry, dental hygiene, or dental assisting or submit proof of a certified copy of the diploma and transcript from a nonaccredited school of dentistry, dental hygiene, or dental assisting.~~

~~—(c) Submit proof of appointment to a faculty position.~~

~~(6) (4) Limited licenses shall~~ **may** be renewed annually at the discretion of the ~~board~~ department.

R 338.11253 Certification of renewal; display.

Rule 1253. A licensee shall display a ~~currently~~ **current** ~~renewed~~ certificate of licensure in his or her principal place of practice. A licensee whose practice involves more than 1 office shall have his or her pocket card portion of the ~~currently~~ **current** ~~renewed~~ certificate of licensure available for viewing upon request.

R 338.11255 Licensure by endorsement of dentist; requirements.

Rule 1255. (1) An applicant, **who has never held a dental license in this state, who is not applying by examination, may apply** for licensure by endorsement ~~shall submit by submitting~~ a completed application on a form provided by the department, together with the requisite fee. ~~In addition, an applicant shall meet the requirements of the act and administrative rules promulgated under the act.~~

(2) An applicant who ~~was first~~ **is** licensed in another state **as a dentist** is presumed to have met the requirements of section 16186 of the ~~act~~ **code, MCL 333.16186**, if he or she meets all of the following requirements:

(a) Graduated from a dental school **educational program** that meets the standards in R 338.11301 and provides for the school to submit **the department with the** original, official transcripts of professional education and documentation of graduation for board evaluation.

(b) Passed all phases of the national board examination for dentists, in sequence. ~~This requirement is waived for persons who graduated from an accredited school before 1950.~~

(c) ~~Verification of~~ **Verifies** his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license as a dentist, ~~which includes, but is not limited to,~~ **including showing proof the record** of any disciplinary action taken or pending ~~disciplinary action imposed on~~ **against** the applicant.

(d) ~~Show~~ **Submits** proof of successful completion of 1 of the regional examinations as described in **subrule (4) of this rule R 338.11203(2), (3), and (4).** This requirement is waived for individuals who were licensed initially in another state before 2002 and who were not required to complete ~~any~~ a regional examination as part of the initial licensing process as confirmed by the state in which the initial license was awarded.

(e) Is actively licensed as a dentist in another state in good standing within 30 days prior to filing an application in this state.

~~(e)~~ (f) If an applicant was licensed as a dentist in another state that required the successful completion of a regional examination and the applicant has been practicing for a minimum of 5 years **in the United States** immediately preceding the application for licensure in ~~Michigan, this state,~~ it is presumed that the applicant meets the requirements of subrule (2)(a), (b), and (d) of this rule.

~~(f)~~ (g) If an applicant is licensed as a dentist in another state that does not require the successful completion of a regional examination and the applicant has been practicing for a minimum of 5 years **in the United States** immediately preceding the application for licensure in ~~Michigan, this state,~~ it is presumed that the applicant meets the requirements of subrule (2)(a) and (b) of this rule.

(3) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state for a violation related to applicable provisions of section 16221 of the ~~act code,~~ **MCL 333.16221**, or upon determining that the applicant does not fulfill the requirements of section 16186 of the ~~act code,~~ **MCL 333.16186**.

(4) For purposes of this rule, the board approves and adopts the clinical examination of other regional testing agencies or state boards if the examination is substantially equivalent to all parts, written and clinical, of the ADEX clinical examination that is conducted and scored by the CDCA, a successor organization, or another regional testing agency. A passing score on the clinical examination is the score recommended by the sponsoring organization. The applicant shall present evidence to the department of a converted score of 75 or higher on each component of the examination.

(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider factors such as the following:

(a) Subject areas included.

(b) Detail of material.

(c) Comprehensiveness.

- (d) Length of an examination.
- (e) Degree of difficulty.
- (6) To demonstrate substantial equivalency as specified in subrule (4) of this rule, an applicant may be required to submit, materials such as the following:
 - (a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.
 - (b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards which were in effect at the time of the examination.
 - (c) An affidavit from a state licensing board or examination agency that describes the examination.

R 338.11257 Licensure by endorsement of dentist therapist; requirements.

Rule 1255. (1) An applicant, who has never held a dental therapy license in this state, who is not applying by examination, may apply for licensure by endorsement by submitting a completed application on a form provided by the department, together with the requisite fee.

(2) An applicant who is licensed as a dental therapist in another state is presumed to have met the requirements of section 16186 of the code, MCL 333.16186, if he or she meets all of the following requirements:

- (a) Graduated from a dental therapy educational program that meets the standards in R 338.11302 and provides the department with the original, official transcripts of professional education and documentation of graduation for board evaluation.**
- (b) Passed the comprehensive, competency-based clinical examination developed and scored by the CDCA with a converted passing score of not less than 75 on each component of the examination.**
- (c) Verifies completion of at least 500 hours of clinical practice in dental therapy that substantially meets the requirements in R 338.11218 in a dental therapy educational program that meets the standards in R 338.11302.**
- (d) Verifies his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license as a dental therapist, including the record of any disciplinary action taken or pending against the applicant.**
- (e) Is actively licensed as a dental therapist in another state in good standing within 30 days prior to filing an application in this state.**

(3) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state for a violation related to applicable provisions of section 16221 of the code, MCL 333.16221, or upon determining that the applicant does not fulfill the requirements of section 16186 of the code, MCL 333.16186.

(4) For purposes of this rule, the board may approve a dental therapist clinical examination of another state board if the examination is substantially equivalent to all parts of the comprehensive, competency-based clinical examination developed and scored by the CDCA, or a successor organization. A passing score on a substantially equivalent examination is the score recommended by the sponsoring

organization. The applicant shall present evidence to the department of a converted score of 75 or higher on each component of the examination.

(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider factors including but not limited to the following:

- (a) Subject areas included.
- (b) Detail of material.
- (c) Comprehensiveness.
- (d) Length of an examination.
- (e) Degree of difficulty.

(6) To demonstrate substantial equivalency as specified in subrule (4) and (5) of this rule, an applicant may be required to submit, materials such as the following:

- (a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.
- (b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards which were in effect at the time of the examination.
- (c) An affidavit from a state licensing board or examination agency that describes the examination.

R 338.11259 Licensure by endorsement of dental hygienists; requirements.

Rule 1259. (1) An applicant **who has never held a registered dental hygienist license in this state, who is not applying by examination, may apply** for licensure by endorsement ~~shall submit by submitting~~ a completed application on a form provided by the department, together with the requisite fee. ~~In addition, an applicant shall meet the requirements of the code and administrative rules promulgated under the code.~~

(2) An applicant who ~~was first~~ is licensed in another state **as a dental hygienist** is presumed to have met the requirements of section 16186 of the ~~aet~~ code, MCL 333.16186, if he or she meets all of the following requirements:

(a) Graduated from a dental hygiene **school educational program** that meets the standards provided in R 338.11303 and ~~provides for the school to submit the department with the~~ original, official transcripts of professional education and documentation of graduation for board evaluation.

(b) Passed all phases of the national board examination for dental hygienists. This requirement is waived for persons who graduated from an accredited school before 1962.

(c) ~~Verification of~~ **Verifies** his or her license, on a form supplied by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a dental hygienist license ~~which includes, but is not limited to, showing proof of~~ **including** having no record of final or pending disciplinary action against the applicant.

(d) ~~Show~~ **Submits** proof of successful completion of a substantially equivalent-written and clinical examination **required under in** R 338.11223(2), (3), and (4).

This requirement is waived for individuals who were licensed initially in another state of the United States before 2002 and who were not required to complete ~~any~~ a regional examination as part of the initial licensing process as confirmed by the state of the United States in which the initial license was awarded.

(e) Is actively licensed as a dentist in another state in good standing within 30 days prior to filing an application in this state.

~~(e)~~ **(f)** If an applicant was licensed as a dental hygienist in another state that requires the successful completion of a regional examination and the applicant has ~~been~~ **been** practicing **in the United States** for a minimum of 3 years immediately preceding the application for licensure in ~~Michigan, this state~~, it is presumed that the applicant meets the requirements of subrule (2)(a), (b), and (d) of this rule.

~~(f)~~ **(g)** If an applicant is licensed as a dental hygienist in another state that does not require the successful completion of a regional examination and the applicant has been practicing **in the United States** for a minimum of 3 years immediately preceding the application for licensure in ~~Michigan, this state~~, it is presumed that the applicant meets the requirement of subrule (2)(a) and (b) of this rule.

(3) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state of the United States for a violation related to applicable provisions of section 16221 of the ~~aet~~ **code, MCL 333.16221**, or upon determining that the applicant does not fulfill the requirements of section 16186 of the ~~aet~~ **code, MCL 333.16186**.

(4) For purposes of this rule, the board approves and adopts the clinical examinations of other regional testing agencies or state boards if the examinations are considered to be substantially equivalent to all parts, written and clinical, of the ADEX clinical examination that is conducted and scored by the CDCA, a successor organization, or another regional testing agency. A passing score on the clinical examination is the score recommended by the sponsoring organization. The applicant shall present evidence to the department of a converted score of 75 or higher on each component of the examination.

(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider factors such as the following:

- (a) Subject areas included.
- (b) Detail of material.
- (c) Comprehensiveness.
- (d) Length of an examination.
- (e) Degree of difficulty.

(6) To demonstrate substantial equivalency as specified in subrule (4) of this rule, an applicant may be required to submit, materials such as the following:

- (a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.
- (b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards which were in effect at the time of the examination.
- (c) An affidavit from a state licensing board or examination agency that describes the examination.

R 338.11261 Licensure by endorsement of registered dental assistants; requirements.

Rule 1261. (1) An applicant **who has never held a registered dental assistant license in this state, who is not applying by examination, may apply** for licensure by endorsement ~~shall submit~~ **by submitting** a completed application on a form provided by

the department, together with the requisite fee. ~~In addition, an applicant shall meet the requirements of the act and administrative rules promulgated under the act.~~

(2) An applicant who ~~was first is~~ licensed or registered in another state for performance of expanded functions **as a dental assistant** ~~as described in R 338.11405 and R 338.11405(a)~~ is presumed to have met the requirements of section 16186 of the ~~act~~, **code, MCL 333.16186**, if he or she meets all of the following requirements:

(a) Graduated from a dental ~~assisting assistant~~ **school educational program** that meets the standards ~~provided in R 338.11307 and provide~~ **provides for the school to submit the department with the** original, official transcripts of professional education and documentation of graduation for board evaluation.

(b) ~~Passed the Submits Michigan-registered dental assistant licensing examination or show proof of successful completion of a substantially equivalent written and clinical examination, approved by the board under R 338.11239, with a score of not less than 75, on each section on both examinations as specified under R 338.11239. To determine substantial equivalency, the board shall consider factors such as the following:~~

- ~~-(i) Subject areas included.~~
- ~~-(ii) Detail of material.~~
- ~~-(iii) Comprehensiveness.~~
- ~~-(iv) Length of examination.~~
- ~~-(v) Degree of difficulty.~~

~~-(c) To demonstrate substantial equivalency as specified in subdivision (b) of this subrule, the applicant may be required to submit or cause to be submitted such materials as the following:~~

- ~~-(i) A certified copy of the examination.~~
- ~~-(ii) An affidavit that describes the examination and sets forth the legal standards which were in effect at the time of the examination. The affidavit shall be issued by an official who is responsible for the state agency that administered the examination.~~
- ~~-(iii) An affidavit that describes the examination and that was issued by an official with a state society or another organization that administered the examination.~~
- ~~-(iv) Other credible evidence.~~

(d) ~~Verification of~~ **Verifies** his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license for performance of expanded functions ~~which includes, but is not limited to, showing proof including the record of any disciplinary action taken or pending disciplinary action against the applicant.~~

(e) **Is actively licensed as a dental assistant in another state in good standing within 30 days prior to filing an application in this state.**

(3) A dental assistant who does not fulfill the requirements of subrule (2) of this rule ~~shall is not be~~ eligible for licensure by endorsement in this state and shall comply with the provisions of R 338.11235.

(4) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state of the United States for a violation related to applicable provisions of section 16221 of the ~~act~~**code, MCL 333.16221**, or upon determining that the applicant does not fulfill the requirements of section 16186 of the ~~act~~**code, MCL 333.16186**.

R 338.11263 Relicensure requirements for dentists.

Rule 1263. An applicant whose dentist license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), as applicable, may be relicensed by complying with the following requirements:

For a dentist who has let his or her license in this state lapse:	Lapsed Less than 3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Application and fee: submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174(3).		√	√
(d) CPR certification: submit proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to the standards equivalent to those established by the American heart association (AHA), earned within the 2-year period prior to receiving the license.	√	√	√
(e) Continuing education: submit proof of having completed 60 hours of continuing education in courses and programs approved by the board as required under R 338.11701, all of which were earned within the 3-year period immediately preceding the application for licensure, including: <ul style="list-style-type: none"> At least 3 hours in pain and symptom management. One hour of continuing education in dental ethics and jurisprudence. However, if the continuing education hours submitted with the application are deficient, the applicant shall have 2 years from the date of the application to complete the deficient hours. The application will be held, and the license will not be issued until the continuing education requirements have		√	√

been met.			
(f) Training for identifying victims of human trafficking: have completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.	√	√	√
(g) Training for opioids and other controlled substances: have completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.	√	√	√
(g) Amalgam verification: a dentist who is subject to part 8 of these rules, MCL 333.8101 to 333.8511, shall verify with their application for relicensure, that he or she is in compliance with part 8, MCL 333.8101 to 333.8511, of these rules and provide the make of the amalgam separator in their office and the year that each separator was installed.	√	√	√
(h) Proof of license verification from another state where licensed: An applicant's license shall be verified by the licensing agency of all other states of the United States in which the applicant ever held a license as a dentist. Verification must include the record of any disciplinary action taken or pending against the applicant.	√	√	√
(i) Examination or another state license: meet 1 of the following: <ul style="list-style-type: none"> • Within 2 years of the period immediately preceding the application for relicensure, retake and pass the ADEX simulated clinical written examination for dentists developed and scored by the CDCA or another testing agency with a passing score of not less than 75. • Provide the department documentation that the applicant holds or has held a valid and unrestricted dentists license in another state in the United States within 3 years immediately preceding the application for relicensure. 		√	
(j) Provide the department documentation that			

<p>the applicant holds or has held a valid and unrestricted dentist license in another state in the United States within 3 years immediately preceding the application for relicensure and meet all of the requirements in (1)(a) to (1)(h) of this rule, or comply with R 338.11201 as follows:</p> <ul style="list-style-type: none"> • Meet the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules. • Provide proof of graduation from a dental school that meets the standards in R 338.11301. • Provide proof of having passed all parts of the national board examination in order to qualify for the dental simulated clinical written examination. • Provide proof of having passed the ADEX dental simulated clinical written examination conducted and scored by CDCA or another regional agency within 2 years of the period immediately preceding the application for relicensure. • Provide proof of having passed the ADEX dental clinical examination conducted and scored by CDCA or another regional testing agency. 			√
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R 338.11265 Relicensure requirements for dental therapists.

Rule 1265. An applicant whose dental therapist license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), as applicable, may be relicensed by complying with the following requirements:

For a dental therapist who has let his or her license in this state lapse:	Lapsed Less than 3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Application and fee: submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√

(b) Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174(3).		√	√
(d) CPR certification: submit proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to the standards equivalent to those established by the American heart association (AHA), earned within the 2-year period prior to receiving the license.	√	√	√
(e) Continuing education: submit proof of having completed 35 hours of continuing education in courses and programs approved by the board as required under R338.11701, all of which were earned within the 2-year period immediately preceding the application for licensure, including: <ul style="list-style-type: none"> • At least 2 hours in pain and symptom management. • One hour in dental ethics and jurisprudence. However, if the continuing education hours submitted with the application are deficient, the applicant shall have 2 years from the date of the application to complete the deficient hours. The application will be held, and the license will not be issued until the continuing education requirements have been met.		√	√
(f) Training for identifying victims of human trafficking: have completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.	√	√	√

<p>(g) Proof of license verification from another state where licensed: An applicant's license shall be verified by the licensing agency of all other states of the United States in which the applicant ever held a license as a dental therapist. Verification must include the record of any disciplinary action taken or pending against the applicant.</p>	√	√	√
<p>(h) Examination or another state license: meet 1 of the following:</p> <ul style="list-style-type: none"> • Within 2 years of the period immediately preceding the application for relicensure, retake and pass a comprehensive, competency-based clinical examination approved by the department with a converted passing score of not less than 75. • Provide the department documentation that the applicant holds or has held a valid and unrestricted dental therapist license in another state in the United States within 3 years immediately preceding the application for relicensure. 		√	
<p>(i) Provide the department documentation that the applicant holds or has held a valid and unrestricted dental therapist license in another state in the United States within 3 years immediately preceding the application for relicensure and meet all of the requirements in (1)(a) to (1)(h) of this rule, or comply with R 338.11201 as follows:</p> <ul style="list-style-type: none"> • Meet the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules. • Provide proof of graduation from a dental therapy program that meets the standards in R 338.11302. <p>Provide proof of having passed a comprehensive, competency-based clinical examination as required in R 338.11207, within 2 years of the period immediately preceding the application for relicensure.</p>			√

R 338.11267 Licensure of specialty by endorsement; requirements. Relicensure requirements for registered dental hygienists.

~~Rule 1267. (1) A dentist applying for licensure of a specialty by endorsement shall hold a current Michigan dental license and shall comply with section 16186 of the act and all of the following requirements:~~

~~-(a) Have graduated from a program in the specific specialty which meets the standards provided in R 338.11301 and submit original, official transcripts of professional education and documentation of graduation for board evaluation.~~

~~-(b) Verification of his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current specialty license or ever held a specialty license, which includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed on the applicant.~~

~~-(c) Show proof of diplomate status in the appropriate American board specialty examination or successful completion of a substantially equivalent clinical and written examination in the applicant's specialty. The board shall request the review of the applicant's examination documentation by representatives of the relevant specialty association or through the council of Michigan dental specialties. The specialty representative shall provide a~~

~~statement to the board regarding the equivalence of the examination in comparison to the board approved examination for that specialty.~~

~~-(i) The board shall request the review of the applicant's examination documentation and, by representatives of the relevant specialty association or through the council of Michigan dental specialties.~~

~~-(2) To determine substantial equivalency as specified in subrule (1)(c) of this rule, the board shall consider such factors as the following:~~

~~-(a) Subject areas included.~~

~~-(b) Detail of material.~~

~~-(c) Comprehensiveness.~~

~~-(d) Length of the examination.~~

~~-(e) Degree of difficulty.~~

~~-(3) To demonstrate substantial equivalency as specified in subrule (1)(c) of this rule, the applicant may be required to submit or cause to be submitted such materials as the following:~~

~~-(a) A certified copy of the examination.~~

~~-(b) An affidavit from the responsible official of the appropriate state agency describing the examination and setting forth the legal standards which were in effect at the time of the examination.~~

~~-(c) An affidavit describing the examination from the responsible official within a state society or another organization with knowledge of the examination.~~

~~-(d) Other credible evidence.~~

~~-(4) A dentist who does not fulfill the requirements of subrule (1) of this rule shall is not be eligible for licensure by endorsement in this state and shall is be required to take the Michigan examination in the specific specialty as described in part 5 of these rules.~~

~~-(5) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state for a violation related to applicable~~

subdivisions of section 16221 of the act or upon determining that the applicant does not fulfill the requirements of section 16186 of the act.

Rule 1267. An applicant whose registered dental hygienist license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), as applicable, may be relicensed by complying with the following requirements:

For a registered dental hygienist who has let his or her license in this state lapse:	Lapsed Less than 3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Application and fee: submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establish that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174(3).		√	√
(d) CPR certification: submit proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to the standards equivalent to those established by the AHA, earned within the 2-year period prior to receiving the license.	√	√	√
(e) Continuing education: submit proof of having completed 36 hours of continuing education in courses and programs approved by the board as required under R 338.11704 of these rules, all of which were earned within the 3-year period preceding the date of application for relicensure, including: <ul style="list-style-type: none"> • At least 2 hours in pain and symptom management. • One hour of continuing education in dental ethics and jurisprudence. • One hour of continuing education in infection control, which shall include sterilization of hand pieces, personal protective equipment, and center for 		√	√

<p>disease control and prevention infection control guidelines.</p> <p>However, if the continuing education hours submitted with the application are deficient, the applicant shall have 2 years from the date of the application to complete the deficient hours. The application will be held, and the license will not be issued until the continuing education requirements have been met.</p>			
<p>(f) Training for identifying victims of human trafficking: have completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.</p>	✓	✓	✓
<p>(g) Proof of license verification from another state where licensed: An applicant's license shall be verified by the licensing agency of all other states of the United States in which the applicant ever held a license as a dental hygienist. Verification must include the record of any disciplinary action taken or pending against the applicant.</p>	✓	✓	✓
<p>(h) Meet 1 of the following:</p> <ul style="list-style-type: none"> • Provide proof of having passed the ADEX hygiene simulated clinical written examination conducted and scored by CDCA or another regional agency, within 2 years of the period immediately preceding the application for relicensure. • Provide the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for licensure. 		✓	
<p>(i) Provide the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meet all of the requirements in (a) through (g) of this rule or comply with R 338.11221 as follows:</p>			✓

<ul style="list-style-type: none"> • Meet the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules. • Provide proof of graduation from a dental hygiene program that meets the standards in R 338.11303. • Provide proof of having passed all parts of the dental hygiene national board examination in order to qualify for the dental hygiene simulated clinical written examination. • Provide proof of having passed the ADEX hygiene simulated clinical written examination conducted and scored by CDCA or another regional testing agency, within 2 years of the period immediately preceding the application for relicensure. • Provide proof of having passed the ADEX hygiene clinical examination conducted and scored by CDCA or another regional testing agency. 			
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R 338.11269 Relicensure requirements for registered dental assistants.

Rule 1269. An applicant whose registered dental assistant license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), as applicable, may be relicensed by complying with the following requirements:

For a registered dental assistant who has let his or her license in this state lapse:	Lapsed Less than 3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Application and fee: submit a completed application on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establish that he or she is of good moral character as defined under sections 1 to section 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174(3).		√	√
(d) CPR certification: submit proof of current			

certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to the standards equivalent to those established by the AHA, earned within the 2-year period prior to receiving the license.	√	√	√
<p>(e) Continuing education: submit proof of having completed 36 hours of continuing education in courses and programs approved by the board as required under R 338.11704 of these rules, all of which were earned within the 3-year period immediately preceding the date of the application for relicensure, including:</p> <ul style="list-style-type: none"> • At least 2 hours in pain and symptom management. • One hour of continuing education in dental ethics and jurisprudence. • One hour of continuing education in infection control, which shall include sterilization of hand pieces, personal protective equipment, and center for disease control and prevention infection control guidelines. <p>However, if the continuing education hours submitted with the application are deficient, the applicant shall have 2 years from the date of the application to complete the deficient hours. The application will be held, and the license will not be issued until the continuing education requirements have been met.</p>		√	√
(f) Training for identifying victims of human trafficking: have completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.	√	√	√
(g) Proof of license verification from another state: An applicant's license shall be verified by the licensing agency of all other states of the United States in which the applicant ever held a license as a dental assistant. Verification must include the record of any disciplinary action taken or	√	√	√

pending against the applicant.			
(h) Meet 1 of the following: <ul style="list-style-type: none"> • Pass a board approved written and clinical examination that meets the requirements of R 338.11239, within 2 years of the period immediately preceding the application for relicensure. • Provide the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure. 		√	
(i) Provide the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meet all of the requirements in (a) through (g) of this rule or comply with R 338.11235 as follows: <ul style="list-style-type: none"> • Meet the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules. • Provide proof of graduation or certification from a school that meets the standards in R 338.11307. • Provide proof of having passed a board approved clinical examination that meets the requirements of R 338.11239. • Provide proof of having passed a board approved written examination that meets the requirements of R 338.11239, within 2 years of the period immediately preceding the application for relicensure. 			√

R 338.11271 Training standards for identifying victims of human trafficking; requirements.

Rule 1271. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure, registration or who is licensed or registered shall complete training in identifying victims of human trafficking that meets the following standards:

(a) Training content that covers all of the following:

- (i) Understanding the types and venues of human trafficking in Michigan or the United States.
- (ii) Identifying victims of human trafficking in health care settings.
- (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
- (iv) Resources for reporting the suspected victims of human trafficking.
- (b) Acceptable providers or methods of training include any of the following:
 - (i) Training offered by a nationally recognized or state-recognized health-related organization.
 - (ii) Training offered by, or in conjunction with, a state or federal agency.
 - (iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.
 - (iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.
- (c) Acceptable modalities of training may include any of the following:
 - (i) Teleconference or webinar.
 - (ii) Online presentation.
 - (iii) Live presentation.
 - (iv) Printed or electronic media.
- (2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:
 - (a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
 - (b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:
 - (i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
 - (ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.
- (3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license or registration renewals beginning with the first renewal cycle after January 6, 2017, and for initial licenses or registrations issued after January 6, 2022.

R 338.11273 Knowledge of the English language.

Rule 1273. An applicant for initial licensure whose educational program was taught in a language other than English must demonstrate a working knowledge of the English language. To demonstrate a working knowledge of the English language, the applicant must establish that he or she obtained a total score of not

less than 80 on the test of English as a foreign language internet-based test (TOEFL-IBT) administered by the educational testing service.

PART 3. EDUCATION

R 338.11301 Approval of dental **educational programs** schools; **accreditation** standards; adoption by reference.

Rule 1301. (1) The board adopts by reference in these rules the standards of the ~~Commission on Dental Accreditation~~ **CODA** of the ~~American Dental Association~~ **ADA**, as set forth in the publication entitled "~~Current Accreditation Standards,~~" "**Accreditation Standards for Dental Education Programs,**" copyright ~~2017, 2010 and revised 2015,~~ as the standards by which the board shall determine whether to approve a school that complies with these standards. Certification by the commission on dental accreditation that a school complies with these standards constitutes a prima facie showing that the school complies with these standards. **A dental educational program accredited by CODA or a successor organization is considered board approved. CODA is the only accreditation accepted by the board.**

(2) These standards may be obtained at no cost from the ~~Commission on Dental Accreditation~~ **CODA** of the ~~American Dental Association~~ **ADA**, 211 East Chicago Avenue, Chicago, IL 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, **Bureau of Professional Licensing**, 611 West Ottawa, P. O. Box 30670, Lansing, ~~MI~~ **Michigan**, 48909.

R 338.11302 Approval of dental therapy educational programs; accreditation standards; adoption by reference.

Rule 1302. (1) The board adopts by reference in these rules the standards of the CODA of the ADA, as set forth in the publication entitled "Accreditation Standards for Dental Therapy Education Programs," effective February 6, 2015.

(2) A dental therapy educational program that is accredited by CODA or a successor organization is considered board approved.

(3) For applicants applying for a dental therapy license, upon application for licensure on a department form, the board will review and may approve the applicant's dental therapy education program if the program was administered by a college or school that operates an accredited dental or dental hygiene program and the college or school substantially conforms to the dental therapy education program CODA standards at the time of graduation of the dental therapy applicant.

(4) A dental therapy educational program must be taught at a postsecondary education institution that meets the standards in R 338.11302a.

(5) The CODA standards may be obtained at no cost from the CODA of the ADA, 211 East Chicago Avenue, Chicago, Illinois, 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing,

611 West Ottawa, P. O. Box 30670, Lansing, Michigan, 48909.

R 338.11302a Higher education institutions; accreditation standards; adoption by reference.

Rule 1302a. (1) A higher education institution is considered approved by the board if it is accredited by the accrediting body of the region in which the institution is located and the accrediting body meets either the recognition standards and criteria of the council for higher education accreditation (chea) or the recognition procedures and criteria of the United States department of education. The board adopts by reference the procedures and criteria for recognizing accrediting agencies of the United States department of education, effective July 1, 2000, as contained in Title 34, Part 602 of the Code of Federal Regulations, and the policies and procedures for recognition of accrediting organizations of chea, effective June 28, 2010. Copies of the standards and criteria of the chea accreditation and the United States department of education are available for inspection and distribution at cost from the Michigan Board of Dentistry, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909. Chea recognition standards may also be obtained at no cost from the council's website at <http://www.chea.org>. The federal recognition criteria may also be obtained at no cost from website for the United States department of education office of postsecondary education, at <http://www.ed.gov/about/offices/list/OPE/index.html>.

R 338.11303 Approval of dental hygiene schools educational programs; accreditation standards; adoption by reference.

Rule 1303. (1) The board adopts by reference in these rules the standards of the Commission on Dental Accreditation CODA of the American Dental Association ADA, as set forth in the publication entitled "Accreditation Standards for Dental Hygiene Education Programs," copyright 2018. 2013 and revised 2015, as the standards by which the board shall determine whether to approve a school that prepares persons for licensure as dental hygienists. Certification by the commission on dental accreditation that a school complies with these standards constitutes a prima facie showing that the school complies with these standards. A dental hygiene educational program accredited by CODA is considered board approved. CODA is the only accreditation accepted by the board.

(2) These standards may be obtained at no cost from the Commission on Dental Accreditation CODA of the American Dental Association ADA, 211 East Chicago Avenue, Chicago, IL 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, MI Michigan, 48909.

R 338.11307 Approval of dental assisting schools; standards; adoption by reference.

Rule 1307. (1) The board adopts by reference the standards of the commission on dental accreditation CODA of the American Dental Association ADA, as set forth in the publication entitled "Accreditation Standards for Dental Assisting Education Programs,"

copyright 2017. 2013 and revised 2015, as the standards by which the board shall determine whether to approve a school that complies with these standards. Certification by the commission on dental accreditation that a school complies with these standards constitutes a prima facie showing that the school complies with the standards. **A dental education program accredited by CODA is approved by the board. CODA is the only accreditation accepted by the board.**

(2) These standards may be obtained at no cost from the ~~Commission on Dental Accreditation~~ **CODA** of the ~~American Dental Association~~ **ADA**, 211 East Chicago Avenue, Chicago, IL 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution at cost from the ~~Michigan~~ Board of Dentistry, **Bureau of Professional Licensing, Michigan** Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, ~~MI~~ **Michigan**, 48909.

PART 4A. DELEGATION, SUPERVISION, ASSIGNMENT OF DENTAL ASSISTANTS, REGISTERED DENTAL ASSISTANTS, AND REGISTERED DENTAL HYGIENISTS

R 338.11401 Definitions.

Rule 1401. As used in this part:

(a) "Assignment" means that a dentist designates a patient of record upon whom services are to be performed and describes the procedures to be performed. Unless assignment is designated in these rules under general or direct supervision, the dentist need not be physically present in the office at the time the procedures are being performed.

(b) "Delegation" means an authorization granted by a licensee to a licensed or unlicensed individual to perform selected acts, tasks, or functions that fall within the scope of practice of the delegator and that are not within the scope of practice of the delegatee and that, in the absence of the authorization, would constitute illegal practice of a licensed profession.

(c) "Direct supervision" means that a dentist complies with all of the following:

(i) Designates a patient of record upon whom the procedures are to be performed and describes the procedures to be performed.

(ii) Examines the patient before prescribing the procedures to be performed and upon completion of the procedures.

(iii) Is physically present in the office at the time the procedures are being performed.

(d) "General supervision" means that a dentist complies with both of the following:

(i) Designates a patient of record upon whom services are to be performed.

(ii) Is physically present in the office at the time the procedures are being performed.

(e) **"Patient of record" means a patient who has been examined and diagnosed by a dentist and whose treatment has been planned by a dentist. A patient of record includes a patient getting radiographic images by an RDA or RDH after receiving approval from the assigning dentist.**

R 338.11402 ~~Delegation or assignment of procedures by dentist to assistant, registered dental assistant, or registered dental hygienist; certain procedures prohibited. Rescinded.~~

~~—Rule 1402. (1) A dentist shall not delegate or assign any of the following functions to an assistant or a registered dental assistant unless authorized by these rules or the code:~~

- ~~—(a) Diagnosing, or prescribing for, any of the following:~~
- ~~—(i) Disease.~~
- ~~—(ii) Pain.~~
- ~~—(iii) Deformity.~~
- ~~—(iv) Deficiency.~~
- ~~—(v) Injury.~~
- ~~—(vi) Physical condition.~~
- ~~—(b) Cutting of hard and soft tissue.~~
- ~~—(c) Removal of any of the following:~~
- ~~—(i) Accretions.~~
- ~~—(ii) Stains.~~
- ~~—(iii) Calculus deposits.~~
- ~~—(d) Deep sealing.~~
- ~~—(e) Root planning.~~
- ~~—(f) Any intra-oral restorative procedures.~~
- ~~—(g) Administration of any of the following:~~
- ~~—(i) Local anesthesia.~~
- ~~—(ii) Nitrous oxide analgesia.~~
- ~~—(iii) Acupuncture.~~
- ~~—(h) Irrigation and medication of root canals, try-in of cones or points, filing, or filling of root canals.~~
- ~~—(i) Taking impressions for any purpose other than study or opposing models.~~
- ~~—(j) Permanent cementation of any restoration or appliance.~~
- ~~—(2) A dentist shall not assign to a registered dental hygienist the procedures described in subrule (1) (a), (b), (f), (g), (h), (i), and (j) of this rule unless authorized by these rules or the code.~~

R 338.11403 ~~Assistant; delegation of intra-oral procedures under general supervision. Rescinded.~~

~~—Rule 1403. The following intra-oral procedures shall not be delegated to an assistant unless the procedures are performed under general supervision:~~

- ~~—(a) Trial sizing of orthodontic bands.~~
- ~~—(b) Holding the matrix for anterior resin restorations.~~
- ~~—(c) Making impressions for study and opposing models.~~
- ~~—(d) Applying of topical anesthetic solutions.~~
- ~~—(e) Instructing in the use and care of dental appliances.~~
- ~~—(f) Operating dental radiographic equipment if the assistant has successfully completed a course in dental radiography which is substantially equivalent to a course taught in a program approved by the board pursuant to R 338.11303 or R 338.11307. This subdivision takes effect July 26, 1992.~~

~~R 338.11404-Dental assistant; delegation of intra-oral procedures under direct supervision. **Rescinded.**~~

~~—Rule 1404. The following intra-oral procedures shall be delegated to a dental assistant only if the procedures are performed under direct supervision:~~

- ~~—(a) Placing and removing orthodontic separators.~~
- ~~—(b) Placing and removing orthodontic elastics, ligatures, and arch wires.~~
- ~~—(c) Dispensing aligners.~~

~~R 338.11404a-Registered dental assistant; assignment of intra-oral procedures. **Rescinded.**~~

~~—Rule 1404a. A dentist may assign the following intraoral dental procedures to a registered dental assistant only if the procedures are performed under the assignment of a dentist:~~

- ~~—(a) Operating dental radiographic equipment.~~
- ~~—(b) Making impressions for study and opposing models.~~
- ~~—(c) Placing and removing a rubber dam.~~
- ~~—(d) Removing excess cement from supragingival surfaces of a tooth with a non-tissue cutting instrument.~~
- ~~—(e) Polishing specific teeth with a slow-speed rotary hand piece immediately before a procedure that would require acid etching before placement of sealants, resin-bonded orthodontic appliances, and direct restorations.~~
- ~~—(f) Applying anticariogenic agents including, but not limited to, sealants, fluoride varnish, and fluoride applications.~~
- ~~—(g) Polishing and contouring of sealants with a slow-speed rotary hand piece immediately following the procedure for the purpose of occlusal adjustment.~~
- ~~—(h) Inspecting and charting of the oral cavity using a mouth mirror and radiographs.~~
- ~~—(i) Replacing existing temporary restorations and existing temporary crowns and temporary bridges.~~
- ~~—(j) Removing orthodontic elastics, ligatures, and elastic or wire separators.~~
- ~~—(k) Replacing elastic or wire separators.~~
- ~~—(l) Classifying occlusion.~~
- ~~—(m) Providing nutritional counseling for oral health and maintenance.~~
- ~~—(n) Applying commonly accepted emergency procedures.~~

~~R 338.11405-Registered dental assistant; assignment of intra-oral procedures under general supervision. **Rescinded.**~~

~~—Rule 1405. A dentist shall assign the intra-oral dental procedures detailed in R 338.11403(a), (b), (d), (e), and (f) and the following additional intra-oral procedures to a registered dental assistant only if the procedures are performed under the general supervision of a dentist:~~

- ~~—(a) Placing and removing a nonmetallic temporary restoration with non-tissue-cutting instruments.~~
- ~~—(b) Sizing of temporary crowns and bands.~~

~~R 338.11405a-Registered dental assistant; assignment of intra-oral procedures under direct supervision. **Rescinded.**~~

- ~~—Rule 1405a. A dentist shall assign the following intra-oral dental procedures to a registered dental assistant only if the procedures are performed under the direct supervision of a dentist:~~
- ~~—(a) Placing and removing periodontal dressings.~~
 - ~~—(b) Temporarily cementing and removing temporary crowns and bands.~~
 - ~~—(c) Removing sutures.~~
 - ~~—(d) Applying in-office bleaching.~~
 - ~~—(e) Cementing orthodontic bands or initial placement of orthodontic brackets.~~
 - ~~—(f) Removing orthodontic adhesive from teeth, supragingivally, after removing brackets with non-tissue-cutting instruments.~~

R 338.11405b Registered dental assistant; delegation of intra-oral procedures under general supervision. **Rescinded.**

- ~~—Rule 1405b. (1) Placing and removing of retraction materials shall be performed only by a registered dental assistant if the procedure is delegated by a dentist to a registered dental assistant under general supervision.~~
- ~~—(2) A dentist shall delegate the following intra-oral procedures to a registered dental assistant only if the registered dental assistant has successfully completed an approved course, as defined in section 16611(12) and (13) of the code, MCL 333.16611(12) and (13). The following procedures shall be performed under the general supervision of a dentist:~~
- ~~—(a) Performing pulp vitality testing.~~
 - ~~—(b) Placing and removing matrices and wedges.~~
 - ~~—(c) Applying cavity liners and bases.~~
 - ~~—(d) Placing and removing nonepinephrine retraction cords.~~
 - ~~—(e) Applying desensitizing agents.~~
 - ~~—(f) Taking an impression for orthodontic appliances, mouth guards, bite splints, and bleaching trays.~~
 - ~~—(g) Drying endodontic canals with absorbent points.~~
 - ~~—(h) Etching and placing adhesives before placement of orthodontic brackets.~~

R 338.11405c Registered dental assistant; delegation of intra-oral procedures under direct supervision. **Rescinded.**

- ~~—Rule 1405c. (1) A dentist shall delegate the following intra-oral procedures to a registered dental assistant only if the registered dental assistant has successfully completed an approved course, as defined in section 16611(11) of the code, MCL 333.16611(11), followed by a comprehensive clinical experience of sufficient duration that validates clinical competence through a criterion-based assessment instrument.~~
- ~~—(2) The following procedures shall be performed under the direct supervision of a dentist:~~
- ~~—(a) Placing, condensing, and carving amalgam restorations.~~
 - ~~—(b) Placing Class I resin bonded restorations, occlusal adjustment, finishing, and polishing with non-tissue-cutting rotary hand pieces.~~
 - ~~—(c) Taking of final impressions for indirect restorations.~~
- ~~—(3) A dentist shall delegate the assisting and monitoring of the administration of nitrous oxide analgesia by the dentist or registered dental hygienist to a registered dental~~

~~assistant only if the registered dental assistant has successfully completed an approved course, as defined in section 16611(7) of the code, MCL 333.16611(7), in the assisting and monitoring of the administration of nitrous oxide analgesia. This procedure shall be performed under the direct supervision of a dentist.~~

R 338.11406 ~~Performance of intra-oral procedures by a registered dental hygienist.~~

Rescinded.

~~—Rule 1406. A registered dental hygienist shall not perform functions exclusive to a registered dental assistant unless the registered dental hygienist is also licensed as a registered dental assistant.~~

R 338.11408 ~~Registered dental hygienist; assignment of intra-oral procedures.~~

Rescinded.

~~—Rule 1408. A registered dental hygienist shall not perform the following intraoral dental procedures unless the procedures are performed under the assignment of a dentist:~~

- ~~—(a) Removing accretions and stains from the surfaces of the teeth and applying of topical agents essential to complete prophylaxis.~~
- ~~—(b) Root planning or debridement.~~
- ~~—(c) Polishing and contouring restorations.~~
- ~~—(d) Applying anticariogenic and desensitizing agents including, but not limited to, sealants, fluoride varnish, and fluoride applications.~~
- ~~—(e) Charting of the oral cavity, including all of the following:~~
 - ~~—(i) Periodontal charting.~~
 - ~~—(ii) Intra- and extra-oral examining of soft tissue.~~
 - ~~—(iii) Charting of radiolucencies or radiopacities, existing restorations, and missing teeth.~~
- ~~—(f) Preliminary examining that includes both of the following:~~
 - ~~—(i) Classifying occlusion.~~
 - ~~—(ii) Testing pulp vitality using an electric pulp tester.~~
- ~~—(g) Applying topical anesthetic agents by prescription of the dentist.~~
- ~~—(h) Placing and removing intra-coronal temporary sedative dressings.~~
- ~~—(i) Placing and removing postextraction and periodontal dressings.~~
- ~~—(j) Removing excess cement from tooth surfaces.~~
- ~~—(k) Providing nutritional counseling for oral health and maintenance.~~
- ~~—(l) Applying commonly accepted emergency procedures.~~
- ~~—(m) Removing sutures.~~
- ~~—(n) Placing and removing a rubber dam.~~
- ~~—(o) Taking impressions for study or opposing models, orthodontic appliances, mouth guards, bite splints, and bleaching trays.~~
- ~~—(p) Operating dental radiographic equipment.~~
- ~~—(q) Placing subgingival medicaments.~~
- ~~—(r) Temporarily cementing and removing of temporary crowns and bands.~~
- ~~—(s) Applying or dispensing in-office bleaching products.~~

R 338.11409 ~~Registered dental hygienist; assignment of intra-oral procedures under direct supervision.~~ **Rescinded.**

~~—Rule 1409. Soft tissue curettage shall be performed only by a registered dental hygienist if the procedure is assigned by a dentist to a registered dental hygienist under direct supervision.~~

~~R 338.11410 Registered dental hygienist; delegation of procedures under direct supervision. Rescinded.~~

~~—Rule 1410. (1) A dentist may delegate administering intra-oral block or infiltration anesthesia or nitrous oxide analgesia or both to a registered dental hygienist under direct supervision to a patient 18 years of age or older and only if the registered dental hygienist has met all of the following requirements:~~

~~—(a) Successfully completed an approved course, as defined in section 16611(4) of the code, MCL 333.16611(4), in the administration of local anesthesia or nitrous oxide analgesia, or both.~~

~~—(b) Successfully completed a state or regional board administered written examination in local anesthesia within 18 months of completion of the approved course.~~

~~—(c) Successfully completed a state or regional board administered written examination on nitrous oxide analgesia, within 18 months of completion of the approved course.~~

~~—(d) Maintains and provides evidence of current certification in basic or advanced cardiac life support.~~

~~—(2) A dental hygienist who meets the requirements of subrule (1) of this rule shall not administer more than 50% nitrous oxide.~~

R 338.11411 Delegated and assigned dental procedures for allied dental personal.

Rule. 1411. A dentist may assign or delegate procedures to an unlicensed dental assistant, registered dental assistant, or registered dental hygienist under the provisions of section 16611 of the code, MCL 333.16611, as provided in Table 1:

PART 4B. SUPERVISION OF DENTAL THERAPISTS

R 338.11415 Definitions

R 1415. As used in this part:

(a) “Supervise or supervision” means overseeing or participating in the work of another individual by a health professional licensed under article 15 of the code, in circumstances where at least all of the following conditions exist:

(i) Continuous availability of direct communication in person or by radio, telephone, or telecommunication between the supervised individual and a health professional licensed and practicing in Michigan.

(ii) Availability of a health professional licensed and practicing in Michigan on a regularly scheduled basis to review the practice of the supervised individual, to provide consultation to the supervised individual, to review records, and to further educate the supervised individual in the performance of his or her functions.

(iii) The provision by the supervising health professional licensed and practicing in Michigan of predetermined procedures and drug protocol.

R 338.11417 Practice agreement; care or services.

Rule 1417. (1) A dental therapist may practice only under the supervision of a dentist licensed and practicing in Michigan, through a written practice agreement that is signed by the dental therapist and dentist licensed and practicing in Michigan, which meets all the requirements in section 16655 of the code, MCL 333.16655.

(2) A dentist may supervise no more than 4 dental therapists pursuant to section 16655(5) of the code, MCL 333.16655(5).

(3) A dental therapist may supervise no more than 3 dental assistants or registered dental assistants and 2 registered dental hygienists in any 1 health setting to the extent permitted in a written practice agreement. The practice agreement shall define the type of supervision required by the dental therapist and the dental assistants and dental hygienists.

(4) A dentist may not authorize a dental therapist to do any of the following:

(a) Prescribe controlled substances.

(b) Administer phentolamine mesylate.

(5) A dentist may authorize a dental therapist to provide care or services described in subdivisions (a) to (w) of section 16656 of the code, MCL 333.16656.

(6) A dental therapist may perform other services and functions authorized by the supervising dentist for which the dental therapist is trained that are ancillary to those care and services described in subdivisions (a) to (w) of section 16656 of the code, MCL 333.16656.

R 338.11419 Health settings.

Rule 1419. (1) A dental therapist may provide care and services in any health setting included in section 16654 of the code, MCL 333.16654.

(2) The health setting in section 16654(f) of the code, MCL 333.16654, includes a geographic area that is designated as a dental shortage area by the United States Department of Health and Human Services in both geographic health professional shortage areas based on geographic area or population groups.

(3) The computations to determine 50 percent of the annual total patient base of the dental therapist in section 16654(i) of the code, MCL 333.16654, will include any patient that has been seen at least once by the dental therapist.

PART 5. SPECIALTIES

R 338.11501 Specialties; recognition by the board.

Rule 1501. (1) The department on behalf of the board shall issue a health profession specialty license recognizes in all of the following branches of dentistry as specialties:

(a) Oral and maxillofacial surgery.

(b) Orthodontics and dentofacial orthopedics.

(c) Prosthodontics.

(d) Periodontics.

(e) Pediatric dentistry.

(f) Endodontics.

(g) Oral pathology or oral and maxillofacial pathology.

(2) Each **branch of a dental specialty that is licensed** ~~recognized~~ by the board is ~~identified by the definition defined of each specialty as stated in these rules, and by the standards set forth by the commission on dental accreditation~~ **CODA** under R 338.11301.

R 338.11505 ~~Specialty licensure; general requirements.~~ **Rescinded.**

~~—Rule 1505. An applicant for a specialty license shall satisfy either of the following requirements:~~

~~—(a) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.~~

~~—(b) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.~~

R 338.11512 Oral and maxillofacial pathology explained; licensure requirements.

Rule 1512. (1) The practice of oral and maxillofacial pathology deals with the nature, identification, and management of diseases affecting the oral and maxillofacial regions. It is a science that investigates the causes, processes, and effects of these diseases. The term "oral and maxillofacial pathology" ~~shall mean~~ **means** the same as the term "oral pathology."

(2) The specialty of oral and maxillofacial pathology ~~shall include~~ **includes**, but **is** not be limited to, the research and diagnosis of diseases using clinical, radiographic, microscopic, biochemical, or other examinations.

(3) An applicant for licensure as an oral and maxillofacial pathologist shall meet all of the following requirements:

(a) Hold a current license to practice dentistry in ~~Michigan~~ **this state**.

(b) Have graduated from a program of oral and maxillofacial pathology approved by the board under R 338.11301.

(c) Provide verification of a passing score on the specialty certification examination which is conducted and scored by the American board of oral and maxillofacial pathology.

R 338.11513 Oral and maxillofacial surgery explained; licensure requirements; examination content.

Rule 1513. (1) The practice of oral and maxillofacial surgery includes the diagnosis, surgical, and adjunctive treatment of diseases, injuries, and defects involving both the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial region.

(2) The specialty of oral and maxillofacial surgery shall include, but not be limited to, the care, treatment, and procedures associated with an office and hospital-based practice under R 338.11301.

(3) A dentist who applies for licensure as an oral and maxillofacial surgeon shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have completed a residency in oral and maxillofacial surgery approved by the board under R 338.11301.

~~(4) A dentist who applies for licensure as an oral and maxillofacial surgeon shall comply with R 338.11505. Satisfy either of the following:~~

(a) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(b) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.

R 338.11515 Orthodontics and dentofacial orthopedics explained; licensure requirements; examination content.

Rule 1515. (1) The practice of orthodontics includes the diagnosis, prevention, interception, and correction of malocclusion, as well as the neuromuscular and skeletal abnormalities of the developing or mature orofacial structures. The term "orthodontics and dentofacial orthopedics" means the same as the term "orthodontics."

(2) The specialty of orthodontics ~~shall include~~ **includes**, but **is** not be limited to, all of the following:

(a) The diagnosis, prevention, interception, and comprehensive treatment of all forms of malocclusion of the teeth and associated alterations in their surrounding structures.

(b) The design, application, and control of functional and corrective appliances.

(c) The growth guidance of the dentition and its supporting structures to attain and maintain optimum occlusal relations in physiologic and esthetic harmony among facial and cranial structures.

(3) A dentist who desires licensure as an orthodontist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of orthodontics approved by the board under R 338.11301.

(c) Provide the department with evidence of the successful passing of the American Board of Orthodontics (ABO) written exam. The passing score accepted for licensure ~~shall be~~ **is** the passing score established by the ABO.

~~(4) A dentist who applies for licensure as an orthodontist shall comply with R 338.11505. Satisfy either of the following:~~

(a) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(b) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.

R 338.11517 Prosthodontics explained; licensure requirements; examination content.

Rule 1517. (1) The practice of prosthodontics includes the diagnosis, treatment planning, rehabilitation, and maintenance of the oral function, comfort, appearance, and health of patients with clinical conditions associated with missing or deficient teeth and/or oral and maxillofacial tissues using biocompatible substitutes.

(2) The specialty of prosthodontics ~~shall include~~ **includes**, but **is** not ~~be~~ limited to, the restoration and maintenance of oral function, comfort, appearance, and health of the patient by the restoration of natural teeth and the replacement of missing teeth and contiguous oral and maxillofacial tissues with artificial substitutes.

(3) A dentist who applies for licensure as a prosthodontist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of prosthodontics approved by the board under R 338.11301.

(c) Provide verification of a passing score on the written portion of the specialty certification examination which is conducted and scored by the American board of prosthodontics.

~~(4) (d) A dentist who applies for licensure as a periodontist shall comply with R 338.11505.~~ **Satisfy either of the following:**

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.

R 338.11519 Periodontics explained; licensure requirements; examination content.

Rule 1519. (1) The practice of periodontics includes the prevention, diagnosis, and treatment of disease of the supporting and surrounding tissues of the teeth or their substitutes and the maintenance of the health, function, and esthetics of these structures and tissues.

(2) A dentist who desires licensure as a periodontist shall comply with both of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of periodontics approved by the board under R 338.11301.

~~(3) A dentist who desires licensure as a periodontist shall comply with R 338.11505.~~ **Satisfy either of the following:**

(a) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(b) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.

R 338.11521 Pediatric dentistry explained; licensure requirements; examination content.

Rule 1521. (1) The practice of pediatric dentistry is an age-defined specialty that provides both primary and comprehensive preventive and therapeutic oral health care for infants and children through adolescence, including those with special health care needs.

(2) A dentist who desires licensure as a pediatric dentist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in Michigan.

(b) Have graduated from a program of pediatric dentistry approved by the board under R 338.11301.

(c) Provide verification of a passing score on the written examination used for specialty certification which is conducted and scored by the American board of pediatric dentistry since 2005 or provide documentation of diplomate status with the American board of pediatric dentistry.

~~(3) A dentist who desires licensure as a pediatric dentist shall comply with R 338.11505.~~
Satisfy either of the following:

(a) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(b) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.

R 338.11523 Endodontics explained; licensure requirements; examination content.

Rule 1523. (1) The practice of endodontics includes the morphology, physiology, and pathology of the human dental pulp and periradicular tissues. Its study encompasses related basic and clinical sciences, including the biology of the normal pulp and the etiology, diagnosis, prevention, and treatment of diseases and injuries of the pulp and associated periradicular conditions.

~~(2) The specialty of endodontics shall include all of the following:~~

~~(a) Pulpotomy.~~

~~(b) Pulp capping.~~

~~(c) Hemisections.~~

~~(d) Pulp extirpation.~~

~~(e) Root amputations.~~

~~(f) Implants.~~

~~(g) Treatment of the pulp canals.~~

~~(h) Bleaching of discolored teeth.~~

~~(i) Obturation of canals of the teeth.~~

~~(j) Replantation and intentional replantation.~~

~~(k) Periapical and lateral pathosis of pulpal origin.~~

- ~~(l) Selective surgical removal of lesions of endodontic origin and affected teeth.~~
- ~~(m) Differential diagnosis and control of pain of pulpal origin.~~
- ~~(n) Pulp restoration.~~

~~(3)~~ **(2)** A dentist who applies for licensure as an endodontist shall comply with all of the following requirements:

- (a) Hold a current license to practice dentistry in this state.
- (b) Have graduated from a program of endodontics approved by the board under R 338.11301.

(c) Provide documentation to the department evidencing the successful passing of the American Association of Endodontists (AAE) written examination. The passing score accepted for licensure ~~shall be~~ is the passing score established by the AAE.

~~(4)~~ **(d)** A dentist who applies for licensure as an endodontist shall comply with R 338.11505. **Satisfy either of the following:**

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status in the appropriate American board specialty association through completion of the American board specialty examinations.

R 338.11525 Specialists; holding self out to public.

Rule 1525. (1) A dentist who is not licensed as a specialist by the board shall not announce or hold himself or herself out to the public as limiting his or her practice to, as being specially qualified in, or as giving special attention to, a branch of dentistry **that is listed as a specialty in R 338.11501**. A dentist is considered to be holding himself or herself out as a specialist in a branch of dentistry **that is listed as a specialty in R 338.11501** in either of the following situations:

(a) When, in any way, he or she gives public emphasis to the practice of ~~some particular~~ a specialty of dentistry **in R 338.11501** without disclosing that he or she is a dentist who is not licensed **in Michigan** as a specialist **under R 338.11501**.

(b) When he or she identifies himself or herself with a specialty **of dentistry in R 338.11501**, whether or not he or she claims special attention to, or a practice limited to the specialty or if he or she employs the use of signs, professional cards, letterheads, other listings, or letters to the public or the profession which, in any way, implies special knowledge or ability in a specialty **of dentistry in R 338.11501**. This subdivision does not apply to specialists who are advertising in the specialty for which they are licensed **in this state under R 338.11501**. ~~For purposes of this subrule, a specialist who advertises services in an area other than his or her specialty is considered a general dentist and shall comply with the provisions of subdivision (a) of this subrule.~~

(2) A dentist who is licensed as a specialist **in this state under R 338.11501** shall include his or her license number in all public advertisements for that specialty, including, but not limited to, telephone books, solicitations, print media, newspapers, and internet advertising.

(3) Identification as an employer, employee, or partner, with an individual who is duly licensed as a specialist **in this state under R 338.11501** by the board constitutes announcement to the public of qualifications for specialization, unless the individual so associating himself or herself publicly states, by signs, cards, or announcements, that he or she is **not licensed in this state as a specialist under R 338.11501** engaged in the practice of general dentistry or **is engaged in** the practice of some other specialty of dentistry in which he or she is duly licensed **in this state under R 338.11501**.

R 338.11527 Dental license suspension or revocation; automatic suspension or revocation of specialty licensure.

Rule 1527. The suspension or revocation of the dental license of a dentist shall automatically ~~cause~~ **causes** the suspension or revocation of a specialty ~~licensure~~ **license** issued to that dentist under the ~~aet~~ **code** and these rules.

PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION AND ENTERAL SEDATION

R 338.11601 General anesthesia; conditions; violation.

Rule 1601. (1) A dentist shall not administer general anesthesia to a dental patient or delegate and supervise the performance of any act, task, or function involved in the administration of general anesthesia to a dental patient, unless all of the following conditions are satisfied:

(a) The dentist has completed a minimum of 1 year of advanced training in general anesthesia and pain control in a program which meets the standards adopted in R 338.11603(l). **A program that is accredited by CODA as meeting the accreditation standards for advanced dental education programs meets the requirements of this subdivision.** ~~This subdivision takes effect 1 year after the effective date of this amendatory rule.~~

(b) The dentist and the delegatee, if any, maintain current certification in basic and advanced cardiac life support **for health care providers with a hands-on component** from an agency or organization that grants such certification pursuant to standards substantially equivalent to the standards adopted in R 338.11603(2). **A certification in basic and advanced cardiac life for health care providers with a hands-on component from AHA meets the requirements of this subdivision.**

(c) The facility in which the anesthesia is administered meets the equipment standards adopted in R 338.11603(3).

(d) The dentist shall be physically present with the patient who is given any general anesthesia until he or she regains consciousness and the dentist shall remain on the premises until ~~such~~ **the** patient is capable of being discharged.

(2) A dentist who does not meet the requirements of subrule (1) of this rule shall not offer general anesthesia services for dental patients unless all of the following conditions are met:

(a) General anesthesia services are directly provided through association with, and by, either of the following individuals:

(i) A physician who is licensed under the provisions of part 170 or 175 of the act code, MCL 333.17001 to 333.17088, and 333.17501 to 333.17556, and who is a member in good standing on the anesthesiology staff of a hospital accredited by the ~~Joint Commission~~ **joint commission on hospital accreditation (JACHO)**.

(ii) A dentist who meets the requirements of subrule (1)(a) and (b) of this rule.

(b) A person who administers anesthesia, as authorized by the provisions of subdivision (a) of this subrule, shall be physically present with the patient who is given any general anesthesia until he or she regains consciousness and the dentist shall remain on the ~~actual~~ premises where the general anesthesia is administered until the patient anesthetized is capable of being discharged.

(c) The provisions of subrule (1)(b) and (c) of this rule shall be complied with.

(3) A dentist is in violation of section 16221(1)(h) of the code, MCL 333.16221(1)(h), if he or she **fails to comply with subrules (1) and (2) of this rule.** ~~administers general anesthesia to a dental patient or delegates and supervises the performance of any act, task, or function involved in the administration of general anesthesia to a dental patient or offers general anesthesia services for dental patients without being in compliance with subrules (1) and (2) of this rule.~~

R 338.11602 Intravenous conscious sedation; conditions; violations.

Rule 1602. (1) A dentist shall not administer intravenous conscious sedation to a dental patient or delegate and supervise the performance of any act or function involved in the administration of intravenous conscious sedation to a dental patient unless 1 of the following ~~conditions~~ is satisfied:

(a) The dentist complies with R 338.11601(1) or (2).

(b) The dentist complies with both of the following provisions:

(i) The dentist has completed a minimum of 60 hours of training in intravenous conscious sedation and related academic subjects, including a minimum of 40 hours of supervised clinical instruction in which the ~~individual dentist~~ has sedated not less than 20 cases in a course that is in compliance with the standards adopted in R 338.11603(1). **A program that is accredited by the ADA's CODA as meeting the accreditation standards for advanced dental education programs meets the standards in R 338.11603(1).**

(ii) The dentist and the delegatee, if any, maintains current certification in basic ~~or~~ **and advanced cardiac life support for health care providers with a hands-on component** from an agency or organization that grants such certification under standards substantially equivalent to the standards adopted in R 338.11603(2). **A certification in basic and advanced cardiac life support for health care providers with a hands-on component from AHA meets the requirements of this paragraph.**

~~(e)~~ (iii) The facility in which the anesthesia is administered complies with the equipment standards adopted in R 338.11603(3).

(2) A dentist is in violation of section 16221(1)(h) of the code, MCL 333.16221(1)(h), if he or she **fails to comply with subrule (1) of this rule.** ~~administers intravenous conscious sedation to a dental patient or delegates and supervises the performance of any act, task, or function involved in the administration of intravenous conscious sedation to a dental patient without complying with the provisions of subrule (1) of this rule.~~

R 338.11603 Adoption of standards; effect of certification of programs.

Rule 1603. (1) The board adopts **by reference** the standards for advanced training in anesthesia and pain control and training in intravenous conscious sedation and related subjects set forth by the ~~Commission on Dental Education of the American Dental Association in the ADA's~~ publication entitled "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," October ~~2012~~ **2016** edition, ~~–The guidelines may be obtained at no cost from the Commission on Dental Education, American Dental Association, 211 E. Chicago Avenue, Chicago, IL 60611, or at no cost on the association's website at <http://www.ada.org>. A copy of the standards is available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, MI Michigan, 48909. Certification of programs by the Council on Dental Education as meeting the standards adopted constitutes a prima facie showing that the program is in compliance with the standards.~~

(2) The board adopts **by reference** the standards for credentialing in basic and advanced life support **for health care providers with a hands-on component** set forth by the ~~American Heart Association AHA~~ in the **standards and** guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers, ~~and published in "2015 AHA American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care." (Circulation, Volume 132, Issue 18 Supplement 2, November 3, 2015.)~~ **with updates in "2017 American Heart Association Guidelines Update for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care" published November 6, 2017.** A copy of the guidelines for cardiopulmonary resuscitation and emergency ~~cardiac~~ **cardiovascular** care may be obtained from the American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231 or at no cost from the ~~American Heart Association's AHA's~~ website at ~~<http://circ.ahajournals.org>~~; **www.cpr.heart.org**. A copy of this document is available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, **Bureau of Professional Licensing**, 611 West Ottawa, P.O. Box 30670, Lansing, ~~MI~~ **Michigan**, 48909.

(3) The board adopts **by reference** the standards regarding the equipment within a facility set forth by the American Association of Oral and Maxillofacial Surgeons in the publication entitled "Office Anesthesia Evaluation Manual," eighth edition. A copy of this manual may be obtained from the American Association **Bureau of Professional Licensing** of Oral and Maxillofacial Surgeons, 9700 West Bryn Mawr Avenue, Rosemont, IL 60018, or at the association's website at <http://www.aaoms.org> ~~at a cost of \$285 as of the adoption of these rules.~~ A copy of this document is available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, **Bureau of Professional Licensing**, 611 West Ottawa, P.O. Box 30670, Lansing, ~~MI~~ **Michigan**, 48909.

R 338.11604 ~~"Morbidity" and "Mortality" defined; reporting requirements.~~ **Rescinded.**

~~–Rule 1604. (1) As used in this rule:~~

~~–(a) "Morbidity" means an incident that results in mental or physical impairment which is related to or results from the administration of general anesthesia or intravenous~~

conscious sedation by a dentist, under the delegation and supervision of a dentist, or in a dental facility.

~~-(b) "Mortality" means an incident that results in death related to the administration of general anesthesia or intravenous conscious sedation by a dentist, under the delegation and supervision of a dentist, or in a dental facility.~~

~~-(2) A dentist shall file a morbidity report with the board within 30 days after the occurrence of an incident.~~

~~-(3) A dentist shall file a mortality report with the board within 5 days after the occurrence of an incident.~~

~~-(4) A dentist who fails to file a report as required by this rule is in violation of section 16221(1)(g) 16221(1)(h) of the act code, MCL 333.16221(1)(h).~~

R 338.11605 Enteral sedation; **guidelines; adoption by reference**; requirements for approval of course and instructor.

Rule 1605. (1) **Before being offered to licensees, A course and its instructors** in enteral sedation ~~shall~~ **must** be approved by the board of dentistry and shall, at a minimum, **must** be consistent with the enteral sedation course **objectives, content, duration, evaluation, documentation, and faculty** as outlined in the American Dental Association's **ADA's educational guidelines** "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," ~~2012~~ **October 2016**, whose guidelines are adopted **by reference** by the board. Such a course ~~must provide training in patient assessment, recognition of emergencies and airway management, including the ability to manage an unconscious airway. Part 3 of the~~ **The** guidelines may be obtained at no cost from the American Dental Association, 211 E. Chicago Avenue, Chicago, IL 60611 or on the association's website at <http://www.ada.org>. A copy of the guidelines is available for inspection and distribution at cost from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, **Bureau of Professional Licensing**, 611 West Ottawa, P.O. Box 30670, Lansing, MI 48909.

(2) A program or course that is certified by the ADA's CODA as meeting the ADA's standards for advanced training in anesthesia and pain control and training in intravenous conscious sedation in the publication entitled "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," ~~October 2012~~ **2016** edition, **is approved by the board.**

~~(2) An instructor of a course in enteral sedation shall be approved by the board of dentistry and shall have at least 3 years of experience which includes his or her formal postdoctoral training in anxiety and pain control.~~

PART 7. CONTINUING EDUCATION

R 338.11701 **License Renewal** ~~renewal of for a dentist license~~;, dental specialist, special retired volunteer dentist ~~license~~; requirements; applicability.

Rule 1701. (1) **Except for subdivisions (8), (9), and (10) of this rule, which are effective upon promulgation of the rules, amendments to this rule are effective for applications for renewal that are filed for the renewal cycle that begins 1 year or more after the effective date of these rules.**

(2) This rule applies to applications for the renewal of a dentist license, **dental specialist license, and special retired volunteer dentist license** under sections 16201 (1) and (2) and 16184(2) and (3) of the code, **MCL 333.16201 and 333.16184.**

~~(2)~~ (3) An applicant for a **dentist** license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall ~~comply with both of the following:~~ **complete not less than 60 hours of continuing education approved by the board under R 338.11704a during the 3-year period prior to the end of the license cycle.**

~~(a) Possess current certification in basic or advanced cardiac life support from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(3).~~

~~(b) Complete at least 3 continuing education credits in pain and symptom management in each renewal period. Continuing education credits in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions.~~

(4) An applicant for a dental specialist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall complete 60 hours of continuing education approved by the board under R 338.11704a with not less than 20 hours of the required 60 hours in board approved continuing education in the dental specialty field in which he or she is licensed within the 3-year period prior to the end of the license cycle.

(5) In addition to meeting the requirements of section 16184 of the code, MCL 333.16184, an applicant for a special retired volunteer dentist license renewal who has been licensed for the 3 year period immediately preceding the expiration date of the license shall complete not less than 60 hours of continuing education approved by the board under R 338.11704a during the 3 year period prior to the end of the license cycle.

(6) All applicants shall possess current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

~~(3)~~ (7) ~~In addition to~~ **In complying with** the requirements of ~~subrule (2)~~ subrules (3) to (5) of this rule, ~~An an~~ applicant for a **dentist** license, **dental specialist license, and special retired volunteer dentist license** renewal who has been licensed for the 3 year period immediately preceding the expiration date of the license shall comply with all of the following prior to the end of the license cycle:

~~(a) Complete not less than 60 hours of continuing education approved by the board during the 3-year period immediately preceding the application for renewal.~~

(a) Complete at least 3 hours of the required continuing education hours in pain and symptom management in each renewal period. Continuing education hours in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. Hours earned through volunteer patient or supportive dental services provided for in R

338.11704a(1)(m) will not count toward the required hours for pain and symptom management.

(b) Complete at least 1 hour of the required continuing education hours in dental ethics and jurisprudence. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for dental ethics and jurisprudence.

~~(b)~~ **(c) Complete a minimum of 20 hours of the required 60 hours required of approved continuing education hours in programs directly related to clinical issues such as delivery of care, materials used in delivery of care, and pharmacology. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for clinical issues.**

~~(c)~~ **(d) Complete a minimum of 20 hours of the required 60 hours of approved continuing education hours by attending live courses or programs that provide for direct interaction between faculty and participants, including, but not limited to, lectures, symposia, live teleconferences, workshops, and participation in volunteer clinical patient or supportive dental services provided for in R 338.11703(e) R 338.11704a(1)(m). These courses, with the exception of the volunteer clinical services in R 338.11704a(1)(m), may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.**

(e) Complete no more than 30 hours of the required continuing education hours online or through electronic media, such as videos, internet web-based seminars, video conferences, online continuing education programs, and online journal articles.

(8) Except for the 1-time training in human trafficking and 1-time training in opioid and controlled substances awareness, an applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.

~~-(4) In addition to the requirements of subrules (2) and (3) of this rule, a dental specialist shall complete 20 hours of the 60 required board approved continuing education hours in the dental specialty field in which he or she is certified within the 3-year period immediately preceding the renewal application.~~

~~-(5) In addition to the requirements of subrule (2)(b) and (c) of this rule, an applicant for a special retired dentist license shall comply with the following:~~

~~-(a) Complete not less than 40 hours of continuing education acceptable to the board during the 3-year period immediately preceding the date of the application.~~

~~-(b) Complete a minimum of 14 hours of the required 40 hours of approved continuing education in programs directly related to clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.~~

~~-(c) Complete a minimum of 14 hours of the required 40 hours of approved continuing education by attending live courses or programs that provide for direct interaction between faculty and participants, including but not limited to, lectures, symposia, live teleconferences, workshops, and providing volunteer clinical services provided for in R 338.11703(e). These courses, with the exception of the volunteer clinical services, may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.~~

~~—(d) Comply with the conditions for renewal in section 16184(2) of the code, MCL 333.16184(2).~~

~~(6)~~ **(9)** The submission of the **application for online renewal shall constitute** the applicant's certification of compliance with the requirements of this rule. The board may require an applicant or a licensee to submit evidence to demonstrate compliance with this rule. The applicant or licensee **shall** maintain evidence of complying with the requirements of this rule for a period of **4 5** years from the date of the submission for renewal. **Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).**

(10) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

R 338.11703 Acceptable continuing education for dentists; limitations. License renewal for a dental therapist, dental therapist special volunteer; requirements; applicability.

~~Rule 1703.~~ The board shall consider any of the following as acceptable continuing education for dentists.

~~(a) Successful completion of a course or courses offered for credit in a dental school or a hospital-based dental specialty program approved by the board pursuant to R 338.11301, a dental hygiene school approved by the board pursuant to R 338.11303, or a dental assisting school approved by the board pursuant to R 338.11307. Ten hours of continuing education shall be credited for each quarter credit earned and 15 hours shall be credited for each semester credit earned, without limitation.~~

~~—(b) Satisfactory participation for a minimum of 7 months in a postgraduate dental clinical training program in a hospital or institution that is approved by the board under R 338.11301. A maximum of 20 credit hours per calendar year may be earned for participation.~~

~~—(c) Attendance at a continuing education program offered by a dental school or a hospital-based dental specialty program approved by the board pursuant to R 338.11301, a dental hygiene school approved by the board pursuant to R 338.11303, or a dental assisting school approved by the board under R 338.11307. One hour of continuing education shall be credited for each hour of program attendance, without limitation.~~

~~—(d) Attendance at a continuing education program approved by the board under R 338.11705. One hour of continuing education shall be credited for each hour of program attendance, without limitation.~~

~~—(e) Development and presentation of a table clinical demonstration or a continuing education lecture offered in conjunction with the presentation of continuing education programs approved by the board. One hour of continuing education shall be credited for each hour devoted to the development and initial presentation of a table clinical demonstration or a continuing education lecture, with a maximum of 10 hours of continuing education credited for the development and presentation of the same table clinical demonstration or lecture.~~

~~—(f) The initial publication of an article or articles related to the practice of dentistry, dental hygiene, or dental assisting in the journal of an accredited school of dentistry, dental hygiene, or dental assisting or a state or state component association of dentists,~~

dental specialists, dental hygienists, or dental assistants. Twelve hours of continuing education shall be credited.

—(g) The initial publication of an article or articles related to the practice of dentistry, dental hygiene, or dental assisting in a textbook or in the journal of a national association of dentists, dental specialists, dental hygienists, or dental assistants. Twenty-five hours of continuing education shall be credited.

—(h) Reading articles, viewing, or listening to media, other than online programs, devoted to dental, dental hygiene, or dental assisting education. One hour of continuing education shall be credited for each hour devoted to such education, with a maximum of 10 hours credited under this category.

—(i) Participation in board-approved, continuing education activities offered online, through electronic media, or both. a maximum of 30 hours of continuing education may be earned.

—(j) Successful completion of an American board specialty examination. Ten hours of continuing education shall be credited in the year in which the applicant is advised he or she passed the examination.

—(k) Renewal of a license held in another state that requires continuing education for license renewal that is substantially equivalent to that required in these rules if the applicant resides and practices in another state. For a dentist, 60 hours of continuing education shall be credited for evidence of current licensure in another state.

—(l) Attendance at a continuing education program which has been granted approval by another state board of dentistry. One continuing education hour may be granted for each hour of program attendance.

—(m) Attendance at dental-related programs which shall be documented by the licensee as relevant to health care and advancement of the licensee's dental education. The board shall deny a request for approval if the continuing education request does not meet the criteria used by the board for approval of continuing education hours. Ten hours of continuing education shall be credited.

—(n) Attendance at programs related to topics approved for category 1 continuing education by the boards of medicine or osteopathic medicine. A maximum of 30 credit hours per renewal period for a dentist may be earned.

—(o) Dentists and retired volunteer dentists may receive continuing education credit for providing volunteer clinical dental services within this state as provided in this rule.

—(i) A dentist or retired volunteer dentist may provide volunteer clinical care at a board-approved program that complies with both of the following:

—(A) Is a public or non-profit entity, program, or event, or a school or nursing home.

—(B) Provides clinical dental services to the indigent or dentally underserved populations.

—(ii) A licensee shall not receive direct or indirect remuneration of any kind, including, but not limited to, remuneration for materials purchased or used.

—(iii) The program shall require a licensee to sign in and sign out daily upon commencement and termination of the provision of services.

—(iv) Continuing education credit shall be calculated at the ratio of 1 continuing education credit hour for each 120 minutes of patient services.

~~—(v) A dentist may earn a maximum of 20 volunteer credit hours per renewal period. A retired volunteer dentist may earn a maximum of 26 volunteer credit hours per renewal period.~~

~~—(vi) Board approved sponsors that provide volunteer continuing education opportunities under this rule shall comply with all of the following:~~

~~—(A) Apply to the department to obtain approval as a sponsoring entity, pursuant to R 338.11705(7).~~

~~—(B) Retain patient records.~~

~~—(C) Retain documentation of all volunteer assignments and the hours of service provided.~~

~~—(D) Provide the records and a copy of the assignments and the hours of service provided to the board upon request.~~

~~—(E) Provide each licensee with verification of volunteer work performed by the licensee upon completion of the licensee's service.~~

~~—(vii) The board may revoke the approval status of any entity that fails to comply with these rules.~~

~~—(viii) A licensee who is employed by an entity that provides dental services to the indigent or dentally underserved populations may not obtain credit for volunteer services at the entity at which the licensee is employed, but may receive credit for qualified volunteer services at other approved entities.~~

~~—(ix) A dentist or retired volunteer dentist who provides volunteer clinical dental services shall maintain proof of these services for at least 4 years.~~

~~—(x) A licensee who fails to maintain accurate and complete records of services rendered may not receive continuing education credit for those services.~~

~~—(xi) A licensee under a board order or agreement that provides for the provision of volunteer services may not receive continuing education credit for the provision of the volunteer services.~~

~~—(xii) A dentist with a specialty license issued from this state shall limit volunteer clinical dental services to the specialty area in which the dentist is licensed.~~

~~—(xiii) Continuing education credit hours earned through volunteer clinical work shall not count toward the required 20 continuing education hours for dentists or 14 continuing education hours for retired volunteer dentists on clinical issues such as delivery of care, materials used in the delivery of care, and pharmacology, or the 1 continuing education hour required for pain management, as required by R 338.11701(2).~~

Rule 1703. (1) This rule applies to applications for the renewal of a dental therapist licensed and dental therapist special retired volunteer dentist license under sections 16201, 16653, and 16184 of the code, MCL 333.16201, 333.16653, and 333.16184.

(2) An applicant for a dental therapist license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall complete not less than 35 hours of continuing education approved by the board under R 338.11704a during the 2-year period prior to renewal.

(3) In addition to meeting the requirements of section 16184 of the code, MCL 333.16184, an applicant for a special retired volunteer dental therapist license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall complete not less than 35 hours of continuing

education approved by the board under R 338.11704a during the 2-year period prior to renewal.

(4) All applicants shall possess current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

(5) In complying with the requirements of subrules (2) and (3) of this rule, an applicant for a dental therapist license and special retired volunteer dental therapist license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall comply with all of the following prior to the end of the license cycle:

(a) Complete at least 2 hours of the required continuing education hours in pain and symptom management in each renewal period. Continuing education hours in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for pain and symptom management.

(b) Complete at least 1 hour of the required continuing education hours in dental ethics and jurisprudence. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for dental ethics and jurisprudence.

(c) Complete a minimum of 12 hours of the required continuing education hours in programs directly related to clinical issues such as delivery of care, materials used in delivery of care, and pharmacology. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for clinical issues.

(d) Complete a minimum of 12 hours of the required continuing education hours by attending live courses or programs that provide for direct interaction between faculty and participants, including, but not limited to, lectures, symposia, live teleconferences, workshops, and participation in volunteer patient or supportive dental services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer services in R 338.11704a(1)(m), may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.

(e) Complete no more than 18 hours of the required continuing education hours online or through electronic media, such as videos, internet web-based seminars, video conferences, online continuing education programs, and online journal articles.

(6) Except for the 1-time training in human trafficking and 1-time training in opioid and controlled substances awareness, an applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.

(7) The submission of the application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. The board may

require an applicant or a licensee to submit evidence to demonstrate compliance with this rule. The applicant or licensee shall maintain evidence of complying with the requirements of this rule for a period of 4 years from the date of the submission for renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).

(8) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

R 338.11704 License renewal for ~~a registered dental hygienists~~ **hygienist, registered dental hygienist special volunteer, and registered dental assistants** ~~assistant, registered dental assistant special volunteer; requirements; applicability.~~

Rule 1704. (1) **Except for subrules (8), (9), and (10) of this rule, which are effective upon promulgation of the rules, amendments to this rule are effective for applications for renewal that are filed for the renewal cycle that begins 1 year or more after the effective date of these rules.**

(2) This rule applies to applications for the renewal of a registered dental hygienist license, or a registered dental assistant license, under section 16201(1) and (2) of the code, MCL 333.16201(1) and (2), and a registered dental hygienist special retired volunteer license, and a registered dental assistant special retired volunteer license under section 16184 of the code, MCL 333.16184.

(2) (3) An applicant for a registered dental hygienist license renewal or a registered dental assistant license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license, shall possess current certification in basic or advanced cardiac life support for an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(3) and shall comply with the following requirements, as applicable: complete not less than 36 hours of continuing education approved by the board under R 338.11704a during the 3 years prior to the end of the license cycle.

~~(a) For a registered dental hygienist license or a registered dental assistant license, the applicant shall have completed not less than 36 hours of continuing education acceptable to the board during the 3-year period immediately preceding the date of the application.~~

~~Each licensee shall complete a minimum of 12 hours of the required 36 hours of approved continuing education in programs directly related to clinical issues such as delivery of care, materials used in the delivery of care, and pharmacology.~~

~~-(b) For a registered dental hygienist license or a registered dental assistant license, the applicant shall complete a minimum of 12 hours of the required 36 hours of approved continuing education by attending live courses or programs that provide for direct interaction between faculty and participants, including, but not limited to, lectures, symposia, live teleconferences, workshops and provision of volunteer clinical services provided for in R 338.11704a. These courses, with the exception of the volunteer clinical services, may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.~~

(c) (4) Applicants holding both a registered dental hygienist license and a registered dental assistants license shall have completed complete not less than a total of 36 hours of continuing education acceptable to approved by the board under R 338.11704a during the 3-year period immediately 3 years preceding the date of application renewal date prior to the end of the license cycle. The 36 hours shall must include not less than

12 hours devoted to registered dental hygienist functions, and not less than 12 hours devoted to registered dental assistant functions.

~~(d) If an organized continuation course or program is offered in segments of 50 to 60 minutes each, 1 hour of credit shall be given for each segment.~~

~~(e) Each licensee shall complete at least 2 continuing education credits in pain and symptom management in each renewal period. Continuing education credits in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions.~~

(5) In addition to meeting the requirements of section 16184 of the code, MCL 333.16184, an applicant for a special retired volunteer registered dental assistant license renewal or a special retired volunteer registered dental hygienist license renewal who has been licensed for the 3 year period immediately preceding the expiration date of the license shall complete not less than 36 hours of continuing education approved by the board under R 338.11704a during the 3 year period prior to the end of the license cycle.

(6) All applicants shall possess current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

(7) In complying with the requirements of subrules (3) to (5) of this rule, an applicant for a registered dental assistant license, registered dental hygienist license, special retired volunteer registered dental assistant license, or special retired volunteer registered dental hygienist license renewal who has been licensed for the 3 year period immediately preceding the expiration date of the license shall also comply with all of the following prior to the end of the license cycle:

(a) Complete a minimum of 12 hours of the required continuing education hours in programs directly related to clinical issues such as delivery of care, materials used in the delivery of care, and pharmacology. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for clinical issues.

(b) Complete a minimum of 12 hours of the required continuing education hours by attending live courses or programs that provide for direct interaction between faculty and participants, including, but not limited to, lectures, symposia, live teleconferences, workshops and provision of volunteer patient or supportive dental services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer services in R 338.11704a(1)(m), may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.

(c) Complete at least 2 hours of the required continuing education hours in pain and symptom management in each renewal period. Continuing education credits in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. Hours earned through volunteer patient or supportive dental services provided for in R

338.11704a(1)(m) will not count toward the required hours for pain and symptom management.

(d) Complete at least 1 hour of the required continuing education hours in dental ethics and jurisprudence. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for ethics and jurisprudence.

(e) Complete at least 1 hour of the required continuing education hours in infection control, which shall include sterilization of hand pieces, personal protective equipment, and center for disease control and prevention infection control guidelines. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) will not count toward the required hours for infection control.

(f) Earn no more than 18 of the 36 hours of the required continuing education hours online or through electronic media, such as videos, internet web-based seminars, video conferences, online continuing education programs, and online journal articles.

(8) Except for the 1-time training in human trafficking and 1-time training in opioid and controlled substances awareness, an applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.

(3) (9) The submission of the online application for renewal shall constitute constitutes the applicant's certification of compliance required by this rule. The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule. The applicant or licensee shall maintain evidence of complying with the requirements of this rule for a period of 4 5 years from the date of the submission for renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).

(10) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

R 338.11704a Acceptable continuing education for licensees, registered dental hygienists and registered dental assistants; limitations.

Rule 1704a. (1) The board shall consider any of the following as acceptable continuing education for dentists, dental therapists, dental specialists, special retired volunteer dentists, special retired volunteer dental therapists, registered dental hygienists, special retired volunteer registered dental hygienists, and registered dental assistants, and special retired volunteer registered dental assistants, unless otherwise noted:

(a) Successful completion of a course or courses offered for credit in a dental school or hospital-based dental specialty program approved by the board under R 338.11301, a dental hygiene school approved by the board under R 338.11303, or a dental assisting school approved by the board under of R 338.11307. Ten hours of continuing education shall be credited for each quarter credit earned and 15 hours shall be credited for each semester credit earned, without limitation.

—(b) Attendance at a continuing education program offered by a dental school or hospital-based dental specialty program approved by the board under R 338.11301, a dental hygiene school approved by the board under R 338.11303, or a dental assisting

~~school approved by the board under R 338.11307. One hour of continuing education shall be credited for each hour of program attendance, without limitation.~~

~~—(c) Attendance at a continuing education program approved by the board under R 338.11705. One hour of continuing education shall be credited for each hour of program attendance, without limitation.~~

~~—(d) Development and presentation of a table clinic demonstration or a continuing education lecture offered in conjunction with the presentation of continuing education programs approved by the board. One hour of continuing education shall be credited for each hour devoted to the development and initial presentation of a table clinic demonstration or a continuing education lecture, with a maximum of 10 hours of continuing education credited for the development and presentation of the same table clinic demonstration or continuing education lecture.~~

~~—(e) The initial publication of an article or articles related to the practice of dentistry, dental hygiene, or dental assisting in the journal of an accredited school of dentistry, dental hygiene, or dental assistant, or in a state or state component association of dentists, dental specialists, dental hygienists, or dental assistants. Twelve hours of continuing education shall be credited.~~

~~—(f) The initial publication of an article or articles related to the practice of dentistry, dental hygiene, or dental assisting in a textbook or in the journal of a national association of dentists, dental specialists, dental hygienists, or dental assistants. Twenty-five hours of continuing education shall be credited.~~

~~—(g) Participation in board approved, continuing education activities offered online, through electronic media, or both. A maximum of 18 hours of continuing education may be earned.~~

~~—(h) Reading articles and viewing or listening to media, other than online programs, devoted to dental, dental hygiene, or dental assisting education. One hour of continuing education shall be credited for each hour of participation with a maximum of 10 hours credited under this category.~~

~~—(i) Renewal of a license held in another state that requires continuing education for license renewal that is substantially equivalent to that required in these rules if the applicant resides and practices in another state. For a registered dental hygienist or registered dental assistant, 36 hours of continuing education shall be credited for evidence of current licensure in such other state.~~

~~—(j) For a registered dental assistant, meeting the requirements for recertification in R 338.11705(3). Thirty-six hours of continuing education shall be credited for evidence of current certification, other than emeritus certification, by the dental assisting national board.~~

~~—(k) Attendance at a continuing education program which has been granted approval by another state board of dentistry. One continuing education contact hour may be granted for each hour of program attendance.~~

~~—(l) Attendance by dental hygienists or registered dental assistants at dental related programs which are documented by the licensee as relevant to health care and advancement of the licensee's dental education. The board shall deny a request for approval if the continuing education request does not meet the criteria used by the board for approval of continuing education sponsors. Six hours of continuing education credited.~~

~~—(m) Attendance at programs related to specific dental specialty topics approved for category 1 continuing education by the boards of medicine or osteopathic medicine. A maximum of 18 credit hours per renewal period may be earned.~~

~~—(n) Dental hygienists and dental assistants may receive continuing education credit for providing volunteer clinical dental hygiene or assistant services within the state as provided in this rule.~~

~~—(i) A dental hygienist or dental assistant may provide volunteer clinical care at a board-approved program that complies with both of the following:~~

~~—(a) Is a public or non-profit entity, program, or event, or a school or nursing home.~~

~~—(b) Provides clinical dental services to the indigent or dentally underserved populations.~~

~~—(ii) A licensee shall not receive direct or indirect remuneration of any kind, including, but not limited to, remuneration for materials purchased or used.~~

~~—(iii) The program shall require a licensee to sign in and sign out daily upon commencement and termination of the provision of services.~~

~~—(iv) Continuing education credit shall be calculated at the ratio of 1 continuing education credit hour for each 120 minutes of patient services.~~

~~—(v) A dental hygienist or dental assistant may earn a maximum of 12 volunteer credit hours per renewal period.~~

~~—(vi) Board-approved sponsors that provide volunteer continuing education opportunities under this rule shall comply with all of the following:~~

~~—(a) Apply to the department to obtain approval as a sponsoring entity, pursuant to R 338.11705(7).~~

~~—(b) Retain patient records.~~

~~—(c) Retain documentation of all volunteer assignments and the hours of service provided.~~

~~—(d) Provide the records and a copy of the assignments and the hours of service provided to the board upon request.~~

~~—(e) Provide each licensee with verification of volunteer work performed by the licensee upon completion of the licensee's service.~~

~~—(vii) The board may revoke the approval status of any entity that fails to comply with these rules.~~

~~—(viii) A licensee who is employed by an entity that provides dental services to the indigent or dentally underserved populations may not obtain credit for volunteer services at the entity at which the licensee is employed, but may receive credit for qualified volunteer services at other approved entities.~~

~~—(ix) A licensee who provides volunteer dental services shall maintain proof of such services for at least 4 years.~~

~~—(x) A licensee who fails to maintain accurate and complete records of services rendered may not receive continuing education credit for those services.~~

~~—(xi) A licensee under a board order or agreement that provides for the provision of volunteer services may not receive continuing education credit for the provision of the volunteer services.~~

~~—(xii) Continuing education credit hours earned through volunteer clinical work shall not count toward the required 12 continuing education hours on clinical issues such~~

as delivery of care, materials used in the delivery of care, and pharmacology, or the 1 continuing education hour required for pain management, as required by R 338.11704(2).

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
(a)	<p>Completion of an approved continuing education program or activity related to the practice of dentistry. A continuing education program or activity is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> • A dental, dental therapy, dental hygiene, dental assistant, or a hospital based dental specialty educational program approved by CODA of the ADA. • A continuing education sponsoring organization, institution, or individual approved by the academy of general dentistry (AGD). • A continuing education national sponsoring organization, institution, or individual approved by the American dental association continuing education recognition program (ADA CERP), the American dental hygienist association (ADHA), and the American dental assistants association (ADAA). • A continuing education sponsoring organization, institution, or individual approved by the Michigan dental association (MDA), Michigan dental hygienists association (MDHA), and Michigan dental assistants association (MDAA). • Another state board of dentistry. <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held</p>	<p>The number of hours earned will be the number of hours approved by the sponsor or the approving organization.</p> <p>If the activity was not approved for a set number of hours, then 1 credit hour for each 50 minutes of participation may be earned.</p> <p>No limitation on the number of hours earned.</p>

	or activity completed.	
(b)	<p>Completion of courses offered for credit in a dental, dental therapy, dental hygiene, dental assistant, or a hospital based dental specialty educational program approved by CODA of the ADA.</p> <p>If audited, an applicant shall submit an official transcript that reflects completion of the course and number of semester or quarter credit hours earned.</p>	<p>Ten hours of continuing education will be earned for each quarter credit earned and 15 hours will be earned for each semester credit earned.</p> <p>No limitation on the number of hours earned.</p>
(c)	<p>Attendance at a program or activity related to topics approved in R 338.2443(2) and R 338.143(2) for category 1 continuing education by the board of medicine or board of osteopathic medicine.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	<p>One hour will be earned for each 50 minutes of program attendance.</p> <p>A maximum of 30 hours for a dentist, and 18 hours for a dental therapist, registered dental hygienist, and registered dental assistant may be earned in each renewal period.</p>
(d)	<p>For dentists, satisfactory participation for a minimum of 7 months in a hospital or institution through a postgraduate dental clinical training program approved by CODA of the ADA.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours attended, the name of the hospital or institution, the name of the clinical training program, the date of participation, and the activities completed.</p>	<p>Twenty hours will be earned.</p> <p>A maximum of 20 hours per calendar year may be earned.</p>
(e)	<p>For dentists, successful completion of an American board specialty examination.</p> <p>If audited, an applicant shall submit proof of a passing score on the examination.</p>	<p>Ten hours will be earned in the year in which the applicant achieves a passing score on a specialty examination.</p> <p>A maximum of 20 hours may be earned in each renewal period. Credit will not be given for</p>

		repeating the same examination in a renewal period.
(f)	<p>Renewal of a dentist, dental therapist, registered dental hygienist, or registered dental assistant license held in another state that requires continuing education for license renewal that is substantially equivalent in subject matter and total amount of required hours to that required in these rules if the applicant resides and practices in another state.</p> <p>If audited, an applicant shall submit proof of current licensure in another state and a copy of a letter or certificate of completion showing: the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	<p>For a dentist, 60 hours will be earned. For a dental therapist, 35 hours will be earned. For a registered dental hygienist or registered dental assistant, 36 hours will be earned.</p> <p>A maximum of 60 hours for a dentist, 35 hours for a dental therapist, and 36 hours for a registered dental hygienist or registered dental assistant may be earned in each renewal period.</p>
(g)	<p>For a registered dental assistant, meeting the requirements for recertification in R 338.11705(3).</p> <p>If audited, an applicant shall submit proof of current certification, other than emeritus certification, by the dental assisting national board (DANB).</p>	<p>Thirty-six hours will be earned.</p> <p>A maximum of 36 hours may be earned in each renewal period</p>
(h)	<p>Initial publication of an article or text related to the practice of dentistry, dental therapy, dental hygiene, or dental assisting in either of the following:</p> <ul style="list-style-type: none"> • A textbook. • A journal of a national association of dentists, dental therapists, dental specialists, dental hygienists, or dental assistants. <p>If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.</p>	<p>Twenty-five hours will be earned per publication.</p> <p>A maximum of 25 hours may be earned in each renewal period.</p>
(i)	<p>Initial publication of an article related to the practice of dentistry, dental therapy, dental hygiene, or dental assisting in either of the</p>	<p>Twelve hours will be earned per publication.</p>

	<p>following:</p> <ul style="list-style-type: none"> • A journal of an accredited dentistry, dental therapy, dental hygiene or dental assisting school. • A state or state component association of dentists, dental therapists, dental specialists, dental hygienists, or dental assistants. <p>If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.</p>	<p>A maximum of 12 hours may be earned in each renewal period.</p>
(j)	<p>Independent reading of articles or viewing or listening to media, other than on-line programs, related to dental, dental therapy, dental hygiene or dental assisting education.</p> <p>If audited, an applicant shall submit an affidavit attesting to the number of hours the applicant spent participating in these activities that includes a description of the activity.</p>	<p>One hour for each 50 minutes of participation may be earned per activity.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>
(k)	<p>Development and presentation of a table clinical demonstration or a continuing education lecture offered in conjunction with the presentation of continuing education programs approved by the board pursuant to subrule 3 of this rule that is not a part of the licensee's regular job description.</p> <p>If audited, an applicant shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>One hour for each 50 minutes devoted to the development and initial presentation.</p> <p>A maximum of 10 hours will be earned in each renewal period.</p>
(l)	<p>Attendance at a dental-related program, which is approved by the board pursuant to subrule (3) of this rule, which is relevant to health care and advancement of the licensee's dental education.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program</p>	<p>Ten hours of continuing education will be credited per year.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>

	or activity for continuing education credit, and the date on which the program was held or activity completed.	
(m)	<p>Providing volunteer patient or supportive dental services in Michigan, at a board approved program pursuant to subrule 4 of this rule which is not a part of the licensee's regular job description nor required under a board order or agreement, that complies with the following:</p> <ul style="list-style-type: none"> • The program is a public or non-profit entity, program, or event, or a school or nursing home. • The program provides patient or supportive dental services to the indigent or dentally underserved populations. • The licensee does not receive direct or indirect remuneration of any kind, including, but not limited to, remuneration for materials purchased or used. • The licensee is required to sign in and sign out daily upon commencement and termination of the provision of services. • A dentist with a specialty license issued from Michigan shall limit volunteer clinical dental services to the specialty area in which the dentist is licensed. <p>If audited, an applicant shall submit proof from the sponsor of the assignments and the hours of service provided.</p>	<p>One hour for each 120 minutes of providing patient or supportive dental services.</p> <p>A dentist or special retired volunteer dentist will earn a maximum of 20 hours per renewal period.</p> <p>A dental therapist, registered dental hygienist, registered dental assistant, special retired volunteer dental therapist, special retired volunteer registered dental hygienist, and special retired volunteer registered dental assistant will earn a maximum of 12 hours per renewal period.</p>

(2) If an organized continuing education course or program is offered in segments of 50 to 60 minutes each, 1 hour of credit will be given for each segment.

(3) The following requirements are established for board approval of continuing education, which includes but is not limited to any continuing education not otherwise approved by subrule 1a of this rule:

(a) The continuing education applicant shall submit a complete application, on forms provided by the department. Any continuing education offering involving treatment of live patients will require a "Patient Protection" form to be submitted for each course.

(b) The completed application forms shall be submitted to the department at least 70 days prior to the date the continuing education is conducted and 70 days prior to the next regularly scheduled board meeting for the proposed continuing education to be considered for approval by the board. Continuing education conducted prior to board consideration and approval will be denied approval.

(c) The continuing education must substantially meet the standards and criteria for an acceptable category of continuing education under this rule and must be relevant to health care and advancement of the licensee's dental education.

(d) Board approval shall be for a term of 3 years (term of approval) from the date of approval.

(e) Approved continuing education shall be reevaluated by the board prior to any changes during the approval term, including but not limited to changes in the following:

(i) Instructors and speakers.

(ii) Continuing education content, title, and number of continuing education hours to be awarded to participants.

(f) Subject to subrule (g) of this rule, all changes to previously approved continuing education must be submitted on required department forms at least 70 days prior to the date the continuing education is offered to participants and 70 days prior to the next regularly scheduled board meeting to be considered for approval by the board. Any changes to the submitted and previously approved continuing education conducted prior to board reconsideration and approval will be denied approval.

(g) Emergency changes to instructors and speakers that are unable to be submitted to the board at least 70 days prior to the date of the continuing education may be reviewed by the department in consultation with the board chair when proof acceptable to the department is submitted with the change supporting the nature of the emergency.

(h) The specific dates that the continuing education will be offered do not require further board approval and may be changed without review by the board if the presentation dates are within the board's original 3-year term of approval.

(i) All of the following shall be recorded on a continuing education certificate or other proof prepared by the sponsor conducting the continuing education:

(i) The name of the applicant.

(ii) Continuing education approval number issued by the board.

(iii) Course title.

(iv) Speaker or instructor.

(v) Date the approved continuing education course was conducted.

(vi) Number of continuing education hours awarded.

(vii) Approved sponsor's signature.

(viii) Dates of the current approval term.

(ix) Name of participant.

(j) The board may revoke the approval status of any approved continuing education at any time the continuing education fails to comply with these rules.

(4) A sponsor seeking board approval to offer volunteer continuing education opportunities under R 338.11704a(1)(m) shall comply with the following:

- (a) Apply to the department to obtain approval as a sponsoring entity on the volunteer dental application form.
- (b) Retain patient records.
- (c) Retain documentation of all volunteer assignments and the hours of service provided.
- (d) Upon request, provide the board with the records, copy of the assignments, hours of service, and evidence of compliance with the requirements of R 338.11704a(1)(m).
- (e) Provide each licensee with verification of all volunteer hours of dental care provided by the licensee upon completion of the licensee's service.
- (f) If requested, submit documentation to the department, evidencing compliance with the requirements of R 338.11704a(1)(m) and R 338.11704a(5).
- (g) Board approval shall be for a term of 4 years from the date of approval.
- (h) The board may revoke the approval status of any volunteer continuing education opportunity at any time an approved continuing education program fails to comply with these rules.
- (i) All of the following must be recorded on a continuing education certificate or other proof prepared by the sponsor conducting the continuing education:
 - (i) The name of the sponsoring organization.
 - (ii) Continuing education approval number issued by the board.
 - (iii) Dates and times of volunteer services.
 - (iv) Number of continuing education hours earned.
 - (v) Signature of individual responsible for attendance.
 - (vi) Dates of the current approval term.
 - (vii) Name of participant.
- (5) A continuing education sponsor shall maintain evidence of participation in continuing education including signed continuing education certificates issued to participants for a period of 4 years from the date of the continuing education.

~~R 338.11704b Requirements for relicensure; dentists.~~ Rescinded.

~~—Rule 1704b. (1) An applicant for relicensure whose Michigan license has been lapsed for 3 years or less, under provisions of section 16201(3) the act, may be relicensed by complying with both of the following requirements:~~

~~—(a) Submitting a completed application, on a form provided by the department, together with the requisite fee.~~

~~—(b) Submitting proof of having completed within the 2-year period immediately preceding the relicensure application the number of hours of continuing education required in R 338.11701.~~

~~—(2) An applicant for relicensure whose license has been lapsed for more than 3 years but less than 5 years may be relicensed by complying with all of the following requirements:~~

~~—(a) Submitting a completed application, on a form provided by the department, together with the requisite fee.~~

~~—(b) Submitting proof of having completed within the 2-year period immediately preceding the relicensure application the number of hours of continuing education required in R 338.11701.~~

- ~~-(c) Satisfying either of the following:~~
 - ~~-(i) Passing the dental simulated clinical written examination developed and scored by the North East Regional Board of Dental Examiners, incorporated or a successor organization, with a passing score required in R 338.11203(2).~~
 - ~~-(ii) Providing to the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure.~~
- ~~-(3) An applicant for relicensure whose Michigan license has been lapsed for more than 5 years may be relicensed by satisfying either of the following:~~
 - ~~-(i) Complying with R 338.11201.~~
 - ~~-(ii) Providing to the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meeting the requirements of subrule (2)(a), and (b) of this rule.~~
- ~~-(4) In addition to meeting the requirements of this rule, an applicant who is or has ever been licensed as a dentist in any state or territory of the United States during the period that the applicant's Michigan license is lapsed shall have his or her license verified, on a form supplied by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license as a dentist. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.~~

R 338.11704c-Requirements for relicensure; registered dental hygienists and registered dental assistants. **Rescinded.**

- ~~-Rule 1704c. (1) Pursuant to section 16201(3) of the code, an applicant for relicensure as a registered dental hygienist or a registered dental assistant whose Michigan license has been lapsed for 3 years or less, under section 16201(3) the code, may be relicensed by complying with both of the following requirements:~~
 - ~~-(a) Submitting a completed application, on a form provided by the department, together with the requisite fee.~~
 - ~~-(b) Submitting proof of having completed within the 2-year period immediately preceding the relicensure application the number of hours of continuing education as specified in R 338.11704.~~
- ~~-(2) An applicant for relicensure as a registered dental hygienist whose license has been lapsed for more than 3 years but less than 5 years may be relicensed by complying with all of the following requirements:~~
 - ~~-(a) Submitting a completed application, on a form provided by the department, together with the requisite fee.~~
 - ~~-(b) Submitting proof of having completed within the 2-year period immediately preceding the relicensure application the number of hours of continuing education required in R 338.11704.~~
 - ~~-(c) Satisfying either of the following:~~
 - ~~-(i) Passing a dental hygiene simulated clinical written examination that is developed and scored by the North East Regional Board of Dental Examiners, incorporated, or a successor organization, with a passing score required in R 338.11223(2).~~

~~-(ii) Providing to the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure.~~

~~-(3) An applicant for relicensure as a registered dental assistant whose Michigan license has been lapsed for more than 3 years but less than 5 years may be relicensed by complying with all of the following:~~

~~-(a) Submitting a completed application, on a form provided by the department, together with the requisite fee.~~

~~-(b) Submitting proof of having completed within the 2-year period immediately preceding the relicensure application the number of hours of continuing education required in R 338.11704.~~

~~-(c) Satisfying either of the following:~~

~~-(i) Completing an evaluation of his or her dental assisting skills conducted by a dental assisting educational program that complies with the accreditation standards of the Commission on Dental Accreditation, required in R 338.11307.~~

~~-(ii) Providing to the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure.~~

~~-(4) An applicant for relicensure as a dental hygienist whose Michigan license has been lapsed for more than 5 years may be relicensed by satisfying either of the following:~~

~~-(a) Complying with R 338.11221.~~

~~-(b) Providing to the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meeting the requirements of subrule (2)(a), and (b) of this rule.~~

~~-(5) An applicant for relicensure as a dental assistant whose Michigan license has been lapsed for more than 5 years may be relicensed by satisfying either of the following:~~

~~-(a) Complying with the R 338.11235.~~

~~-(b) Providing to the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meeting the requirements of subrule (3)(a), and (b) of this rule.~~

~~-(6) In addition to meeting the requirements of this rule, an applicant who is or has ever been licensed as a registered dental hygienist or a registered dental assistant in any state of the United States during the period that the applicant's Michigan license is lapsed shall have his or her license verified, on a form supplied by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a license. Verification includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.~~

R 338.11705 Standards and requirements; adoption by reference.

Rule 1705. (1) The board ~~approves and~~ adopts by reference the standards and criteria of the **AGD's program approval for continuing education (PACE)** ~~national continuing education sponsoring organizations, institutions, and individuals,~~ which are set forth in the publication entitled "**PACE Academy of General Dentistry Program Approval for**

Continuing Education (PACE), Program Guidelines, Revised ~~July 2015~~ **April 2018.**" Information on the PACE standards and criteria is available ~~at no cost~~ from the Academy of General Dentistry, ~~211 East Chicago Avenue, Suite 900~~ **560 W. Lake St., Sixth Floor**, Chicago, IL ~~60611~~ **60661-6600** or ~~at no cost~~ from the academy's internet website at ~~http://www.agd.org~~. A copy of the guidebook is available for inspection and distribution at cost from the **Michigan Board of Dentistry**, Michigan Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, MI **Michigan**, 48909. ~~Approval of a sponsor by the Academy of General Dentistry committee on national sponsor approvals or by any Academy of General Dentistry constituent academy shall constitute prima facie evidence that the sponsor meets the standards and criteria adopted by the board.~~

(2) The board ~~approves and~~ adopts by reference the standards and criteria of the National Sponsor Approval Program of the American Dental Association Continuing Education Recognition Program (ADA CERP) **ADA CERP Continuing Education Recognition Program** for approval of continuing education sponsoring organizations, which are set forth in the publication entitled "ADA CERP Recognition Standards; and Procedures **October 2017.**" ~~and Recognition Process, March 2015~~. A copy of this publication may be obtained ~~at no cost~~ from the association at ADA CERP 211 E. Chicago Avenue, Chicago, IL 60611-2678 or ~~at no cost~~ from the association's internet website at ~~http://www.ada.org/381.aspx~~. A copy of the publication is available for inspection and distribution at cost from the **Michigan Board of Dentistry**, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, MI **Michigan**, 48909. ~~Approval of a sponsor by the ADA CERP or by any constituent group of ADA CERP shall constitute prima facie evidence that the sponsor meets the standards and criteria adopted by the board.~~

(3) The board ~~approves and~~ adopts by reference the requirements for recertification established by the Dental Assisting National Board **DANB** and as set forth in the publication entitled "**DANB's Dental Assisting National Board, Inc.** Recertification Requirements 2018," Revised April, 2015. A copy of the publication may be obtained ~~at no cost~~ from the Dental Assisting National Board, **Inc.**, 444 N. Michigan Avenue, Suite 900, Chicago, IL 60611 or ~~at no cost~~ from the national board's internet website at ~~http://www.danb.org~~. A copy of the guidelines and requirements are available for inspection and distribution at cost from the **Michigan Board of Dentistry**, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, MI **Michigan**, 48909.

(4) The board shall consider any continuing education program that is offered by a sponsor that applies to the board and demonstrates it substantially meets the standards and criteria adopted by the board as a continuing education program approved by the board.

~~(5)~~ (4) The board adopts by reference the standards for certification in basic and advanced cardiac life support **for health care providers with a hands-on component** set forth by the ~~American Heart Association~~ **AHA** in the standards and guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers, and published in "2015 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care," ("~~Circulation~~," Volume 132, Issue 18, Supplement 2, **November 3, 2015**), with updates in "**2017 American Heart**

Association Guidelines Update for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care” published November 6, 2017. A copy of the guidelines for cardiopulmonary resuscitation and emergency cardiovascular care may be obtained ~~at no cost from the~~ American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231 **or at no cost** from the ~~American Heart Association's~~ **AHA's** website at **www.cpr.heart.org. ~~http://cpr.ahajournals.org.~~** A copy of this document is available for inspection and distribution at cost from the **Michigan Board of Dentistry**, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, ~~MI~~ **Michigan**, 48909.

~~(6) The board may approve a state, regional, or national dental organization as an acceptable provider of continuing education courses if the organization presents standards, criteria, and course monitoring procedures for its courses that are acceptable to the board. The board may withdraw the approval if it determines the organization is not complying with the standards and criteria presented. The standards, criteria, and monitoring procedures will be retained in the department's board files. An organization shall update its file with the department every 5 years.~~

~~(7) A sponsor seeking board approval to offer volunteer continuing education opportunities under R 338.11703(o) or R 338.11704a(n), or both, shall submit documentation evidencing compliance with the requirements of R 338.11703(o) or R 338.11704a(n), or both.~~

PART 8. DENTAL AMALGAM

R 338.11801 Definitions.

Rule 1801. (1) As used in these rules:

(a) “Amalgam separator” means a device designed to remove dental amalgam waste particles from dental office wastewater.

~~(b) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.~~

~~(e)~~ **(b)** “Dental amalgam” means a mixture of mercury and other metals used as a dental restorative material.

~~(d)~~ **(c)** “Dental amalgam waste” means waste from a dental office containing any of the following:

(i) Contact amalgam waste, which means dental amalgam that has been in contact with the patient including, but not limited to, extracted teeth with dental amalgam restorations; carving scrap collected at chair-side; and dental amalgam captured by chair-side traps, vacuum pump filters, amalgam separators, or other dental amalgam capture devices.

(ii) Non-contact amalgam scrap, which means dental amalgam that has not been in contact with the patient including, but not limited to, excess dental amalgam mix remaining at the end of a dental procedure.

(iii) Empty amalgam capsules, which means individually dosed containers left over after mixing precapsulated dental amalgam.

(iv) Dental amalgam that may have accumulated in the plumbing system or that is found in other areas of a dental office.

~~(e)~~ **(d)** “Dentist,” for the purposes of these rules, means an individual licensed under ~~section 16611~~ **article 15** of the code **to engage in the practice of dentistry**, who uses or removes dental amalgam or who owns or operates a dental office that generates dental amalgam waste.

~~(f)~~ “Department” means the department of licensing and regulatory affairs.

~~(g)~~ **(e)** “Discharge” means the release of any dental amalgam waste into the environment. This includes any releases to land, ground or surface waters, septic systems, or wastewater treatment systems.

~~(h)~~ **(f)** “Holding tank” means a closed, watertight, sealed structure designed and used to receive and store wastewater. Holding tanks are designed and constructed for ultimate disposal of collected wastewater at another site.

(g) “Recycle” or “recycling” means sending mercury or dental amalgam waste to either the contracted separator company or a facility in the United States that will reclaim or distill the mercury for reuse. “Recycle” or “recycling” does not include any of the following:

(i) The on-site processing of mercury or dental amalgam waste.

(ii) The sale, donation, or exchange of mercury or dental amalgam waste through internet lists.

(iii) The sale or donation of mercury or dental amalgam waste to any individual or company for any other reuse purpose.

(2) Terms defined in the code have the same meanings when used in these rules.

R 338.11811 Amalgam separator; installation and operation; requirements.

Rule 1811. (1) On or before December 31, 2013, a dentist ~~shall~~ install, or ~~shall~~ have installed, an amalgam separator on each wastewater drain in his or her dental office that is used to discharge dental amalgam waste. In addition to meeting the requirements of the code and these rules, a dentist who is required to install an amalgam separator, **pursuant to section 16631 of the code, MCL 333.16631**, shall comply with all of the following:

(a) Install an amalgam separator that meets the requirements of R 338.11813.

(b) Install, operate, and maintain the amalgam separator according to the manufacturer’s instructions.

(c) Ensure the installed amalgam separator is properly sized to accommodate maximum dental amalgam wastewater flow rates at the dental office. The maximum allowable flow rate through an amalgam separator at a dental office ~~shall~~ **must** not exceed the maximum flow rate capacity at which the amalgam separator was tested under R 338.11813(1)(a).

(d) Ensure that all wastewater from the dental office containing dental amalgam waste passes through an installed and properly functioning and maintained amalgam separator before being discharged.

(2) Subrule (1) of this rule ~~shall~~ **does** not apply to any of the following:

(a) Oral and maxillofacial surgeons.

(b) Oral and maxillofacial radiologists.

(c) Oral pathologists.

(d) Orthodontists.

(e) Periodontists.

(f) Dentists while providing services in a dental school, in a hospital, or through a local health department.

(g) Dentists who install and use a holding tank and do not discharge amalgam waste.

R 338.11813 Amalgam separator; requirements.

Rule 1813. (1) An amalgam separator that is installed in a dental office under R 338.11811 shall meet all of the following requirements:

(a) Be certified as passing the international organization for standardization (~~iso~~) **(ISO) 11143:2008 standard (2008)** for evaluating amalgam separators.

(b) Have a removal efficiency of not less than 95% as determined by the testing required under subdivision (a) of this subrule, based on the overall average of the 3 empty and the 3 simulated full test results.

(c) Be tested and certified by ~~any~~ **one** of the following:

(i) SP technical research institute of Sweden.

(ii) Tuv nord, Germany.

(iii) NSF international.

(iv) Both of the following:

(A) A testing laboratory accredited by an accreditation body that is a signatory to the international laboratory accreditation cooperation's mutual recognition arrangement and has a scope of accreditation that includes ~~iso~~ **ISO 11143 standard (2008)**.

(B) A certification body accredited by an accreditation body that is a signatory to the international accreditation forum's multilateral recognition arrangement and has a scope of accreditation that includes ~~iso~~ **ISO 11143 standard (2008)**.

(2) Any amalgam separator that meets the requirements of subrule (1) of this rule ~~shall~~ **qualify** as an amalgam separator approved by the board.

R 338.11815 Collection, disposal, and recycling of dental amalgam waste; requirements.

Rule 1815. (1) A dentist shall comply with all of the following:

(a) Use amalgam only in a precapsulated form.

(b) Salvage, store, and recycle non-contact and contact dental amalgam materials, including empty amalgam capsules. ~~As used in this rule and R 338.11817, "recycle" or "recycling" means sending mercury or dental amalgam waste to either the contracted separator company or a facility in the United States that will reclaim or distill the mercury for reuse. "Recycle" or "recycling" shall not include any of the following:~~

~~-(i) The on-site processing of mercury or dental amalgam waste.~~

~~-(ii) The sale, donation, or exchange of mercury or dental amalgam waste through internet lists.~~

~~-(iii) The sale or donation of mercury or dental amalgam waste to any individual or company for any other reuse purpose.~~

(c) Collect and recycle extracted teeth or portions of teeth that contain dental amalgam materials.

(d) Store all dental amalgam waste in enclosed and structurally sound containers until a sufficient amount has been collected for shipment to a reclamation facility or recycler or at a minimum, recycled annually.

(e) Label all containers holding dental amalgam waste. The label shall include at a minimum, the title “dental amalgam waste for recycling” and the date the waste was initially placed in the container.

(f) Use chair-side traps to retain amalgam and recycle the content.

(g) Recycle all amalgam materials collected in amalgam separators, vacuum pump filters, chair-side traps, or other waste water processing devices.

(h) Ensure that the separators operate properly and do not become full and bypass. This may include inspecting the separators annually, halfway through the operating life, or as required by the manufacturer.

(i) Follow the steps for the cleanup of mercury spills as recommended by the department at www.michigan.gov/mercury.

(2) A dentist shall not do any of the following:

(a) Store bulk elemental mercury that is not in capsule form.

(b) Put dental amalgam waste down a toilet or drain.

(c) Put dental amalgam waste or empty amalgam capsules into trash containers, or biohazard or infectious waste bags.

(d) Disinfect teeth or any item containing dental amalgam by autoclaving or using heat.

(e) Use cleaners containing bleach or chlorine to flush drains or wastewater lines.

(3) A dentist shall train and have written procedures for training dental office staff who manage or dispose of dental amalgam waste to ensure compliance with this rule.

(4) This rule ~~shall~~ **does** not apply to a dentist listed in R 338.11811(2)(a) to (f). A dentist who installs and uses a holding tank and does not discharge amalgam waste shall comply with the requirements of ~~subrule~~ **subrules** (1), (2), and (3) of this rule, as applicable.

R 338.11817 Record keeping.

Rule 1817. (1) A dentist who is subject to the provisions of R 338.11811 shall maintain records at his or her dental office that include all of the following:

(a) Type of amalgam separator installed, including the manufacturer and model.

(b) Date the amalgam separator became operational.

(c) Documentation verifying that the amalgam separator meets the requirements of R 338.11813.

(d) Documentation of the manufacturer’s instructions for the operation and maintenance of the amalgam separator.

(e) Service records for each amalgam separator in use at the dental office that includes all of the following:

(i) Dates of maintenance.

(ii) Dates separator contents were recycled.

(iii) Name of the staff or contractor performing the service.

(f) Documentation verifying that the dentist disposed of and recycled any dental amalgam waste that was generated from the individual’s dental office consistent with the requirements of R 338.11815. The documentation shall include all of the following:

(i) Name and address of the collection service or recycler.

(ii) Amount by weight of dental amalgam waste that was collected and the date it was collected or shipped from the dental office for recycling.

(iii) Name and address of the facility where the dental amalgam waste will be recycled.

(iv) Shipping or manifest papers documenting transfer of the dental amalgam waste to the recycler.

(2) **A dentist subject to this rule** ~~The records required under subrule (1) of this rule shall **must** be provided upon request to~~ ~~The records required under subrule (1) of this rule shall **must** be provided~~ by an authorized state official, local public health department staff, or local municipality's representative **shall provide the records required under subrule (1) of this rule to the department.**

(3) **A dentist subject to this rule shall retain the** ~~All records required under subrule (1) of this rule shall be retained~~ for a minimum of 3 years.

R 338.11819 Verification.

Rule 1819. **With each license renewal a** ~~A dentist who is subject to the provisions of R 338.11811 shall verify~~ **on a form provided by the department** that he or she is in compliance with these rules and provide ~~with each license renewal application the~~ amalgam separator make and year that each separator was installed.

R 338.11821 Compliance and enforcement.

Rule 1821. Failure to comply with the requirements of these rules is a violation of section 16221(h) of the code and may result in sanctions as provided for in the code, or as otherwise provided for under state or federal law.

Table 1 - Delegated and Assigned Dental Procedures for Allied Dental Personal

	DA	RDA	RDH	Procedure
a.	G	A	A	Operating of dental radiographic equipment if the assistant has successfully completed a course in dental radiography which is substantially equivalent to a course taught in a program approved by the board pursuant to R338.11303 or R338.11307. A dentist may delegate necessary radiographs for a new patient to an RDA or RDH.
b.	G	A	A	Holding the matrix for anterior resin restorations.
c.	G	A	A	Instructing in the use and care of dental appliances.
d.	G	A	A	Taking impressions for study and opposing models.
e.	G	A	A	Applying nonprescription topical anesthetic solution.
f.	G	A	A	Trial sizing of orthodontic bands.
g.	D	A	A	Placing, removing and replacing orthodontic elastic or wire separators, arch wires, elastics, and ligatures.
h.	D	A	A	Dispensing orthodontic aligners.
i.	D	D	A	Removing orthodontic bands, brackets and adhesives with non-tissue cutting instruments.
j.		A	A	Polishing specific teeth with a slow-speed rotary hand piece immediately before a procedure that would require acid etching before placement of sealants, resin-bonded orthodontic appliances, and direct restorations.
k.		G*	G	Etching and placing adhesives before placement of orthodontic brackets and attachment for aligners.
l.		D	D	Cementing orthodontic bands or initial placement of orthodontic brackets and attachments for aligners.
m.		A	A	Removing excess cement from supragingival surfaces of a tooth with a non-tissue cutting instrument.
n.		A	A	Providing nutritional counseling for oral health and maintenance.
o.		A	A	Applying commonly accepted medical emergency procedures.
p.		A	A	Inspecting and charting the oral cavity using a mouth mirror and radiographs.
q.		A	A	Classifying occlusion.
r.		A	A	Placing and removing dental dam.
s.		A	A	Applying anticariogenic agents including, but not limited to, sealants, fluoride varnish, and fluoride applications.
t.		A	A	Polishing & contouring of sealants with a slow-speed rotary hand piece immediately following a procedure for occlusal adjustment.
u.		A	A	Replacing existing temporary restorations and existing temporary crowns and temporary bridges.
v.		A	A	Placing and removing a nonmetallic temporary or sedative restoration with non-tissue cutting instruments.
w.		A	A	Sizing of temporary crowns and bands.
x.		A	A	Temporarily cementing and removing temporary crowns and bands.
y.		G*	A	Performing pulp vitality testing.
z.		G*	A	Applying desensitizing agents.
aa.		G*	A	Taking impressions for intraoral appliances including bite restorations.
bb.		G*		Placing and removing matrices and wedges.
cc.		G*		Applying cavity liners and bases.
dd.		G*		Drying endodontic canals with absorbent points.
ee.		G*		Placing and removing nonepinephrine retraction cords or materials.
ff.		A	A	Placing and removing post extraction and periodontal dressings.

gg.		D	A	Removing sutures.
hh.		D	A	Applying and dispensing in-office bleaching products.
ii.		G	G	Prior to cementation by the dentist, adjust and polish contacts and occlusion of indirect restorations. After cementation remove excess cement from around restorations.
jj.		D**		Placing, condensing, and carving amalgam restorations.
kk.		D**		Placing Class I resin bonded restorations, occlusal adjustment, finishing and polishing with non-tissue cutting slow-speed rotary hand pieces.
ll.		D		Taking final impressions for indirect restorations and prosthesis including bite registration.
mm.		D	D	Assisting and monitoring the administration of nitrous oxide analgesia by a dentist or the RDH. A dentist shall assign these procedures only if the RDA or RDH has successfully completed a CODA approved course as defined in section 16611(7) of the code, MCL 333.16611(7), with a minimum of 5 hours of didactic instruction. The levels must be preset by the dentist or RDH and shall not be adjusted by the RDA except in case of an emergency, in which case the RDA may turn off the nitrous oxide and administer 100% oxygen. Assisting means setting up equipment and placing the face mask. Assisting does not include titrating and turning the equipment on or off, except in the case of an emergency in which circumstances the RDA may turn off the nitrous oxide and administer 100% oxygen.
nn.			A	Removing accretions and stains from the surfaces of the teeth and applying topical agents essential to complete prophylaxis.
oo.			A	Root planning, debridement, deep scaling, and removal of calcareous deposits.
pp.			A	Polishing and contouring restorations.
qq.			A	Applying anticariogenic and desensitizing agents including, but not limited to, sealants, fluoride varnish, and fluoride applications.
rr.			A	Charting of the oral cavity, including all the following: periodontal charting, intra oral and extra oral examining of the soft tissue, charting of radiolucencies or radiopacities, existing restorations, and missing teeth.
ss.			A	Preliminary examining that includes both of the following: classifying occlusion and testing pulp vitality using an electric pulp tester.
tt.			A	Applying topical anesthetic agents by prescription of the dentist.
uu.			A	Placing and removing intra-coronal temporary sedative dressings.
vv.			A	Removing excess cement from tooth surfaces.
ww.			A	Placing subgingival medicaments.
xx.			A	Micro abrasion of tooth surfaces to remove defects, pitting, or deep staining.
yy.			D	Performing soft tissue curettage with or without a dental laser.
zz.		D	D	Taking digital impressions for final restorations.
aaa.			D***	Administer intra oral block and infiltration anesthesia, or no more than 50% nitrous oxide analgesia, or both, to a patient who is 18 years of age or older if the RDH has met all of the following requirements: (i) Successfully completed a CODA approved course, as defined in section 16611(4) of the code, MCL 333.16611(4), in the administration of local anesthesia, with a minimum of 15 hours didactic instruction and 14 hours clinical experience. (ii) Successfully completed a state or regional board administered written examination in local anesthesia within 18 months of completion of the approved course. (iii) Successfully completed a CODA approved course, as defined in section 16611(4) of the code, MCL 333.16611(4), in the administration of nitrous oxide analgesia, with a minimum of 4 hours didactic instruction and 4 hours clinical experience. (iv) Successfully completed a state or regional board administered written examination in nitrous oxide analgesia, within 18 months of completion of the approved course. (v) Maintains and provides evidence of current certification in basic or advanced cardiac life support that meets the standards contained in R 338.11705.

A = Assignment as defined in R 338.11401.

G = General supervision as defined in R 338.11401.

D = Direct supervision as defined in R 338.11401.

DA = Dental assistant as defined in R 338.11101.

RDA = Registered dental assistant as defined in R 338.11101.

*** A dentist shall assign these procedures to an RDA only if the RDA has successfully completed an approved course as defined in section 16611(12) and 16611(13) of the code, MCL 333.16611(12) and MCL 333.16611(13), that contains a minimum of 10 hours of didactic and clinical instruction.**

**** A dentist shall assign these procedures to an RDA only if the RDA has successfully completed an approved course as defined in section 16611(11) of the code, MCL 333.16611(11), that contains a minimum of 20 hours of didactic instruction followed by a comprehensive clinical experience of sufficient duration that validates clinical competence through a criterion based assessment instrument.**

RDH = Registered dental hygienist as defined in R 338.11101.

***** The department fee for certification of completion of the requirements is \$10.**