

**Rules Oversight Committee Meeting
Minutes
July 25, 2012**

MEMBERS PRESENT: Brandon Schwindt, D.M.D., Chair
Jill Mason, M.P.H., R.D.H.
Alton Harvey, Sr.
Jill M. Price, D.M.D., O.D.A.
Lynn Ironside, R.D.H., O.D.H.A.
Ninette Lyon, R.D.A, E.F.D.A., O.D.A.A.

STAFF PRESENT: Patrick D. Braatz, Executive Director
Paul Kleinstub, D.D.S., M.S., Dental Director/Chief Investigator
Lisa Warwick, Office Specialist

OTHERS PRESENT: Mary Davidson, R.D.H., Board Member; Jonna Hongo, D.M.D., Board Member; Beryl Fletcher, ODA; Lisa Rowley, R.D.H., Pacific University; April Love, D.D.S., Sophia Tan-Dumitrescu, D.D.S.; Aaron Tinkle, D.M.D., OAGD.

Call to Order: The meeting was called to order by the President at 7:09 p.m. at the Board office; 1600 SW 4th Ave., Suite 770, Portland, Oregon.

MINUTES

Ms. Ironside moved and Ms. Lyon seconded that the minutes of the April 3, 2012 Rules Oversight Committee Meeting be approved as amended. The motion passed with Dr. Schwindt, Ms. Mason, Mr. Harvey, Dr. Price, Ms. Ironside and Ms. Lyon voting aye.

OAR 818-042-0090 – Additional Functions of EFDAs

Dr. Schwindt stated that this change would allow a hygienist to authorize EFDA assistants to apply sealants and soft relines.

Ms. Mason moved and Ms. Lyon seconded that the Rules Oversight Committee recommend OAR 818-042-0090 to the Board as presented below. The motion passed with Dr. Schwindt, Ms. Mason, Mr. Harvey, Dr. Price, Ms. Ironside and Ms. Lyon voting aye.

OAR 818-042-0090

Additional Functions of EFDAs

Upon successful completion of a course of instruction in a program accredited by the Commission on Dental Accreditation of the American Dental Association, or other course of instruction approved by the Board, a certified Expanded Function Dental Assistant may perform the following functions under the indirect supervision of a dentist or dental hygienist providing that the procedure is checked by the dentist or dental hygienist prior to the patient being dismissed.

- (1) Apply pit and fissure sealants providing the patient is examined before the sealants are placed. The sealants must be placed within 45 days of the procedure being authorized by a dentist or dental hygienist.
- (2) Apply temporary soft relines to full dentures.

OAR 818-035-0020 – Authorization to Practice

There was some discussion on the need to remove the old sub (6) from the rules but after some background discussion as well as review of statute and prohibited acts it was agreed that allowable duties for hygienists were covered in statute as well as in prohibited acts so the old (6) was not required and just a redundancy, justifying its removal.

Ms. Ironside moved and Ms. Mason seconded that the Rules Oversight Committee recommend OAR 818-053-0020 to the Board as presented. The motion passed with Dr. Schwindt, Ms. Mason, Mr. Harvey, Dr. Price, Ms. Ironside and Ms. Lyon voting aye.

OAR 818-035-0020

Authorization to Practice

- (1) A dental hygienist may practice dental hygiene in the places specified by ORS 680.150 under general supervision upon authorization of a supervising dentist.
- (2) A dentist who authorizes a dental hygienist to practice dental hygiene on a limited access patient must review the hygienist's findings.
- (3) A supervising dentist, without first examining a new patient, may authorize a dental hygienist:
 - (a) To take a health history from a patient;
 - (b) To take dental radiographs;
 - (c) To perform periodontal probings and record findings;
 - (d) To gather data regarding the patient; and
 - ~~(e) To perform a prophylaxis.~~
 - (f e)** To diagnose, ~~and~~ treatment plan **and provide for** dental hygiene services.
- (4) When hygiene services are provided pursuant to subsection (3), the supervising dentist need not be on the premises when the services are provided.
- (5) When hygiene services are provided pursuant to subsection (3), the patient must be scheduled to be examined by the supervising dentist within fifteen business days following the day the hygiene services are provided.
- ~~(6) A supervising dentist may not authorize a dental hygienist and a dental hygienist may not perform periodontal procedures unless the supervising dentist has examined the patient and diagnosed the condition to be treated.~~
- ~~(7 6)~~ **(6)** If a new patient has not been examined by the supervising dentist subsequent to receiving dental hygiene services pursuant to subsection (3), no further dental hygiene services may be provided until an examination is done by the supervising dentist.

OAR 818-035-0072 – Restorative Functions of Dental Hygienists

Dr. Schwindt stated that the change to OAR 818-035-0072 would remove the word anterior and allow for placement of posterior composite restorations by dental hygienists who held the

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Restorative Function endorsement.

Ms. Ironside moved and Ms. Mason seconded that the Rules Oversight Committee recommend OAR 818-035-0072 to the Board as presented. The motion passed with Ms. Mason, Mr. Harvey, Ms. Ironside and Ms. Lyon voting aye. Dr. Schwindt and Dr. Price were opposed.

OAR 818-035-0072

Restorative Functions of Dental Hygienists

(1) The Board shall issue a Restorative Functions Endorsement (RFE) to a dental hygienist who holds an unrestricted Oregon license, and has successfully completed:

(a) A Board approved curriculum from a program accredited by the Commission on Dental Accreditation of the American Dental Association or other course of instruction approved by the Board, and successfully passed the Western Regional Examining Board's Restorative Examination or other equivalent examinations approved by the Board within the last five years; or

(b) If successful passage of the Western Regional Examining Board's Restorative Examination or other equivalent examinations approved by the Board occurred over five years from the date of application, the applicant must submit verification from another state or jurisdiction where the applicant is legally authorized to perform restorative functions and certification from the supervising dentist of successful completion of at least 25 restorative procedures within the immediate five years from the date of application.

*(2) A dental hygienist may perform the placement and finishing of direct alloy and direct **anterior** composite restorations, under the indirect supervision of a licensed dentist, after the supervising dentist has prepared the tooth (teeth) for restoration(s):*

(a) These functions can only be performed after the patient has given informed consent for the procedure and informed consent for the placement of the restoration(s) by a Restorative Functions Endorsement dental hygienist;

(b) Before the patient is released, the final restoration(s) shall be checked by a dentist and documented in the chart.

OAR 818-042-0095 – Restorative Functions of Dental Assistants

Dr. Schwindt stated that this change is mirroring OAR 818-035-0072, removing the word anterior and allowing restorative function dental assistants to place posterior composite restorations.

Ms. Lyon moved and Ms. Mason seconded the Rules Oversight Committee recommend OAR 818-042-0095 to the Board as presented. The motion passed with Ms. Mason, Mr. Harvey, Ms. Ironside and Ms. Lyon voting aye. Dr. Schwindt and Dr. Price were opposed.

OAR 818-042-0095

Restorative Functions of Dental Assistants

(1) The Board shall issue a Restorative Functions Certificate (RFC) to a dental assistant who holds an Oregon EFDA Certificate, and has successfully completed:

(a) A Board approved curriculum from a program accredited by the Commission on Dental Accreditation of the American Dental Association or other course of

instruction approved by the Board, and successfully passed the Western Regional Examining Board's Restorative Examination or other equivalent examinations approved by the Board within the last five years, or

(b) If successful passage of the Western Regional Examining Board's Restorative Examination or other equivalent examinations approved by the Board occurred over five years from the date of application, the applicant must submit verification from another state or jurisdiction where the applicant is legally authorized to perform restorative functions and certification from the supervising dentist of successful completion of at least 25 restorative procedures within the immediate five years from the date of application.

*(2) A dental assistant may perform the placement and finishing of direct alloy or direct **anterior** composite restorations, under the indirect supervision of a licensed dentist, after the supervising dentist has prepared the tooth (teeth) for restoration(s):*

(a) These functions can only be performed after the patient has given informed consent for the procedure and informed consent for the placement of the restoration by a Restorative Functions dental assistant.

(b) Before the patient is released, the final restoration(s) shall be checked by a dentist and documented in the chart.

Meeting was adjourned at 8:30 p.m.