

Dear Senators LODGE, Broadsword, Bock, and  
Representatives McGEACHIN, Bilbao, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of  
the Board of Dentistry:

19.01.01 - Rules of the Idaho State Board of Dentistry (Docket No. 19-0101-1101)

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 08/10/2011. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/08/2011.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX  
number indicated on the memorandum attached.



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee  
**FROM:** Legislative Research Analyst - Ryan Bush  
**DATE:** July 22, 2011  
**SUBJECT:** Board of Dentistry

19.01.01 - Rules of the Idaho State Board of Dentistry (Docket No. 19-0101-1101)

The Idaho State Board of Dentistry submits notice of proposed rulemaking at IDAPA 19.01.01 - Rules of the Idaho State Board of Dentistry. The Board states that it is changing reference to documents, updating rules relating to continuing education requirements, deleting an advertising standard, correcting dental hygienist's rules of practice, clarifying dental assistant curriculum and performing general housekeeping changes. Specifically, this rulemaking accomplishes the following:

- (1) Refers to documents incorporated by reference now as Professional Standards and makes these documents no longer available for public review at the Idaho State Law Library;
- (2) Creates an exception to a prohibited practice for dental hygienists;
- (3) Clarifies the Board's role in approving dental assistant curriculum;
- (4) Revises the standards of professional conduct for dentists and dental hygienists;
- (5) Removes a prohibited advertising standard which was ruled unconstitutional;
- (6) Revises the continuing education requirements for dentists and dental hygienists.

The Board states that negotiated rulemaking was not conducted because the proposed revisions are non-controversial. A public hearing concerning this rulemaking will be held at 9:00 a.m. on August 11, 2011, at the Idaho State Board of Dentistry, 350 N. 9th Suite M-100, Boise, ID 83702.

The proposed rule appears to be within the authority granted to the Idaho State Board of Dentistry in Section 54-912(4), Idaho Code.

cc: Board of Dentistry  
Susan Miller

**IDAPA 19 - IDAHO STATE BOARD OF DENTISTRY**  
**19.01.01 - RULES OF THE IDAHO STATE BOARD OF DENTISTRY**  
**DOCKET NO. 19-0101-1101**  
**NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-902, 54-912(2)(4), and 54-924(8)(11)(12), Idaho Code.

**PUBLIC HEARING SCHEDULE:** A public hearing concerning this rulemaking will be held as follows:

**Thursday, August 11, 2011 - 9:00 a.m.**

**Idaho State Board of Dentistry  
350 N. 9th Suite M-100  
Boise, ID 83702**

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The purpose of the proposed rule change is to:

1. Correct an unintended negative impact to licensees regarding continuing education requirements;
2. Delete an advertising standard which was ruled unconstitutional;
3. Change reference to documents incorporated by reference as professional standards;
4. Correct potential conflict in rules regarding dental hygienist rules of practice;
5. Clarify Board's role in approving dental assistant curriculum; and
6. General housekeeping changes.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased:

No fees or charges are imposed by this rulemaking.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking:

There is no fiscal impact to the state general fund.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed revisions are non-controversial.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Susan Miller, Idaho State Board of Dentistry, (208) 334-2369.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 24, 2011.

DATED this first day of July, 2011.

Susan Miller, Executive Director  
Idaho State Board of Dentistry  
350 N. 9th St. Ste. M-100  
Boise, ID 83702  
Ph: (208) 334-2369  
Fax: (308) 334-3247

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**THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 19-0101-1101**

**004. INCORPORATION BY REFERENCE (RULE 4).**

Pursuant to Section 67-5229, Idaho Code, this chapter incorporates by reference the following documents: (7-1-93)

- 01. ~~Documents~~ Professional Standards.** (~~7-1-93~~)(    )
- a.** American Association of Oral and Maxillofacial Surgeons, Office Anesthesia Evaluation Manual, 7th Edition, 2006. (4-7-11)
- b.** American Dental Association, Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students, October 2007. (4-7-11)
- c.** American Dental Association, Guidelines for the Use of Sedation and General Anesthesia by Dentists, October 2007. (4-7-11)
- d.** American Dental Association Policy Statement: The Use of Sedation and General Anesthesia by Dentists, October 2007. (4-7-11)
- e.** Centers for Disease Control and Prevention, DHHS, Guidelines for Infection Control in Dental Health-Care Settings, 2003. (4-6-05)
- f.** American Dental Association, Principles of Ethics, Code of Professional Conduct and Advisory Opinions (ADA Code), January 2009. (4-7-11)
- g.** American Dental Hygienists' Association, Code of Ethics for Dental Hygienists (ADHA Code), June 2009. (4-7-11)
- h.** American Dental Hygienists' Association, Standards for Clinical Dental Hygiene Practice, March 10, 2008. (4-7-11)
- i.** American Association of Dental Boards, the Dental Patient Record, June 12, 2009. (4-7-11)
- 02. Availability.** These documents are available for public review at the Idaho State Board of Dentistry, 350 North 9th Street, Suite M-100, Boise, Idaho 83720, ~~or the Idaho State Law Library, Supreme Court Building, 451 W. State Street, Boise, Idaho 83720.~~ (~~3-15-02~~)(    )

**(BREAK IN CONTINUITY OF SECTIONS)**

**031. DENTAL HYGIENISTS - PROHIBITED PRACTICE (RULE 31).**

Subject to the provisions of the Dental Practice Act, Chapter 9, Title 54, Idaho Code, and these rules, a dental hygienist may not perform certain specified duties. (4-6-05)

- 01. Prohibited Duties.** A dental hygienist is prohibited from performing the duties specified below: (4-6-05)
  - a.** Definitive diagnosis and dental treatment planning; (4-6-05)
  - b.** The operative preparation of teeth for the placement of restorative materials; (4-6-05)
  - c.** The placement or carving of restorative materials unless authorized by issuance of an extended access restorative license endorsement; (~~4-6-05~~)( )
  - d.** Administration of any general anesthesia, minimal sedation, or moderate sedation; (4-7-11)
  - e.** Final placement of any fixed or removable appliances; (4-6-05)
  - f.** Final removal of any fixed appliance; (4-6-05)
  - g.** Cutting procedures utilized in the preparation of the coronal or root portion of the tooth; (4-6-05)
  - h.** Cutting procedures involving the supportive structures of the tooth; (4-6-05)
  - i.** Placement of the final root canal filling; (4-6-05)
  - j.** Final impressions of any tissue-bearing area, whether hard or soft tissue; (4-6-05)
  - k.** Occlusal equilibration procedures for any prosthetic restoration, whether fixed or removable; (4-6-05)
  - l.** Final placement of prefabricated or cast restorations or crowns; and (4-6-05)
  - m.** Such other duties as specifically prohibited by the Board. (4-6-05)

**032. -- 034. (RESERVED)**

**035. DENTAL ASSISTANTS - PRACTICE (RULE 35).**

**01. Direct Supervision.** A dental assistant may perform specified activities under direct supervision as follows: (4-6-05)

- a.** Recording the oral cavity (existing restorations, missing and decayed teeth); (4-6-05)
- b.** Placement of topical anesthetic agents (prior to administration of a local anesthetic by a dentist or dental hygienist); (4-6-05)
- c.** Removal of excess bonding material from temporary and permanent restorations and orthodontic appliances (using hand instruments or contra-angle handpieces with disks or polishing wheels only); (4-6-05)
- d.** Expose and process radiographs; (4-6-05)
- e.** Take impressions for preparation of diagnostic models, bleach trays, fabrication of night guards, temporary appliances, temporary crowns or bridges; (4-6-05)
- f.** Record diagnostic bite registration; (4-6-05)

- g.** Record bite registration for fabrication of restorations; (4-6-05)
  - h.** Provide patient education and instruction in oral hygiene and preventive services; (4-6-05)
  - i.** Placement of cotton pellets and temporary restorative materials into endodontic access openings; (4-6-05)
  - j.** Placement and removal of arch wire; (4-6-05)
  - k.** Placement and removal of orthodontic separators; (4-6-05)
  - l.** Placement and removal of ligature ties; (4-6-05)
  - m.** Cutting arch wires; (4-6-05)
  - n.** Removal of loose orthodontic brackets and bands to provide palliative treatment; (4-6-05)
  - o.** Adjust arch wires; (4-6-05)
  - p.** Etching of teeth prior to placement of restorative materials; (4-6-05)
  - q.** Etching of enamel prior to placement of orthodontic brackets or appliances by a Dentist; (4-6-05)
  - r.** Placement and removal of rubber dam; (4-6-05)
  - s.** Placement and removal of matrices; (4-6-05)
  - t.** Placement and removal of periodontal pack; (4-6-05)
  - u.** Removal of sutures; (4-6-05)
  - v.** Application of cavity liners and bases; (4-6-05)
  - w.** Placement and removal of gingival retraction cord; (4-6-05)
  - x.** Application of topical fluoride agents; and (4-6-05)
  - y.** Performing such other duties as approved by the Board. (4-6-05)
- 02. Prohibited Duties.** Subject to other applicable provisions of these rules and of the Act, dental assistants are hereby prohibited from performing any of the activities specified below: (7-1-93)
- a.** Definitive diagnosis and treatment planning. (4-6-05)
  - b.** The placement or carving of permanent restorative materials in any manner. (7-1-93)
  - c.** Any procedure using lasers. (4-6-05)
  - d.** The administration of any general anesthetic, infiltration anesthetic or any injectable nerve block procedure. (4-6-05)
  - e.** Any oral prophylaxis. Oral prophylaxis is defined as the removal of plaque, calculus, and stains from the exposed and unexposed surfaces of the teeth by scaling and polishing. (7-1-93)
  - f.** Any intra-oral procedure using a high-speed handpiece, except to the extent authorized by a Certificate of Registration or certificate or diploma of course completion issued by an approved teaching entity. (4-6-05)

- g.** The following expanded functions, unless authorized by a Certificate of Registration or certificate or diploma of course completion issued by an approved teaching entity and performed under direct supervision: (4-6-05)
- i.** Fabrication and placement of temporary crowns; (4-6-05)
  - ii.** Perform the mechanical polishing of restorations; (7-1-93)
  - iii.** Initiating, regulating and monitoring the administration of nitrous oxide/oxygen to a patient; (4-7-11)
  - iv.** Application of pit and fissure sealants; (7-1-93)
  - v.** Coronal polishing, unless authorized by a Certificate of Registration; this refers to the technique of removing soft substances from the teeth with pumice or other such abrasive substances with a rubber cup or brush. This in no way authorizes the mechanical removal of calculus nor is it to be considered a complete oral prophylaxis. This technique (coronal polishing) would be applicable only after examination by a dentist and removal of calculus by a dentist or dental hygienist. (7-1-93)
  - vi.** Use of a high-speed handpiece restricted to the removal of orthodontic cement or resin. (4-6-05)

**03. Expanded Functions Qualifications.** A dental assistant may be considered Board qualified in expanded functions, authorizing the assistant to perform any or all of the expanded functions described in Subsection 035.02.g. upon satisfactory completion of the following requirements: (4-6-05)

**a.** Completion of Board-approved training in each of the expanded functions with verification of completion of the training to be provided to the Board upon request by means of a Certificate of Registration or other certificate evidencing completion of approved training. The required training shall include adequate training in the fundamentals of dental assisting, which may be evidenced by: (4-6-05)

- i.** Current certification by the Dental Assisting National Board; or (7-1-93)
- ii.** Successful completion of a Board-approved ~~course~~ course curriculum in the fundamentals of dental assisting; or ~~(3-18-99)~~( )
- iii.** Successfully challenging the fundamentals course. (7-1-93)

**b.** Successful completion of a Board-approved competency examination in each of the expanded functions. There are no challenges for expanded functions. (3-18-99)

**04. Course Curriculum Approval.** Any school, college, institution, university or other teaching entity may apply to the Board to obtain approval of its ~~courses of instruction~~ course curriculum in expanded functions. Before approving such ~~course~~ course curriculum, the Board may require satisfactory evidence of the content of the instruction, hours of instruction, content of examinations or faculty credentials. ~~(3-18-99)~~( )

**05. Other Credentials.** Assistants, who have completed courses or study programs in expanded functions that have not been previously approved by the Board, may submit evidence of the extent and nature of the training completed, and, if in the opinion of the Board the same is at least equivalent to other Board-approved courses curriculum, and demonstrates the applicant's fitness and ability to perform the expanded functions, the Board may consider the assistant qualified to perform any expanded function(s). ~~(3-18-99)~~( )

**036. -- 039. (RESERVED)**

**040. UNPROFESSIONAL CONDUCT (RULE 40).**

A dentist or hygienist shall not engage in unprofessional conduct in the course of his practice. Unprofessional conduct by a person licensed under the provisions of Title 54, Chapter 9, Idaho Code, is defined as, but not limited to,

one (1) of the following: (7-1-93)

**01. Fraud.** Obtaining fees by fraud or misrepresentation, or over-treatment either directly or through an insurance carrier. (7-1-93)

**02. Unlicensed Practice.** Employing directly or indirectly any suspended or unlicensed dentist or dental hygienist to practice dentistry or dental hygiene as defined in Title 54, Chapter 9, Idaho Code. (7-1-93)

**03. Unlawful Practice.** Aiding or abetting licensed persons to practice dental hygiene or dentistry unlawfully. (7-1-93)

**04. Dividing Fees.** A dentist shall not divide a fee for dental services with another party, who is not a partner or associate with him in the practice of dentistry, unless: (7-1-93)

**a.** The patient consents to employment of the other party after a full disclosure that a division of fees will be made; (7-1-93)

**b.** The division is made in proportion to the services performed and responsibility assumed by each dentist or party. (7-1-93)

**05. Controlled Substances.** Prescribing or administering controlled substances not reasonably necessary for, or within the scope of, providing dental services for a patient. In prescribing or administering controlled substances, a dentist shall exercise reasonable and ordinary care and diligence and exert his best judgment in the treatment of his patient as dentists in good standing in the state of Idaho, in the same general line of practice, ordinarily exercised in like cases. A dentist may not prescribe controlled substances for or administer controlled substances to himself. A dentist shall not use controlled substances as an inducement to secure or maintain dental patronage or aid in the maintenance of any person's drug addiction by selling, giving or prescribing controlled substances. (3-18-99)

**06. Harassment.** The use of threats or harassment to delay or obstruct any person in providing evidence in any possible or actual disciplinary action, or other legal action; or the discharge of an employee primarily based on the employee's attempt to comply with the provisions of Title 54, Chapter 9, Idaho Code, or the Board's Rules, or to aid in such compliance. (7-1-93)

**07. Discipline in Other States.** Conduct himself in such manner as results in a suspension, revocation or other disciplinary proceedings with respect to his license in another state. (3-18-99)

**08. Altering Records.** Alter a patient's record with intent to deceive. (7-1-93)

**09. Office Conditions.** Unsanitary or unsafe office conditions, as determined by the customary practice and standards of the dental profession in the state of Idaho and current recommendations of the American Dental Association and the Centers for Disease Control as referred to in Section 004. (7-1-93)

**10. Abandonment of Patients.** Abandonment of patients by licensees before the completion of a phase of treatment, as such phase of treatment is contemplated by the customary practice and standards of the dental profession in the state of Idaho, without first advising the patient of such abandonment and of further treatment that is necessary. (7-1-93)

**11. Use of Intoxicants.** Practicing dentistry or dental hygiene while under the influence of an intoxicant or controlled substance where the same impairs the dentist's or hygienist's ability to practice dentistry or hygiene with reasonable and ordinary care. (7-1-93)

**12. Mental or Physical Illness.** Continued practice of dentistry or dental hygiene in the case of inability of the licensee to practice with reasonable and ordinary care by reason of one (1) or more of the following: (7-1-93)

**a.** Mental illness; (7-1-93)



- b. Physical illness, including but not limited to, deterioration through the aging process, or loss of motor skill. (7-1-93)
13. **Consent.** Revealing personally identifiable facts, data or information obtained in a professional capacity without prior consent of the patient, except as authorized or required by law. (3-18-99)
14. **Scope of Practice.** Practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities that the licensee knows or has reason to know that he or she is not competent to perform. (3-18-99)
15. **Delegating Duties.** Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows, or with the exercise of reasonable care and control should know, that such a person is not qualified by training or by licensure to perform them. (3-18-99)
16. **Unauthorized Treatment.** Performing professional services that have not been authorized by the patient or his legal representative. (3-18-99)
17. **Supervision.** Failing to exercise appropriate supervision over persons who are authorized to practice only under the supervision of a licensed professional. (7-1-93)
18. **Legal Compliance.** Failure to comply with any provisions of federal, state or local laws, statutes, rules, and regulations governing or affecting the practice of dentistry or dental hygiene. ~~(3-30-07)~~(\_\_\_\_)
19. **Exploiting Patients.** Exercising undue influence on a patient in such manner as to exploit a patient for the financial or personal gain of a practitioner or of a third party. (7-1-93)
20. **Misrepresentation.** Willful misrepresentation of the benefits or effectiveness of dental services. (7-1-93)
21. **Disclosure.** Failure to advise patients or their representatives in understandable terms of the treatment to be rendered, alternatives, and disclosure of reasonably anticipated fees relative to the treatment proposed. (3-18-99)
22. **Sexual Misconduct.** Making suggestive, sexual or improper advances toward a patient or committing any lewd or lascivious act upon or with a patient. (7-1-93)
23. **Patient Management.** Use of unreasonable and/or damaging force to manage patients, including but not limited to hitting, slapping or physical restraints. (7-1-93)
24. ~~**American Dental Association Compliance**~~ **With Dentist Professional Standards.** Failure by a dentist to comply with ~~the American Dental Association, Principles of Ethics, Code of Professional Conduct and Advisory Opinions (ADA Code)~~ professional standards applicable to the practice of dentistry, as incorporated by reference in this chapter. ~~(3-20-04)~~(\_\_\_\_)
25. ~~**American Dental Hygienists' Association Compliance**~~ **With Dental Hygienist Professional Standards.** Failure by a dental hygienist to comply with ~~the American Dental Hygienists' Association, Code of Ethics for Dental Hygienists (ADHA Code)~~ professional standards applicable to the practice of dental hygiene, as incorporated by reference in this chapter. ~~(4-6-05)~~(\_\_\_\_)

**(BREAK IN CONTINUITY OF SECTIONS)**

**046. ADVERTISING (RULE 46).**

Dentists and dental hygienists licensed to practice in Idaho may advertise in any medium or by other form of public

communication so long as any such advertising is not false, deceptive, misleading or not readily subject to verification. In addition to any other applicable grounds, a violation of this advertising rule shall constitute and be considered as unethical and unprofessional conduct pursuant to the Idaho Dental Practice Act and this chapter.

(3-20-04)

**01. General Advertising Provisions.**

(3-20-04)

**a.** “Advertisement” shall mean any public communication, made in any form or manner whatsoever, about a licensee’s professional services or qualifications for the purpose of soliciting business. “Advertising” or “advertise” shall mean holding out, broadcasting, mailing, publishing, transmitting, announcing, distributing or otherwise disseminating any advertisement, whether directly or indirectly through the efforts of another person or entity. Any sign soliciting business, whether at the location of the dental practice or otherwise, shall be considered as an advertisement. A licensee who engages or authorizes another person or entity to advertise for or on the licensee’s behalf is responsible for the content of the advertisement unless the licensee can prove that the content of the advertisement was contrary to the licensee’s specific directions.

(3-20-04)

**b.** If the form or manner of advertising consists of or contains verbal communication to the public by television, radio, or other means, the advertisement shall be prerecorded and approved for broadcast by the licensee and a recording of the actual advertisement shall be retained by the licensee for a period of two (2) years. Upon receipt of a written request from the Board, a licensee shall provide any such recorded advertisement to the Board within five (5) working days.

(3-20-04)

**c.** Any advertisement made under or by means of a fictitious or assumed business name or in the name of a professional service corporation shall be the responsibility of all licensees who are owners of the business or corporation.

(3-20-04)

**02. Prohibited Advertising.** A licensee shall not advertise in any form or manner which is false, misleading or deceptive to the public or which is not readily susceptible to verification. False, misleading or deceptive advertising or advertising that is not readily susceptible to verification includes, but is not limited to, advertising that:

(3-20-04)

**a.** Makes a material misrepresentation of fact or omits a material fact;

(3-20-04)

**b.** Makes a representation likely to create an unjustified expectation about the results of a dental procedure;

(3-20-04)

**c.** Compares a licensee’s services with another licensee’s services unless the comparison can be factually substantiated;

(3-20-04)

**d.** Makes a representation that is misleading as to the credentials, education, or the licensing status of a licensee;

(3-20-04)

**e.** Represents that the benefits of a dental insurance plan will be accepted as full payment when deductibles or copayments are required;

(3-20-04)

~~**f.** Makes a representation that is intended to take advantage of the fears or emotions of a particularly susceptible type of patient; and~~

~~(3-20-04)~~

**gf.** Refers to benefits of dental procedures or products that involve significant risks without including realistic assessments of the safety and efficacy of those procedures or products.

(3-20-04)

**03. Specialty Advertising.** The Board recognizes and licenses the following specialty areas of dental practice: Dental Public Health; Endodontics; Oral and Maxillofacial Pathology; Oral and Maxillofacial Radiology; Oral and Maxillofacial Surgery; Orthodontics; Pediatric Dentistry; Periodontics; and Prosthodontics. The specialty advertising rules are intended to allow the public to be informed about recognized dental specialties and specialization competencies of licensees and to require appropriate disclosures to avoid misperceptions on the part of the public.

(4-6-05)

a. An advertisement shall not state that a licensee is a specialist, or specializes in a recognized specialty area of dental practice, or limits his practice to any recognized specialty area of dental practice unless the licensee has been issued a license ~~or certification~~ in that specialty area of dental practice by the Board. Use of words or terms in advertisements such as “Endodontist,” “Pedodontist,” “Pediatric Dentist,” “Periodontist,” “Prosthodontist,” “Orthodontist,” “Oral and Maxillofacial Pathologist,” “Oral Pathologist,” “Oral and Maxillofacial Radiologist,” “Oral Radiologist,” “Oral and Maxillofacial Surgeon,” “Oral Surgeon,” “Specialist,” “Board Certified,” “Diplomate,” “Practice Limited To,” and “Limited To Specialty Of” shall be prima facie evidence that the licensee is announcing or holding himself out to the public as a specialist or that the licensee specializes in a recognized area of dental practice. (4-6-05)(      )

b. A licensee who has not been licensed ~~or certified~~ by the Board in a recognized specialty area of dental practice may advertise as being qualified in a recognized specialty area of dental practice so long as each such advertisement, regardless of form, contains a prominent disclaimer that the licensee is “licensed as a general dentist” or that the specialty services “will be provided by a general dentist.” Any disclaimer in a written advertisement shall be in the same font style and size as that in the listing of the specialty area. (3-20-04)(      )

c. A licensee shall not advertise as being a specialist in or as specializing in any area of dental practice which is not a Board recognized and licensed specialty area unless the advertisement, regardless of form, contains a prominent disclaimer that the advertised area of dental practice is not recognized as a specialty area of dental practice by the Idaho Board of Dentistry. Any disclaimer in a written advertisement shall be in the same font style and size as that in the listing of the specialty area. (3-20-04)

**047. -- 049. (RESERVED)**

**050. CONTINUING EDUCATION FOR DENTISTS (RULE 50).**

Effective October 1994, renewal of any active dental license will require evidence of completion of continuing education or volunteer dental practice that meets the following requirements. (4-6-05)

**01. Requirements:** (3-18-99)

a. All active dentists must hold a current CPR card. (7-1-93)

b. All active dentists shall acquire thirty (30) credits of verifiable continuing education in each biennial renewal period. One (1) credit is defined as one (1) hour of instruction. (3-30-07)(      )

c. Continuing education must be oral health/health-related for the professional development of a dentist. The thirty (30) credits shall be obtained through continuing education courses, correspondence courses, college credit courses, and viewing of videotape or listening to other media devoted to dental education. ~~Not more than eight (8) of the required credits shall be obtained through self-study.~~ (3-29-10)(      )

d. A dentist holding an active status license issued by the Board shall be allowed one (1) credit of continuing education for every two (2) hours of verified volunteer dental practice performed during the biennial renewal period up to a maximum of ten (10) credits. (3-30-07)

e. Any person who becomes licensed as an active dentist during any biennial renewal period shall be required at the time of the next successive license renewal to report a prorated amount of continuing education credits as specified by the Board. (3-30-07)

**02. Documentation.** In conjunction with license renewal, the dentist shall provide a list of continuing education credits obtained and verification of hours of volunteer dental practice performed and certify that the minimum requirements were completed in the biennial renewal period. (3-30-07)

**051. CONTINUING EDUCATION FOR DENTAL HYGIENISTS (RULE 51).**

Effective April 1994, renewal of any active dental hygiene license or dental hygiene license endorsement will require evidence of completion of continuing education or volunteer dental hygiene practice that meets the following requirements. (4-6-05)

- 01. Requirements for Renewal of an Active Status Dental Hygiene License:** (4-6-05)
- a.** All active dental hygienists must hold a current CPR card. (6-2-92)
- b.** All active dental hygienists shall acquire twenty-four (24) credits of verifiable continuing education in each biennial renewal period. One (1) credit is defined as one (1) hour of instruction. ~~(3-30-07)~~( )
- c.** Continuing education must be oral health/health-related education for the professional development of a dental hygienist. The twenty-four (24) credits shall be obtained through continuing education courses, correspondence courses, college credit courses, viewing of videotape or listening to other media devoted to dental hygiene education. ~~Not more than six (6) of the required credits shall be obtained through self-study.~~ ~~(3-29-10)~~( )
- d.** A dental hygienist holding an active status license issued by the Board shall be allowed one (1) credit of continuing education for every two (2) hours of verified volunteer dental hygiene practice performed during the biennial renewal period up to a maximum of ten (10) credits. (3-30-07)
- e.** Any person who becomes licensed as an active dental hygienist during any biennial renewal period shall be required at the time of the next successive license renewal to report a prorated amount of continuing education credits as specified by the Board. (3-30-07)
- 02. Requirements for Renewal of an Extended Access Dental Hygiene License Endorsement.** In addition to any other continuing education requirements for renewal of a dental hygiene license, a person granted an extended access dental hygiene license endorsement shall complete twelve (12) credits of verifiable continuing education in each biennial renewal period in the specific practice areas of medical emergencies, local anesthesia, oral pathology, care and treatment of geriatric, medically compromised or disabled patients and treatment of children. Any person who is issued an extended access dental hygiene license endorsement during any biennial renewal period shall be required at the time of the next successive license renewal to report a prorated amount of those continuing education credits required under this section as specified by the Board. ~~(3-30-07)~~( )
- 03. Documentation.** In conjunction with license and endorsement renewal, the dental hygienist shall provide a list of continuing education credits obtained and verification of hours of volunteer dental hygiene practice performed and certify that the minimum requirements were completed in the biennial renewal period. (3-30-07)