

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Board of Dental Examiners of Alabama
Rule No.: 270-X-3.10
Rule Title: Duties of Allies Dental Personnel
_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly
Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's
Police power and the protection of the public health,
Safety, or welfare? Yes

Is there another, less restrictive method of regulation
Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or
Indirectly increasing the costs of any goods or services
Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public
Than the harm that might result from the absence of
The proposed rule? No

Are all facets of the rulemaking process designed solely
For the purpose of, and so they have, as their primary
Effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by
a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama,
1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the
requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all
applicable filing requirements of the Administrative Procedure Division of the Legislative
Reference Service.

Signature of certifying officer *B. Barrett*

Date: 12/6/11

(DATE FILED)
(STAMP)

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-3.10 Duties Of Allied Dental Personnel.

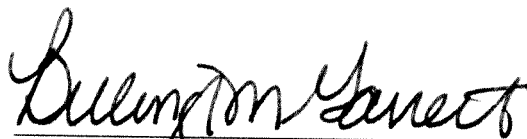
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to correctly site statutory authority and to clarify language

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:30 p.m. on Friday, February 3, 2012. Comments should be directed to Sonya Lankford, Financial Secretary, at 5346 Stadium Trace Pky., Ste. 112 Hoover, AL 35244 or via electronic mail at BDEAL@dentalboard.org or via telephone at 205-985-7267.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, February 3, 2012

CONTACT PERSON AT AGENCY: Ms. Sonya Lankford
Financial Secretary
5346 Stadium Trace Pky., Ste. 112
Hoover, AL 35244
(205) 985-7267



Billington M. Garrett, *Counsel*
Board of Dental Examiners of Alabama

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-3.10

TITLE OF RULE: Duties Of Allied Dental Personnel.

Allied dental personnel are dental hygienists, dental assistants and dental laboratory technicians.

All allied dental personnel are prohibited from using laser technology except dental hygienists who should use this technology for diagnostic purposes only.

Subject to the prohibition that no intraoral procedure can be performed unless under the direct supervision of a duly licensed dentist as defined by Board rule, the following allied dental personnel may perform the following:

(1) Dental Laboratory Technicians:

(a) No intraoral duties are allowable other than assisting the dentist in determining tooth color.

(2) Dental Assistants and Dental Hygienists:

(a) Preliminary charting and inspection of the oral cavity. (Final examination and diagnosis must be made by a dentist before treatment can be instituted.)

(b) Apply topical agents under direct supervision of the dentist.

~~1-~~ (i) Apply topical anesthetics. (Excluding aerosol types.)

~~2-~~ (ii) Oxygenating Agents. (Excluding endodontic therapy.)

~~3-~~ (iii) Apply anti-inflammatory agents.

~~4-~~ (iv) Apply astringents.

~~5-~~ (v) Desensitizing agents.

~~6-~~ (vi) Topical fluoride.

(c) Place and remove rubber dam.

(d) Place and remove periodontal dressings.

(e) Place and remove alveolar socket dressings.

(f) Construct and remove with hand instruments only interim restorations. (Interim restorations being any restoration placed while a more permanent restoration is being completed.)

(g) Construct and place temporary crowns (excluding stainless steel crowns placed with intentions of reasonable permanency.)

- (h) Contour stainless steel or chrome crowns but cannot cement them.
- (i) Pre-fit and pre-contour orthodontic appliances either extra-orally or intra-orally for final adaptation by the dentist.
- (j) Remove excess cement with hand instruments from around permanent dental restorations and orthodontic appliances.
- (k) Make impressions for diagnostic casts or opposing casts. No orthodontic appliances, protheses (fixed or removable) prosthetic appliances, bridges, or any other structures which may be worn in the mouth will be made from any of the casts outlined above or duplicates thereof.
- (l) Place, wedge and remove matrices for operative dentistry.
- (m) Take and record case history, blood pressure, pulse, and oral temperature.
- (n) Remove intra-oral sutures. (Excluding wire sutures.)
- (o) Make dental radiographs.
- (p) Give oral hygiene instructions including plaque staining, flossing, brushing, and caries susceptibility tests.
- (q) Place cavity liners and bases. (Excluding capping of exposed pulpal tissues.)
- (r) Assist in the administering of N_2O N_2O and O_2 O_2 .
- (s) Insert into the mouth of the patient wax models of dentures, partial dentures, or any other structures and make adjustments outside the mouth of the patient to such wax models pursuant to written or verbal instructions or directions from the dentist; provided, however,
 - (1) ~~(i) that~~ That the dental hygienist or dental assistant shall not use these wax models of dentures, partial dentures or any other structure to register the jaw relationships or occlusal relationships of the patient, and
 - (2) ~~(ii) that~~ That before such wax models may be used for the manufacture of dentures, partial dentures or other structures the dentist shall personally consult with the patient, examine such wax models, and make such additional adjustments as may be required.
- (t) Insert into the mouth of the patient dentures, partial dentures, removable orthodontic appliances, protheses prosthetic appliances, bridges, or any other structures and make adjustments outside the mouth of the patient to the dentures, protheses (fixed or removable) partial dentures, removable orthodontic appliances, prosthetic appliances, bridges, or other structures pursuant to written or verbal instructions or directions from the dentist; provided, however,
 - (1) ~~(i) that~~ That before such ~~dentures, partial dentures~~ protheses (fixed or removable), removable orthodontic appliances, ~~prosthetic appliances, bridges~~ or other structures are delivered to the patient leaving the dental office with such removable orthodontic appliances, ~~prosthetic appliances, bridges~~ protheses (fixed or removable) or other structures the dentist shall personally consult with the patient, examine such ~~dentures, partial dentures~~ protheses (fixed or

~~removable~~), removable orthodontic appliances, ~~prosthetic appliances, bridges~~ or other structures, and make such additional adjustments as may be required; and

(2) ~~(ii) that~~ That final placement and cementation of all fixed appliances, ~~fixed bridges~~ fixed prostheses and other fixed structures shall be performed by the dentist.

(u) Apply reversible liners and bases to ~~dentures~~ prostheses, orthodontic appliances, ~~prosthetic appliances, bridges~~ or any other structures; however, only a dentist can insert into the mouth of the patient such ~~dentures~~ prostheses, orthodontic appliances, ~~prosthetic appliances, bridges~~ or other structures holding such liners and bases, and allow the patient to close on such ~~dentures~~ prostheses, orthodontic appliances, ~~prosthetic appliances, bridges~~ or other structures holding such liners and bases for the purpose of contouring such liners and bases to the patient's mouth.

(3) Dental Hygienists Only:

- (a) Remove extrinsic stains, accretions, and calcareous deposits from teeth.
- (b) Gingival curettage.
- (c) Root planning.
- (d) Polish completed restorations.
- (e) Place Pit and Fissure Sealant. A Dentist must examine the ~~patients~~ patient's mouth immediately both before and after the Pit and Fissure Sealant is placed.
- (f) Place resorbable chlorhexidine chips.
- (g) Place topical or ~~subgingival~~ sub-lingival antimicrobial or antibacterial agents.
- (h) Use laser technology for diagnostic purposes only.
- (i) Periodontal probing

Statutory Authority ~~Code of Ala. 1975~~, Code of Alabama (1975), §§34-9-2, 34-9-6, 34-9-27, 34-9-43.

Original Rule Filed: September 28, 1982, Amended: Filed November ____, 2011