

**RULES
OF
TENNESSEE BOARD OF DENTISTRY**

**CHAPTER 0460-03
RULES GOVERNING THE PRACTICE OF DENTAL HYGIENISTS**

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0460-03-.01 LICENSURE PROCESS. To practice as a dental hygienist in Tennessee a person must possess a lawfully issued license from the Board. The process for obtaining a license is as follows:

- (1) An applicant shall obtain a Board application form from the Board Administrative Office, respond truthfully and completely to every question or request for information contained in the form and submit it along with all documentation and fees required by the form and this rule to the Board Administrative Office. It is the intent of this rule that all activities necessary to accomplish the filing of the required documentation be completed prior to filing a licensure application and that all documentation be filed simultaneously at least sixty (60) days prior to the next scheduled Board meeting.
- (2) An applicant shall cause to be submitted directly, from a dental hygiene school, college or university approved or provisionally approved by the Commission on Dental Accreditation of the American Dental Association, to the Board Administrative Office, a certificate of graduation containing the institutions Official Seal and which shows the following:
 - (a) The applicant's transcript; and
 - (b) The degree and diploma conferred, or a letter from the dean of the educational institution attesting to the applicant's eligibility for the degree and diploma if the last term of dental hygiene school has not been completed at the time of application. However, no license shall be issued until official notification is received in the Board Administrative Office that the degree and diploma have been conferred.
- (3) An applicant shall submit:
 - (a) proof of having attained at least eighteen (18) years of age; and
 - (b) a signed "passport" style photograph taken within the preceding twelve (12) months.
- (4) An applicant shall submit evidence of good moral character. Such evidence shall include at least two (2) letters attesting to the applicant's character from dental professionals on the signator's letterhead.
- (5) An applicant shall submit proof of United States or Canadian citizenship or evidence of being legally entitled to live in the United States. Such evidence may include copies of birth certificates, naturalization papers, or current visa status.

(Rule 0460-03-.01, continued)

- (6) An applicant shall submit the licensure application fee and state regulatory fee as provided in rules 0460-01-.02 (2).
- (7) An applicant shall cause to be submitted a certificate of successful completion of the examinations for licensure as governed by rule 0460-03-.05.
- (8) An applicant shall disclose the circumstances surrounding any of the following:
 - (a) Conviction of any criminal law violation of any country, state, or municipality, except minor traffic violations.
 - (b) The denial of licensure application by any other State or the discipline of licensure in any state.
 - (c) Any other civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity or any other civil action remedy recognized under any country's or state's statutory, common, or case law.
 - (d) Failure of any dental or dental hygiene licensure examination.
- (9) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (10) Failure to make application for licensure within ninety (90) days after a person has successfully completed all requirements for licensure may result in denial of any subsequently filed application unless good cause is shown for failure to do so.
- (11) An applicant shall submit evidence of current training in cardiopulmonary resuscitation issued by a Board approved training organization.
- (12) If an applicant has ever held a license to practice in any other state or Canada, the applicant shall submit or cause to be submitted the equivalent of a Tennessee Certificate of Endorsement from each such licensing board which indicates the applicant either holds a current active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive.
- (13) Application reviews and licensure decisions required by this rule shall be governed by rule 0460-01-.04.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-105(3), 63-5-105(4), 63-5-105(7), 63-5-107, 63-5-107(a), 63-5-107(c), 63-5-111, 63-5-111(a), 63-5-111(b)(2), 63-5-114, and 63-5-124. **Administrative History:** Original rule certified June 7, 1974. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed February 9, 2000; effective April 24, 2000. Amendment filed April 10, 2001; effective June 24, 2001. Amendment filed March 17, 2006; effective May 31, 2006.

0460-03-.02 CRITERIA APPROVAL LICENSURE PROCESS (RECIPROCITY). Dental hygienists who are licensed in other states may obtain a license to practice in Tennessee by the following process:

- (1) An applicant shall obtain a Board application form from the Board's Administrative Office, respond truthfully and completely to every question or request for information contained in the form and submit it along with all documentation and fees required by the form and this rule to the Board's Administrative Office. It is the intent of this rule that all activities necessary

(Rule 0460-03-.02, continued)

to accomplish the filing of the required documentation be completed prior to filing a licensure application.

- (2) An applicant shall cause to be submitted directly, from a dental hygiene school, college or university approved or provisionally approved by the Commission on Dental Accreditation of the American Dental Association, to the Board Administrative Office, a certificate of graduation containing the institutions official seal and which shows the following:
 - (a) The applicant's transcript; and
 - (b) The degree and diploma conferred.
- (3) An applicant shall cause to be submitted directly from the American Dental Association, to the Board Administrative Office, proof of successful completion of the National Board examination if the person graduated from a dental hygiene college, school or university after 1972.
- (4) An applicant shall submit:
 - (a) proof of having attained at least eighteen (18) years of age; and
 - (b) a signed "passport" style photograph taken within the preceding twelve (12) months.
- (5) An applicant shall submit evidence of good moral character. Such evidence shall include at least two (2) letters attesting to the applicant's character, standing and ability from dentists on the signator's letterhead.
- (6) An applicant shall submit proof of United States or Canadian citizenship or evidence of being legally entitled to live in the United States. Such evidence may include copies of birth certificates, naturalization papers, or current visa status.
- (7) An applicant shall submit the licensure application fee and state regulatory fee as provided in rules 0460-01-.02 (2). Also, if licensure is granted, the new licensee must submit the criteria approval licensure fee provided in Rule 0460-01-.02 (2) before a license will be issued.
- (8) An applicant shall disclose the circumstances surrounding any of the following:
 - (a) Conviction of any criminal law violation of any country, state, or municipality, except minor traffic violations.
 - (b) The denial of licensure application by any other state or the discipline of licensure in any state.
 - (c) Any other civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity or any other civil action remedy recognized under any country's or state's statutory, common, or case law.
 - (d) Failure of any dental or dental hygiene licensure examination.
- (9) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (10) An applicant shall submit evidence of current training in cardiopulmonary resuscitation issued by a Board approved training organization.

(Rule 0460-03-.02, continued)

- (11) The applicant shall submit or cause to be submitted the equivalent of a Tennessee Certificate of Endorsement from each licensing board of each State in which licensure is or was ever held which indicates the applicant either holds a current active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive. An applicant must possess an active, current license which is in good standing in at least one other state.
- (12) An applicant must submit a personal or professional resume on a form provided by the Board.
- (13) An applicant must submit evidence satisfactory to the Board of all the following:
 - (a) Active, licensed practice of dental hygiene in a private office setting, or in post-graduate dental hygiene study or in service as a dental hygiene faculty member for three (3) of the five (5) years immediately preceding application. Temporary absences from employment during the three (3) year period may under individual circumstances not be considered as a disqualifying factor at the discretion of the Board.
 - (b) If requested, ability to provide patient care on a continuing basis.
- (14) Unless an applicant subsequently retakes and passes a failed examination, an applicant must never have failed any Board-approved examination as provided in rule 0460-03-.05 to be eligible for licensure under the criteria approval process described in this rule.
- (15) Application review and licensure decisions required by this rule shall be governed by Rule 0460-01-.04.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-111, 63-5-114, and 63-5-124.
Administrative History: Original rule certified June 7, 1974. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed June 29, 1994; effective September 12, 1994. Amendment filed December 5, 1994; effective February 18, 1995. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed February 9, 2000; effective April 24, 2000. Amendment filed April 10, 2001; effective June 24, 2001. Amendment filed April 10, 2002; effective June 24, 2002. Amendment filed July 21, 2004; effective October 4, 2004. Amendment filed August 23, 2005; effective November 6, 2005. Amendment filed March 17, 2006; effective May 31, 2006. Amendment filed August 4, 2009; effective November 2, 2009.

0460-03-.03 EDUCATIONAL LICENSURE PROCESS. A dental hygienist licensed in another state may obtain a license to practice in Tennessee under the auspices of a dental or dental hygiene educational institution. This type of license limits only practice location and not services allowed to be performed. The practice location for dental hygienists who have this type of licensure is limited to programs offered by the educational institution and does not authorize practice outside the institution. The process for obtaining a limited educational license is as follows:

- (1) An applicant shall obtain a Board application form from the Board Administrative Office, respond truthfully and completely to every question or request for information contained in the form and submit it along with all documentation and fees required by the form and this rule to the Board Administrative Office. It is the intent of this rule that all activities necessary to accomplish the filing of the required documentation be completed prior to filing a licensure application and that all documentation be filed simultaneously.
- (2) An applicant shall request that a transcript from a dental hygiene school, college or university be sent directly from the institution to the Board Administrative Office. The transcript must show that the degree was conferred and carry the Official Seal of the institution.

(Rule 0460-03-.03, continued)

- (3) An applicant shall submit:
 - (a) proof of having attained at least eighteen (18) years of age; and
 - (b) a signed "passport" style photograph taken within the preceding twelve (12) months.
- (4) An applicant shall submit evidence of good moral character and competence. Such evidence shall include at least two (2) letters attesting to the applicant's character and ability from licensed dentists on the signator's letterhead.
- (5) An applicant shall submit proof of United States or Canadian citizenship or evidence of being legally entitled to live in the United States. Such evidence may include copies of birth certificates, naturalization papers, or current visa status.
- (6) An applicant shall submit the licensure application fee and state regulatory fees as provided in rules 0460-01-.02 (2). Also, if licensure is granted, the new licensee must submit the educational licensure fee provided in Rule 0460-01-.02 (2) before a license will be issued.
- (7) An applicant shall submit evidence of current training in cardiopulmonary resuscitation issued by a Board approved training organization.
- (8) An applicant shall disclose the circumstances surrounding any of the following:
 - (a) Conviction of any criminal law violation of any country, state, or municipality, except minor traffic violations.
 - (b) The denial of licensure application by any other state or the discipline of licensure in any state.
 - (c) Any other civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity or any other civil action remedy recognized under any country's or state's statutory, common, or case law.
 - (d) Failure of any professional licensure examination.
- (9) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (10) An applicant shall submit or cause to be submitted the equivalent of Tennessee Certificate of Endorsement from the licensing board(s) of every state in which the applicant has ever been licensed which indicates the applicant either holds a current active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive. An applicant must possess an active license in good standing in at least one (1) state. That license must have been active for at least one (1) year prior to application.
- (11) The dean or director of the dental or dental hygiene educational institution at which the applicant is to be employed shall submit on behalf of the applicant the following:
 - (a) A letter of recommend for educational licensure; and
 - (b) a copy of the contract employing the applicant in a faculty position at the institution.

(Rule 0460-03-.03, continued)

- (12) The dean or director of the educational institution shall immediately notify the Board in writing of the termination of any licensee's employment and the reasons therefore delivered to the Board Administrative Office. Such notification terminates the licensee's authority to practice in Tennessee.
- (13) Any person holding an educational license is subject to all disciplinary provisions of the Tennessee Dental Practice Act.
- (14) Application review and licensure decisions shall be required by this rule governed by rule 0460-01-.04.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-110, 63-5-111, 63-5-114, and 63-5-124.

Administrative History: Original rule certified June 7, 1974. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed March 20, 1996; effective June 3, 1996. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed February 9, 2000; effective April 24, 2000. Amendment filed April 10, 2001; effective June 24, 2001. Amendment filed April 10, 2002; effective June 24, 2002. Amendment filed March 17, 2006; effective May 31, 2006.

0460-03-.04 LICENSURE EXEMPTION PROCESS. Any person who, pursuant to T.C.A. §63-5-109, may be eligible to practice in Tennessee without a Tennessee license or with a Board issued exemption from licensure may practice or secure an exemption upon compliance with any of the following which apply to the person's circumstances:

- (1) Dentists licensed in Tennessee who intend to call into Tennessee, a dental hygienist licensed in another state for consultative or operative purposes, must obtain prior or advance approval by submitting a letter of request to the Board Administrative Office. In emergency situations, telephone requests for prior approval may be utilized.
- (2) The director of any special project not affiliated with a state supported institution or public health agency who intends to employ dental hygienists licensed in other states must obtain approval of the special project by submitting a letter of request to the Board Administrative Office which sets forth all particulars of the special project. Dental hygienists employed in the approved special projects may practice only until the next Board-approved examination as provided in rule 0460-03-.05 (1) (a), or their licensure by criteria approval, whichever comes first. However, dental hygienists employed in such projects who are under the sponsorship of a dentist licensed in Tennessee and are under the auspices of a local dentist licensed in Tennessee and are under the auspices of a local dental society may only be employed for a period of six (6) months pursuant to this type exemption.
- (3) The director or owner of any agency other than a licensed hospital which intends to employ graduates of dental hygiene schools when such individuals are not licensed in any state must obtain approval of the agency by submitting a written request for approval to the Board Administrative Office which sets forth particulars of the agency and justification for employing such individuals.
- (4) The director of any research or development project employing personnel who will be performing dental hygiene procedures must obtain approval of the project by submitting a written request for approval to the Board Administrative Office which sets forth the particulars of the project and contains evidence that the project is under the auspices and direction of a recognized educational institution or the Tennessee Department of Health.
- (5) The Dean of the dental hygienist teaching institution which intends to employ or utilize unlicensed graduates of dental hygiene schools, college or universities as clinical instructors must submit a written application for exemption to the Board Administrative Office which contains the following:

(Rule 0460-03-.04, continued)

- (a) The duties to be performed by the graduates; and
 - (b) The method of supervision imposed by the institution over the graduates, and
 - (c) A list of all graduates requiring exemption; and
 - (d) The student clinical instructor exemption fee as provided in rule 0460-01-.02 (2) for each graduate requiring exemption.
- (6) Exemptions granted pursuant to paragraph (5) of this rule shall be effective only until the next scheduled applicable examination of the Board and shall not be extended.
 - (7) Application review and decisions required by this rule shall be governed by rules 0460-01-.03 and 0460-01-.04.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-109, and 63-5-114. **Administrative History:** Original rule certified June 7, 1974. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed August 18, 2003; effective November 1, 2003.

0460-03-.05 EXAMINATIONS. Where successful completion of an examination is required by the rules governing the type of licensure applied for, those examinations are governed by this rule:

- (1) The Board adopts the following as its licensure examinations and requires their successful completion, where required by the rules governing the licensure process, as a prerequisite for licensure:
 - (a) Any Board-approved examination including, but not limited to, the examinations offered by:
 1. The Southern Regional Testing Agency (SRTA)
 2. The Western Regional Examining Board (WREB)
 - (b) The National Board if the person graduated from a dental hygiene college, school or university after 1972.
- (2) Admission to, application for and the fees required to sit for the regional examinations and the National Board examinations are governed by and must be submitted to the testing agency. Admission to, application for and the fees required to sit for any other Board-approved examination must be submitted to the Board as provided in rule 0460-01-.02, or at the Board's option, its designated exam administrator.
- (3) Passing scores on the regional and National Board examinations are determined by the testing agency. Such passing scores as certified to the Board are adopted by the Board as constituting successful completion of those examinations. Passing scores for any other Board-approved examination are determined by the Board.
- (4) Applicants must supply or furnish their own patients, instruments and materials as required by the testing agency, the Board, or the Board's designated exam administrator.
- (5) Applicants who fail to successfully complete any of the examinations may apply for reexamination.
- (6) Oral examination may be required pursuant to rule 0460-01-.04.

(Rule 0460-03-.05, continued)

- (7) The Board adopts as its own, the determination made by the regional testing agencies and the National Boards of the length of time that a passing score on their respective examinations will be effective for purposes of measuring competency and fitness for dental hygiene licensure.
- (8) Applicants for licensure who have failed three (3) times the National Board or any other Board-approved examination as provided in subparagraph (1) (a) must successfully complete a remedial course of post-graduate studies at a school accredited by the American Dental Association before consideration for licensure by the Board. The applicant shall cause the program director of the post-graduate program to provide written documentation of the content of such course and certify successful completion.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-111, and 63-5-114. **Administrative History:** Original rule certified June 7, 1974. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed August 28, 2001; effective November 11, 2001. Amendment filed April 10, 2002; effective June 24, 2002. Amendment filed August 18, 2003; effective November 1, 2003. Amendment filed April 5, 2006; effective June 19, 2006.

0460-03-.06 NITROUS OXIDE CERTIFICATION. Licensed dental hygienists may administer and/or monitor nitrous oxide upon issuance of certification after successful completion of a Board-approved Nitrous Oxide Certification Course and in compliance with T.C.A. § 63-5-108(d) and this rule. To become certified, the licensed dental hygienist must complete and abide by the following process and rules:

- (1) Application and Qualifications for Certification
 - (a) Licensed dental hygienists in good standing with the Tennessee Board of Dentistry are eligible to take the Board-approved nitrous oxide certification course.
 - (b) Licensed dental hygienists, who have successfully completed an accredited dental hygiene program which includes an ADA accredited course on nitrous oxide administration and monitoring, which is comparable to the Board-approved course, are eligible to apply directly to the Board for certification in administering and monitoring nitrous oxide without additional training.
- (2) Monitoring Certification.
 - (a) A licensed dental hygienist who, on the effective date of this rule, possesses a certificate to monitor shall not begin to administer nitrous oxide unless and until the licensed dental hygienist has completed a Board-approved administration and monitoring certification course and has received certification issued by the Board.
 - (b) Licensed dental hygienists with a monitoring certificate shall only monitor nitrous oxide sedation for patients of the employer dentist in accordance with the definition for monitoring nitrous oxide, as provided in Rule 0460-2-.07.
 - (c) Licensed dental hygienists with certification in monitoring of nitrous oxide shall prominently display, at their of employment, the current renewal certificate, which is received upon licensure and renewal.
 - (d) Certification in monitoring nitrous oxide is only valid as long as the licensed dental hygienist has a current license to practice dental hygiene. If the license expires or is retired, the certification is also considered expired or retired and the dental hygienist may not monitor nitrous oxide until the license is reinstated or reactivated.

(Rule 0460-03-.06, continued)

- (3) Administration and Monitoring Certification.
- (a) A licensed dental hygienist, with or without monitoring certification, must apply for and complete a Board-approved certification course in the administration and monitoring of nitrous oxide and obtain their certification, issued by the Board, before he/she can administer nitrous oxide and monitor any patient.
 - (b) Certification in administration and monitoring of nitrous oxide is only valid as long as the licensed dental hygienist has a current license to practice dental hygiene. If the license expires or is retired, the certification is also considered expired or retired and the dental hygienist may not administer and/or monitor nitrous oxide until the license is reinstated or reactivated.
 - (c) Licensed dental hygienists who possess a certification in administration and monitoring of nitrous oxide shall prominently display, at their place of employment, the current renewal certificate, which is received upon licensure and renewal.
 - (d) Duly licensed dental hygienists with nitrous oxide administration certification may administer nitrous oxide only under the direct supervision of a licensed dentist.
 - (e) A licensed dental hygienist may not administer and monitor nitrous oxide to more than one (1) patient at a time and must physically remain in the operatory at all times with the patient.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115. **Administrative History:** Original rule certified June 7, 1974. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed February 18, 2003; effective May 4, 2003. Amendment filed September 17, 2003; effective December 1, 2003.

0460-03-.07 LICENSURE RENEWAL. All licensed dental hygienists must renew their licenses to be able to legally continue in practice. Licensure renewal is governed by the following:

- (1) Renewal application
- (a) The due date for licensure renewal is the last day of the month in which a licensee's birthday falls pursuant to the Division of Health Related Boards "birthdate renewal system" contained on the renewal certificate as the expiration date.
 - (b) Methods of Renewal
 1. Internet Renewals - Individuals may apply for renewal and pay the necessary fees via the Internet. The application to renew can be accessed at:

www.tennesseeanytime.org
 2. Paper Renewals - For individuals who have not renewed their license online via the Internet, a renewal application form will be mailed to each individual licensed by the Board to the last address provided to the Board. Failure to receive such notification does not relieve the licensee from the responsibility of meeting all requirements for renewal.
 - (c) A license issued pursuant to these rules is renewable by the expiration date. To be eligible for renewal an individual must submit to the Division of Health Related Boards on or before the expiration date the following:

(Rule 0460-03-.07, continued)

1. A completed renewal application form.
 2. The renewal and state regulatory fees as provided in Rule 0460-01-.02.
 3. If licensed pursuant to rule 0460-03-.03, a letter of request accompanied by a letter of recommendation from the dean or director of the educational institution.
- (d) Licensees who fail to comply with the renewal rules or notification received by them concerning failure to timely renew shall have their licenses processed pursuant to rule 1200-10-1-.10.
- (2) Reinstatement of an Expired License - Reinstatement of a license that has expired may be accomplished upon meeting the following conditions:
- (a) Payment of all past due renewal fees, state regulatory fees and the reinstatement fee as established in rule 0460-01-.02; and
 - (b) Provide documentation of successfully completing continuing education requirements for the entire time the license was expired, pursuant to Rule 0460-01-.05; and
 - (c) Any licensee who fails to renew licensure prior to the expiration of the second (2nd) year after which renewal is due may be required to meet other conditions as the Board may deem necessary to protect the public.
- (3) Anyone submitting a renewal form, reinstatement/reactivation application, or letter which is found to be untrue may be subject to disciplinary action as provided in T.C.A. § 63-5-124.
- (4) Renewal issuance decisions pursuant to this rule may be made administratively, upon review by the Board.
- (5) Application review and decisions required by this rule shall be governed by rule 0460-01-.04.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-1-107, 63-1-108, 63-5-105, 63-5-105(7), 63-5-107, 63-5-114, 63-5-117, 63-5-124, and 63-5-129. **Administrative History:** Original rule filed December 11, 1991; effective January 25, 1992. Amendment filed December 5, 1994; effective February 18, 1995. Amendment filed February 12, 1996; effective April 27, 1996. Amendment filed April 10, 2001; effective June 24, 2001. Amendment filed August 21, 2002; effective November 4, 2002. Amendment filed August 18, 2003; effective November 1, 2003.

0460-03-.08 LICENSURE RETIREMENT AND REACTIVATION.

- (1) Licensees who wish to retain their licenses but not actively practice may avoid compliance with the licensure renewal process, continuing education and CPR requirements by doing the following:
 - (a) Obtain from, complete and submit to the Board Administrative Office an affidavit of retirement form.
 - (b) Submit any documentation which may be required by the form to the Board Administrative Office.
- (2) Any licensee whose license has been retired may reenter active practice by doing the following:
 - (a) Submit a written request for licensure reactivation to the Board Administrative Office; and

(Rule 0460-03-.08, continued)

- (b) Pay the licensure renewal fee and state regulatory fee as provided in rule 0460-01-.02(2). If retirement was pursuant to rule 0460-03-.07(5) and reactivation was requested prior to the expiration of one (1) year from the date of retirement, the Board may require payment of the late renewal fee and past due licensure renewal and state regulatory fees as provided in rule 0460-01-.02(2).
 - (c) If requested, after review by the Board or a designated Board member or the Board consultant, appear before the Board, a Board member or the Board consultant for an interview regarding continued competence in the event of licensure retirement in excess of two (2) years.
 - (d) Comply with the continuing education provisions of rule 0460-01-.05(6) applicable to reactivation of retired licenses.
- (3) Application review and decisions required by this rule shall be governed by rule 0460-01-.04.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-117, and 63-5-129. **Administrative History:** Original rule filed December 11, 1991; effective January 25, 1992. Amendment filed March 20, 1996; effective June 3, 1996. Amendment filed August 21, 2002; effective November 4, 2002.

0460-03-.09 SCOPE OF PRACTICE. Licensed Dental Hygienists may only practice under direct and/or general supervision in the employment of a licensed dentist consistent with the provisions of T.C.A. Title 63, Chapter 5.

- (1) Delegable or Assignable Procedures – In addition to those duties of the licensed dental hygienist which are commonly recognizable by the dental profession for safe performance, pursuant to T.C.A. § 63-5-108 a licensed dental hygienist may perform the following duties which are assigned or delegated to the licensed dental hygienist by the employer dentist:
 - (a) The removal of all hard and soft deposits and stains from the human teeth to the depth of the gingival sulcus, polishing natural and restored surfaces of teeth, performing clinical examination of teeth and surrounding tissues for diagnosis by the dentist, and performing other such procedures as may be delegated by the dentist consistent with the provisions of T.C.A. Chapter 5, Title 63.
 - (b) Prophylaxis.
 - (c) The application of sealants.
 - (d) The exposure of radiographs, including digital, of the mouth, gums, jaws, teeth or any portion thereof for dental diagnosis.
 - (e) The application of topical fluorides.
 - (f) The instruction of patients in dietary principles.
 - (g) Demonstration of oral hygiene procedures and oral health care regimen.
 - (h) The taking and recording of a patient's blood pressure, pulse, temperature, and medical history and charting of oral conditions.
 - (i) The serving as chairside assistant.
 - (j) The maintenance of instrument and operatory infection control

(Rule 0460-03-.09, continued)

- (k) The preparation of instrument trays
- (l) The placement and removal of matrices for restoration.
- (m) The removal of cement from restorations and bands.
- (n) The removal of sutures and staples.
- (o) The fabrication, placement and removal of temporary restorations.
- (p) The placement and removal of rubber dam.
- (q) The placement and removal of socket dressings.
- (r) The placement and removal of periodontal dressings.
- (s) The taking of dental plaque smears.
- (t) The taking of alginate impressions for any purpose other than permanent restorations.
- (u) The removal of ligature and arch wires.
- (v) Bending, selecting and pre-sizing arch wires and placing arch wires after final adjustment and approval by the dentist.
- (w) The selection, prefitting, cementation, curing, and removing of orthodontic bands or brackets.
- (x) The placement and removal of pre-treatment separators.
- (y) Removal of loose or broken bands or brackets.
- (zz) Placement of springs on wires.
- (aa) Placement of hooks on brackets.
- (bb) Placement of chain elastics on brackets.
- (cc) Ligation of arch wires to brackets.
- (dd) Packing and removing retraction cord, with or without vasoactive chemicals, for restorative dental procedures.
- (ee) Removal of excess cement from the surfaces of the teeth.
- (ff) The placement of amalgam in prepared cavities for condensation by the dentist.
- (gg) Placement of cavity bases and liners.
- (hh) Sulcular irrigation with antimicrobial agents only when prescribed by the employer/supervising dentist.
- (ii) Application of desensitizing agents.
- (jj) Application of topical anesthetic and anti-inflammatory agents.

(Rule 0460-03-.09, continued)

- (kk) Placement of antibiotic-treated materials, if prescribed.
 - (ll) Application of tooth conditioners for bonding.
 - (mm) Selecting and pre-fitting of stainless steel crowns or other pre-formed crowns for insertion by the dentist.
 - (nn) The taking of oral cytologic smears
 - (oo) Performing pulp testing.
 - (pp) Packing of pulpotomy paste.
 - (qq) Drying canals with absorbent paper points.
 - (rr) Calling in prescriptions to the pharmacist as instructed by the employer/dentist.
 - (ss) Fitting, adjusting and cementation of correctional appliances.
 - (tt) Wound care as directed.
 - (uu) Irrigating extraction site.
 - (vv) Placement of exposure chains and attachments.
 - (ww) The use of lasers for examination and/or for periodontal treatment under the supervision of a Tennessee licensed dentist.
 - (xx) Other duties specifically approved by the Board at a regularly scheduled meeting of the Board.
- (2) Dental hygienists may perform delegable procedures for patients of record of their employer dentist who reside in nursing homes pursuant to the following protocol:
- (a) A letter from the employer dentist must be entered in both the dentist's and the nursing home's patient records which includes all of the following:
 1. Patient's name;
 2. Facility name;
 3. Procedures to be performed including the frequency of services if on a regular basis and unchanged;
 4. Family or patient consent if possible;
 5. Patient's physician's consent;
 6. Consent of facility supportive staff to aid hygienist if needed.
 7. Consent of facility for registered nurse or physician to be available upon code.
 - (b) If any major variation of this protocol is required, approval of the Board must be obtained pursuant to rule 0460-01-.03(4)(b)3.(vi).

(Rule 0460-03-.09, continued)

- (3) Under the direct supervision of a licensed dentist, licensed dental hygienists may perform services including, but not limited to, root planing and subgingival curettage.
- (4) Administration and/or monitoring of nitrous oxide sedation must be under the direct supervision of a licensed dentist, and the licensed dental hygienist must possess certification pursuant to Rule 0460-03-.06.
- (5) Administration of local anesthesia must be under the direct supervision of a licensed dentist who, at that time, is physically present at the same office location. The licensed dental hygienist must possess certification pursuant to Rule 0460-03-.12.
- (6) Performance of restorative or prosthetic functions must be under the direct supervision of a licensed dentist, and the licensed dental hygienist must possess certification pursuant to Rule 0460-03-.10.
- (7) Prohibited Procedures - In addition to the duties defined as the practice of dentistry by T.C.A. § 63-5-108, licensed dental hygienists are not permitted to perform the following:
 - (a) Comprehensive examination, diagnosis and treatment planning;
 - (b) Surgical or cutting procedures on hard or soft tissue, including laser, air abrasion or micro-abrasion procedures, except curettage or root planing;
 - (c) Fitting, adjusting, and placement of prosthodontics appliances;
 - (d) Issuance of prescription medications or medications not authorized by Rule 0460-03-.09 (1), or work authorizations;
 - (e) Performance of direct pulp capping, pulpotomy, and other endodontic procedures not authorized by T.C.A. § 63-5-108 or Rule 0460-03-.09 (1);
 - (f) Approving the final occlusion;
 - (g) Placement of sutures;
 - (h) Administration of conscious sedation or general anesthesia.
 - (i) Administration of local anesthesia on patients without certification as provided in Rule 0460-03-.12.
 - (j) Administration or monitoring of nitrous oxide without certification as provided in Rule 0460-03-.06;
 - (k) Use of a high-speed handpiece intraorally;
- (8) In no event shall a licensed dental hygienist perform dental services inconsistent with T.C.A. § 63-5-108. Licensed dental hygienists who perform procedures not delegable pursuant to this rule or procedures specifically prohibited by T.C.A. § 63-5-108 or who perform procedures without the direct supervision of a dentist, or who administer or monitor nitrous oxide without certification or who perform restorative or prosthetic functions without certification are in violation of the rules governing those procedures, and may be subject to disciplinary action pursuant to T.C.A. § 63-5-116.

Authority: T.C.A. §§4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-115, 63-5-116 and 63-5-124.

Administrative History: Original rule filed December 11, 1991; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed September 17, 2003; effective

December 1, 2003. Amendments filed August 3, 2005; effective October 17, 2005. Amendments filed October 12, 2007; effective December 26, 2007. Amendment filed September 25, 2008; effective December 9, 2008. Amendments filed October 22, 2010; effective January 20, 2011.

0460-03-10 RESTORATIVE AND PROSTHETIC CERTIFICATIONS.

- (1) Dental hygienists who have a minimum of two (2) years continuous full-time employment within the past three (3) years in a dental practice as a licensed dental hygienist are eligible for admission to Board-approved certification courses in restorative and/or prosthetic functions. A licensed dental hygienist must complete a Board-approved certification course in restorative or prosthetic functions and obtain the appropriate certification, issued by the Board, before he/she can perform restorative or prosthetic functions on any patient.
- (2) Certification in restorative or prosthetic functions is only valid as long as the licensed dental hygienist has a current license to practice dental hygiene. If the license expires or is retired, the certification is also considered expired or retired and the dental hygienist may not perform restorative or prosthetic functions until the license is reinstated or reactivated.
- (3) Licensed dental hygienists who possess a certification in restorative or prosthetic functions shall prominently display their current renewal certificate at their place of employment.
- (4) Licensed dental hygienists with certification in restorative or prosthetic functions may perform restorations or prosthetic functions only under the direct supervision and full responsibility of a licensed dentist.
- (5) Prohibited Procedures – The following procedures are prohibited for all dental hygienists, including those who have certification in restorative or prosthetic functions:
 - (a) Restorative Functions
 1. Diagnosing need for restorations;
 2. Preparation/Cutting of the tooth or soft tissue;
 3. Modifying existing structure;
 4. Removal of caries, bases or liners; and
 5. Use of high-speed handpieces intraorally.
 - (b) Prosthetic Functions
 1. Diagnosing need for any prosthetic appliance;
 2. Establishing vertical dimension of occlusion and interocclusal records;
 3. Delivering and/or adjusting appliance; and
 4. Use of high-speed handpieces intraorally.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, and 63-5-115. **Administrative History:** Original rule filed August 3, 2005; effective October 17, 2005. Amendment filed October 12, 2007; effective December 26, 2007.

0460-03-11 FREE HEALTH CLINIC AND VOLUNTEER PRACTICE REQUIREMENTS.

(Rule 0460-03-.11, continued)

(1) Free Health Clinic Practice Pursuant to T.C.A. § 63-1-201

- (a) Any individual licensed to practice as a dental hygienist in this state or any other state who has not been disciplined by any licensure board may have their license converted to or receive a Tennessee "Special Volunteer License," as defined in T.C.A. § 63-1-201, which will entitle the licensee to practice without remuneration solely within a "free health clinic," as defined by T.C.A. § 63-1-201, at a specified site or setting by doing the following:
1. Obtaining from the Board's administrative office a "Special Volunteer License" application, completing it and submitting it along with any required documentation to the Board's administrative office; and
 2. Have the licensing authority of every state in which the individual holds or ever held a license to practice as a dental hygienist submit directly to the Board's administrative office the equivalent of a "certificate of fitness" as described in T.C.A. § 63-1-118 which shows that the license has never been subjected to any disciplinary action and is free and clear of all encumbrances; and
 3. For dental hygienists who have not been licensed in Tennessee, comply with all provisions of subparagraph (3) (b) and paragraphs (4), (5), (8) and (9) of rule 0460-03-.01; and
 4. Submitting the specific location of the site or setting of the free health clinic in which the licensee intends to practice along with proof of the clinic's private, and not-for-profit status.
- (b) A dental hygienist holding a Special Volunteer License is not required to pay any fee for its issuance or the required biennial renewal pursuant to the Division of Health Related Board's biennial birthdate renewal system.
- (c) A dental hygienist holding a Special Volunteer License may not do any of the following:
1. Practice as a dental hygienist anywhere other than in the free health clinic site or setting specified in the application; and
 2. Charge any fee or receive compensation or remuneration of any kind from any person or third party payor including insurance companies, health plans and state or federal benefit programs for the provision of medical or any other services; and
 3. Practice for any free health clinic that imposes any charge on any individual to whom health care services are rendered or submits charges to any third party payor including insurance companies, health plans and state or federal benefit programs for the provision of any services.
- (d) Special Volunteer Licenses are subject to all of the following
1. All rules governing renewal, retirement, reinstatement and reactivation as provided by rules 0460-03-.07 and .08, except those requiring the payment of any fees; and
 2. The rules governing continuing education and cardio pulmonary resuscitation as provided by rule 0460-01-.05; and

(Rule 0460-03-.11, continued)

3. Disciplinary action for the same causes and pursuant to the same procedures as all other licenses issued by the Board.
- (2) Practice Pursuant to the “Volunteer Health Care Services Act” T.C.A. §§ 63-6-701, et seq.
 - (a) Any dental hygienist licensed in this or any other state, territory, district or possession of the United States whose license is not under a disciplinary order of suspension or revocation may practice as a dental hygienist in this state but only under the auspices of an organization that has complied with the provisions of this rule and T.C.A. §§ 63-6-701 through 707 and rule 1200-10-1-.12 of the Division of Health Related Boards.
 - (b) Any person who may lawfully practice as a dental hygienist in this or any other state, territory, district or possession of the United States under an exemption from licensure and who is not under a disciplinary order of suspension or revocation and who is not and will not “regularly practice,” as defined by T.C.A. § 63-6-703 (3) may practice as a dental hygienist in this state but only under the auspices of an organization that has complied with the provisions of this rule and T.C.A. §§ 63-6-701 through 707 and rule 1200-10-1-.12 of the Division of Health Related Boards.
 - (c) A dental hygienist or anyone who practices under an exemption from licensure pursuant to this rule may not charge any fee or receive compensation or remuneration of any kind from any person or third party payor including insurance companies, health plans and state or federal benefit programs for the provision of services; and may not practice for any organization that imposes any charge on any individual to whom health care services are rendered or submits charges to any third party payor including insurance companies, health plans and state or federal benefit programs for the provision of any services.
 - (d) Any organization that organizes or arranges for the voluntary provision of health care services on residents of Tennessee may utilize persons described in subparagraphs (a) and (b) to practice as dental hygienists only when it has complied with the provisions of T.C.A. §§ 63-6-701 through 707 and rule 1200-10-1-.12 of the Division of Health Related Boards.
 - (3) Application review and licensure decisions for these types of licensure shall be governed by rule 0460-01-.04.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-1-201, 63-5-105, 63-5-111, 63-5-114, 63-5-134, and 63-6-701 through 63-6-707. **Administrative History:** Original rule filed December 16, 2005; effective March 1, 2006. Amendment filed August 4, 2009; effective November 2, 2009.

0460-03-.12 ADMINISTRATION OF LOCAL ANESTHESIA CERTIFICATION. A licensed dental hygienist in Tennessee must obtain certification to administer local anesthesia before he/she can administer local anesthesia on any patient.

- (1) Qualifications for Certification – One (1) of the following qualifications must be completed:
 - (a) Be a graduate of an ADA Commission on Dental Accreditation approved dental hygiene program which teaches the administration of local anesthesia to clinical competency; or
 - (b) Complete a Board-approved certification course in administration of local anesthesia; or
 - (c) Have completed a certification course in another state that the Board determines is equivalent to the Board-approved course. The course must submit the curriculum,

(Rule 0460-03-.12, continued)

including the number of hours and injections required in the course, and a letter attesting that the course was taught to clinical competency to the Board's Administrative Office for review by the Board. If the Board determines the course is not equivalent, the licensed dental hygienist will be required to comply with the provisions of subparagraphs (a) or (b) before certification can be issued.

- (2) Procedures for Certification – After successful completion of a Board-approved certification course, an ADA Commission on Dental Accreditation dental hygiene program which included instruction in the administration of local anesthesia or a certification course from another state that is equivalent to the Board-approved course, an applicant shall:
- (a) submit a completed application on a form provided by the Board Administrative Office; and
 - (b) submit the Local Anesthesia Certification Fee required by 0460-01-.02; and
 - (c) cause verification of successful completion of the course attesting that the course was taught to demonstrate clinical competency to be sent directly from the school to the Board Administrative Office. If the course was Board-approved, a temporary permit will be issued pending verification of completion of the externship.
- (3) Conditions of Certification
- (a) Certification in administration of local anesthesia is valid only when the dental hygienist has a current license to practice dental hygiene. If the license expires or is retired, the certification is also considered expired or retired and the dental hygienist may not perform administration of local anesthesia until the license is reinstated or reactivated.
 - (b) A licensed dental hygienist with certification to administer local anesthesia shall prominently display, at the place of employment, the current renewal certificate, which is received upon licensure and renewal.
 - (c) A licensed dental hygienist with certification to administer local anesthesia shall administer local anesthesia only under the direct supervision of a licensed dentist who
 - 1. examines the patient before prescribing the procedures to be performed; and
 - 2. is physically present at the same office location when the local anesthesia is administered; and
 - 3. designates a patient of record upon whom the procedures are to be performed and describes the procedures to be performed; and
 - 4. examines the patient upon completion of the procedures.
 - (d) Following the administration of local anesthesia by a licensed dental hygienist the following information shall be documented in the patient record:
 - 1. date and time of administration;
 - 2. identity of individual administering;
 - 3. type of anesthesia administered;
 - 4. dosage/amount administered;

(Rule 0460-03-.12, continued)

5. location/site of administration; and
6. any adverse reaction.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-108, 63-5-115, and 63-5-116. **Administrative History:** Original rule filed October 12, 2007; effective December 26, 2007.