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TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

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I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on Upon filing, by the
Oregon Board of Dentistry 818
Agency and Division Administrative Rules Chapter Number
Stephen Prisby (971) 673-3200
Rules Coordinator Telephone
1500 SW 1st Ave., Suite 770, Portland, OR 97201
Address
To become effective 04/17/2015 through 10/13/2015.

RULE CAPTION

Temporary Rules to amend Dental Hygiene Rules on prescriptive authority.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

818-035-0025, 818-035-0030

SUSPEND:

Statutory Authority:

ORS 679 and 680

Other Authority:

Statutes Implemented:

ORS 293.445, ORS 679.020(1), 679.025(2)(j), 679.060, 679.115, 679.120, 679.250, 680.050, 680.075, 680.200 and 680.205

RULE SUMMARY

Amends OAR 818-035-0025 to add prescriptive authority for dental hygienists for certain drugs related to dentistry.
Amends OAR 818-035-0030 to add prescriptive authority for dental hygienists for certain drugs related to dentistry.

Stephen Prisby

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Rules Coordinator Name

Email Address

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
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Oregon Board of Dentistry

818

Agency and Division

Administrative Rules Chapter Number

Temporary Rules to amend Dental Hygiene Rules on prescriptive authority.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

OAR 818-035-0025

OAR 818-035-0030

Statutory Authority:

ORS 679 and 680

Other Authority:

Statutes Implemented:

ORS 293.445, ORS 679.020(1), 679.025(2)(j), 679.060, 679.115, 679.120, 679.250, 680.050, 680.075, 680.200 and 680.205

Need for the Temporary Rule(s):

These temporary rules are needed until the Board can schedule a public rulemaking hearing and promulgate permanent rules on this and future rules changes. The Oregon Legislature has information regarding all legislation on their website. The OBD will post the Temporary rules also on our website. www.oregon.gov/dentistry

Documents Relied Upon, and where they are available:

Need for the Temporary Rule(s):

The amendments to OAR 818-035-0025 and OAR 818-035-0030 are to be consistent with the passage of Senate Bill 302, which outlines the type of prescriptive authority dental hygienists will have effective with the implementation of this rule.

These temporary rules are needed until the Board can schedule a public rulemaking hearing and promulgate permanent rules on this and future rules changes. The Oregon Legislature has information regarding all legislation on their website. The OBD will post the amended rules also on our website. www.oregon.gov/dentistry

Justification of Temporary Rule(s):

Without these temporary rules regarding dental hygiene prescriptive authority, the current OARs would not be consistent with SB 302 which clarifies that dental hygienists have specific prescriptive authority and would cause licensees and the public confusion regarding the rules.

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Printed Name

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DIVISION 35

818-035-0025

Prohibitions

A dental hygienist may not:

- (1) Diagnose and treatment plan other than for dental hygiene services;
- (2) Cut hard or soft tissue with the exception of root planing;
- (3) Extract any tooth;
- (4) Fit or adjust any correctional or prosthetic appliance except as provided by OAR 818-035-0030(1)(h);
- (5) Prescribe, administer or dispense any drugs except as provided by OAR 818-035-0030, 818-035-0040, 818-026-0060(11) and 818-026-0070(11);
- (6) Place, condense, carve or cement permanent restorations except as provided in OAR 818-035-0072, or operatively prepare teeth;
- (7) Irrigate or medicate canals; try in cones, or ream, file or fill canals;
- (8) Use the behavior management techniques of Hand Over Mouth (HOM) or Hand Over Mouth Airway Restriction (HOMAR) on any patient.
- (9) Place or remove healing caps or healing abutments, except under direct supervision.
- (10) Place implant impression copings, except under direct supervision.

Stat. Auth.: ORS 679 & 680

Stats. Implemented: ORS679.020(1)

818-035-0030

Additional Functions of Dental Hygienists

- (1) In addition to functions set forth in ORS 679.010, a dental hygienist may perform the following functions under the general supervision of a licensed dentist:
 - (a) Make preliminary intra-oral and extra-oral examinations and record findings;
 - (b) Place periodontal dressings;
 - (c) Remove periodontal dressings or direct a dental assistant to remove periodontal dressings;
 - (d) Perform all functions delegable to dental assistants and expanded function dental assistants providing that the dental hygienist is appropriately trained;
 - (e) Administer and dispense antimicrobial solutions or other antimicrobial agents in the performance of dental hygiene functions.

- (f) Prescribe, administer and dispense fluoride, fluoride varnish, antimicrobial solutions for mouth rinsing or other non-systemic antimicrobial agents.
 - (g) Use high-speed handpieces to polish restorations and to remove cement and adhesive material.
 - (h) Apply temporary soft relines to complete dentures for the purpose of tissue conditioning.
 - (i) Perform all aspects of teeth whitening procedures.
- (2) A dental hygienist may perform the following functions at the locations and for the persons described in ORS 680.205(1) and (2) without the supervision of a dentist:
- (a) Determine the need for and appropriateness of sealants or fluoride; and
 - (b) Apply sealants or fluoride.

Stat. Auth.: ORS 679 & 680

Stats. Implemented: ORS679.025(2)(j)