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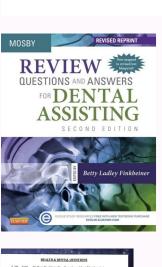
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Chapter 33 delivering dental care short answers.

Download presentation Delivering Dental Care Chapter 33 Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Learning Objectives Define and spell the Key Terms. Discuss the importance of preparing a dental treatment room for a procedure. Describe how to prepare the dental treatment area for a patient's arrival. Demonstrate admitting and seating the patient. (Cont'd) Describe how the operator is positioned during treatment. Describe how the assistant is positioned during treatment areas, assistant assumes the important responsibility of preparing treatment areas, assisting the dentist in procedures, and carrying out expanded functions. Copyright © 2009, 2006 by Saunders, and carrying out expanded functions. Copyright © 2009, 2006 by Saunders, and carrying out expanded functions. Copyright © 2009, 2006 by Saunders, and carrying out expanded functions.

Saunders, an imprint of Elsevier Inc. All rights reserved. Preparing for Your Patient Review patient record Administrative staff • Check for health problems that may alter dental Ø treatment. • Look for medical alerts. • Review progress notes for planned for treatments of the day. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Preparing the Treatment room clean, disinfected, and ready for the next patient Patient Patient Patient Equipment moved out of the way for the patient and dental team Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Admitting the Patient to the treatment area. Place the patient's personal items in a safe place, out of the way of the procedure. Initiate conversation with the patient. Ask whether the patient has any questions about the treatment for the day that you might be able to answer. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Seating the Patient From the side of the dental chair. Lower or slide the arm into position. Place the patient's napkin. Inform the patient before adjusting the chair. Position the operating light. Complete treatment-room preparations. Wash hands and don personal protective equipment. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Team Dentistry Components of work simplification Decreased number of instruments. Ø Sequencing of instruments on the tray by their use Ø Correct positioning of the patient, dentist, and assistant Ø Use of appropriate moisture-control techniques. Ø Transfer of instruments and dental materials as necessary Ø Use of the least possible amount of motion Ø Performance of expanded functions by the assistant Ø Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Fig. 33 -1 The concept of four-handed dentistry is shown in the positioning of the patient Lowered to the supine position Ø Head even with the top of the headrest Ø Final adjustments made by the operator Ø (Cont'd) Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Principles of Team Positioning (Cont'd) Operator positioning Seated as far back as possible. Thighs parallel to the floor or knees slightly lower than the hips Feet flat on the floor Backrest of the chair positioned to support the lower portion or small of the back Operator's forearms bent at the elbow and parallel to the floor (Cont'd) Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Fig. 33 -3 Position of the operator when seated correctly. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Principles of Team Positioning (Cont'd) Dental assistant Seated back on the stool Feet on the base or foot ring of the stool Positioned as close as possible to the dental chair Legs parallel to the patient's chair Eye level 4 to 6 inches above the eye level of the operator Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Fig. 33 -4 Position of the dental assistant when seated correctly. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Fig. 37 -4 Position of the dental assistant when seated correctly. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Fig. 38 -4 Position of the dental assistant when seated correctly. 33 -5 Operating zones for a right-handed operator. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Four-Handed Dentistry An ergonomically sound way to practice dentistry using the skills of the dental assistant while including work simplification techniques Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Learning Objectives Explain instrument transfer. Demonstrate instrument transfer using a selection of instruments. Specify three grasps used by the operator. Demonstrate the correct grasp and use of hand instruments. Transfer instruments using the single-handed technique. (Cont'd) Transfer instruments using the two-handed technique. Identify five areas in which the assistant must have competency when practicing expanded functions. Demonstrate the intraoral use of a dental mirror. Demonstrate the intraoral use of a dental mirror. Demonstrate the intraoral use of a dental mirror. Transfer and Exchange Benefits Standardized operating sequence Ø Reduced amount of time in the dental chair for the patient Ø Increases productivity Ø Less fatigue and stress Ø Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Operator's Grasp Three basic grasps Pen grasps: The instrument is held in the same manner as a pen. Ø Palm grasp: The instrument is held securely in the palm of the hand. Ø Palm-thumb grasp: The instrument is held in the palm of the hand the thumb is used to stabilize and guide the instrument grasps. A, Pen grasp. B, Palm grasp. C, Palm-thumb grasp. Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Principles of Instrument Transfer dental instruments and dental materials with the left hand. Transfer of instruments should be accomplished with a minimum of motion, involving only the fingers, wrist, and elbow. Instrument for its appropriate use. An instrument being transferred must be positioned in firmly in the dentist's hand. (Cont'd) Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Principles of Instrument Transfer (Cont'd) Variations in instrument transfer Mirror and explorer Ø Cotton pliers Ø Handpiece Ø Instrument Transfer (Cont'd) Variations in instrument transfer Mirror and explorer Ø Cotton pliers Ø Handpiece Ø Instrument Transfer Mirror and explorer Ø Cotton pliers Ø Handpiece Ø Instrument Transfer (Cont'd) Variations in instrument transfer Mirror and explorer Ø Cotton pliers Ø Handpiece Ø Instrument Transfer (Cont'd) Variations in instrument transfer Mirror and explorer Ø Cotton pliers Ø Handpiece Ø Instrument Transfer (Cont'd) Variations in instrument transfer Mirror and explorer Ø Cotton pliers Ø Handpiece Ø Instrument Transfer (Cont'd) Variations in instrument Transfer (Cont'd) Varia Assistant "Expanded function" refers to specific intraoral procedures or part of a procedure by the clinical dental assistant that have been delegated by the dentist. Advantages Increased productivity Ø Less stress on the dentist Ø More patients seen Ø Increased job satisfaction Ø Copyright © 2009, 2006 by Saunders, an imprint of Elsevier Inc. All rights reserved. Working as the Operator Understand dental anatomy. Follow guidelines for operator positioning. Develop intraoral mirror skills. Use an intraoral fulcrum. Understand dental anatomy. Follow guidelines for operator positioning. Develop intraoral mirror skills. Use an intraoral fulcrum. Understand dental anatomy. Follow guidelines for operator positioning. Develop intraoral mirror skills. Use an intraoral fulcrum. Understand dental anatomy. All rights reserved. CHAPTER 33. STATE BOARD OF DENTISTRY A. GENERAL PROVISIONS ... 33.1 B. LICENSURE OF DENTISTS AND DENTAL ASSISTANTS ... 33.101 C. MINIMUM STANDARDS OF CONDUCT AND PRACTICE ... 33.201 D. PERFORMANCE OF RADIOLOGIC PROCEDURES BY AUXILIARY PERSONNEL ... 33.301 E. ADMINISTRATION OF GENERAL ANESTHESIA, DEEP SEDATION, CONSCIOUS SEDATION AND NITROUS OXIDE/OXYGEN ANALGESIA ... 33.331 F. CONTINUING DENTAL EDUCATION ... 33.401 Authority The provisions of this Chapter 33 issued under The Dental Law (63 P. S. § 120—130b), unless otherwise noted. Cross References This chapter cited in 25 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 49 Pa. Code § 25.214 (relating to professional corporations); 40 Pa. Code § 25.214 (relating to prof § 41.26 (relating to professional corporations); and 49 Pa. Code § 47.21 (relating to professional corporations). Subchapter A. GENERAL PROVISIONS Sec. 33.1. [Reserved]. 33.12. [Reserved]. 33.12. [Reserved]. 33.21. [Reserved]. 33.21. [Reserved]. 33.22. [Reserved]. 33.31. [Reserved]. 33.43. [Reserved]. 33.44. [Reserved]. 33.45. [Reserved]. 33.45. [Reserved]. 33.45. [Reserved]. 33.46. [Reserved]. 33.47. [Reserved]. 33.47. [Reserved]. 33.47. [Reserved]. 33.48. [Reserved]. 33.48. [Reserved]. 33.48. [Reserved]. 33.49. [Reser meanings, unless the context clearly indicates otherwise: ASA CLASS I—A classification of patient status developed by the American Society of Anesthesiologists for a patient with mild systemic disease. ASA CLASS II—A classification of patient status developed by the American Society of Anesthesiologists for a patient with mild systemic disease. ASA CLASS III—A classification of patient status developed by the American Society of Anesthesiologists for a patient with incapacitating systemic disease that is a constant threat to life. ASA CLASS V—A classification of patient status developed by the American Society of Anesthesiologists for a moribund patient not expected to survive 24 hours with or without operation. Act—The Dental Law (63 P. S. § 120—130i), which regulates the licensure of dentists and dental hygienists and the practice of dentistry and practice as a dental hygienist in this Commonwealth. Auxiliary personnel—Persons who perform dental supportive procedures authorized by the act and this chapter under the general or direct supervision of a dentist. Board regulated practitioner—A dentist, restricted faculty license holder, dental hygienist, public health dental hygiene practitioner or expanded function dental assistant. Bodily injury—Impairment of physical condition or substantial pain. Bureau—The Bureau of Professional and Occupational Affairs of the Commonwealth. Child—An individual under 18 years of age. Child abuse—Intentionally, knowingly or recklessly doing any of the following: (i) Causing bodily injury to a child through any recent act. (ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act. (iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act. (iv) Causing sexual abuse or exploitation of a child through any recent act or failure to act. (vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act. (vii) Causing serious physical neglect of a child. (viii) Engaging in any of the following recent acts: (A) Kicking, biting, throwing, burning or confining a child, based on consideration of the method, location or duration of the restraint or confinement. (C) Forcefully shaking a child under 1 year of age. (E) Interfering with the breathing of a child. (F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement. (G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known: Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed. (II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors. determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.58 (relating to definitions). (IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.55(b) (relating to registration). child through any act or failure to act. (I) Engaging a child in a severe form of trafficking in persons or sex trafficking victims Protection Act of 2000 (22 U.S.C.A. § 7102). ChildLine—An organizational unit of the Department of Human Services, which operates a 24-hour a day Statewide toll free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file. Continuing education certificate—A document prepared by the program sponsor which contains the title of the course, the dates attended or completed and the hours of education completed. Coronal polishing— (i) A procedure limited to the supragingival removal of light plaque and extrinsic stain from the exposed natural and restored surfaces of the teeth using a rotary instrument with a rubber cup or brush and a polishing agent. (ii) The term does not include calculus removal. Credit hour—A minimum unit of continuing education consisting of 60 minutes of instruction. Programs longer than 60 minutes will be credited in 30 minute increments. Current patient— (i) A person that is in the process of dental treatment with a Board-regulated practitioner or who has been treated by the Board-regulated practitioner within the previous 3 months. (ii) The term does not include a patient who has terminated the Board-regulated practitioner/patient relationship by being accepted as a patient of record at another dental practice. Dental clinic—A public or quasipublic institution operated not for profit which has as a primary purpose providing dental health care. Department—The Department of State of the Commonwealth. Direct supervision—Supervision by a dentist who examines the procedure to be performed, is physically present in the dental facility and available during performance of the procedure, and examines and takes full professional responsibility for the completed procedure. EFDA program—An expanded function dental assisting training program. General supervision—In a dental facility, supervision by a dentist who examines the performance of dental hygiene services to be performed within 1 year of the examination, and takes full professional responsibility for the performance of the dental hygienist. In facilities identified in § 33.205(c)(2) and (3) (relating to practice as a dental hygienist), general supervision is defined in § 33.205(d)(2). Individual study—A course of continuing education offered by an approved program sponsor, which permits the participant to learn without interacting with an instructor or interactive learning methodologies and which requires a passing grade on a written examination or sensations, especially pain, in one part of the body by regional injection of an anesthetic agent. Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term includes only the following: (A) A parent of the child. (B) A spouse or former spouse of the child's parent. (C) A paramour or former paramour of the child's welfare or having direct contact with children as an employee of child-care services, a school or through a program, activity (E) An individual 14 years of age or older who resides in the same home as the child. (F) An individual 18 years of age or older who does not reside in the same home of the child but is related within the third degree of consanguinity or affinity by birth or adoption of the child. engages a child in severe forms of trafficking in persons or sex trafficking victims Protection Act of 2000 (22 U.S.C.A. § 7102). (ii) Only the following may be considered a perpetrator for failing to act, as provided in this section: (A) A parent of the child. (B) A spouse or former spouse of the child's parent. (C) A person 18 years of age or older who resides in the same home as the child. Person responsible for the child's welfare. (E) A person 18 years of age or older who resides in the same home as the child. temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization: (i) A youth camp or program. (ii) A recreational camp or program. (iii) A sports or athletic program. (iv) A community or social outreach program. (v) An enrichment or educational program. (vi) A troop, club or similar organization. Program sponsor—The party approved by the Board who is responsible for the development and presentation of the continuing dental education program. Public health dental hygiene practitioner—A licensed dental hygiene services in accordance with § 33.205b (relating to practice as a public health dental hygiene practitioner) without the authorization, assignment or examination of a dentist. Recent act or failure to act—An act or failure to act committed within 2 years of the date of the report to the Department of Human Services or county agency. Serious mental injury—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following: (i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened. (ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks. Serious physical neglect—Any of the following when committed by a perpetrator that endangers a child's health, threatens a child's well-being, causes bodily injury or impairs a child in a manner that is appropriate considering the child's developmental age and abilities. (ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care. Sexual abuse or exploitation—Any of the following: (i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in (A) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual. (B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the (C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual. (D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming purpose of sexual stimulation or gratification of any individual. (A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape). (B) Statutory sexual assault). (C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate (ii) Any of the following offenses committed against a child: (D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault). (E) Institutional sexual assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault). assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault). (H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure). (I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest). (J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses). (L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor). (M) Sexual exploitation of children). (iii) For the purposes of subparagraph (i), the term does as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children). not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age. Sexual misconduct—Any conduct with a current patient, including words, gestures or expressions, actions or any combination thereof, which is sexual in nature, or which may be construed by a reasonable person as sexual in nature. Subgingival agents—Therapeutic agents, including antimicrobials, antibiotics, ant devices, such as fibers, films, strips, slaps, spheres, discs or chips. Authority The provisions of this § 33.1 amended under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); sections 3, 4.1(a)(8) and 10.1 of The Dental Law (63 P. S. § 122, 123(a)(8) and 129.1); and section 4 of the act of April 29, 2010 (P. L. 176, No. 19). Source The provisions of this § 33.1 adopted April 4, 1949; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended November 9, 1996, 26 Pa.B. 5700; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 4245; amended November 9, 1996, 26 Pa.B. 5700; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 4245; amended November 9, 1996, effective November 9, 1996, 26 Pa.B. 5700; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 4245; amended November 9, 1996, effective Novemb 14, 2008, effective November 15, 2008, 38 Pa.B. 6279; amended December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982; amended September 7, 2012, effective September 8, 2012, 42 Pa.B. 5736; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial pages (387699) to (387700), (371891) to (371892) and (369749). Notes of Decisions Ripeness Petition for review of these regulations was dismissed as the association of dental hygienists' allegations of direct and immediate harm did not establish the justiciability of a pre-enforcement challenge to this regulation. The association's allegations of change in their work schedule, reduced availability of dental hygiene services, reduced income, possible unemployment and too remote to support a claim of direct and immediate harm. Pennsylvania Dental Hygienists' Association v. State Board of Dentistry, 672 A.2d 414 (Pa. Cmwlth. 1996). Cross References This section cited in 49 Pa. Code § 33.2. Applicability of general rules of administrative practice and procedure) is applicable to the activities of and proceedings before the Board. Source The provisions of this § 33.2 adopted December 19, 1975, effective December 20, 1975, 5 Pa.B. 3274. § 33.3. Fees. (a) Following is the schedule of fees charged by the Board: Application fee—dentists ...\$200 Application fee—dential hygienists ...\$75 Application fee—expanded function dental assistants ...\$75 Application fee—certificate of public health dental hygiene practitioner ...\$20 Criteria approval application fee—dental hygienests ...\$75 Criteria approval application fee—expanded function dental hygienests ...\$75 Criteria approval application fee—expanded function fee—application fee—app assistants ...\$75 Fictitious name registration fee—dentists, dental hygienists and expanded function dental assistants ...\$15 Certification of license, permit or registration fee—dentists, dental hygienists and expanded function dental assistants ...\$15 Certification of license, permit or registration fee—dentists, dental hygienists and expanded function dental assistants ...\$25 EFDA program approval application fee—dentists, dental hygienists and expanded function dental assistants ...\$25 EFDA program approval application fee—dentists, dental hygienists and expanded function dental assistants ...\$25 EFDA program approval application fee—dentists, dental hygienists and expanded function dental assistants ...\$25 EFDA program approval application fee—dentists, dental hygienists and expanded function dental assistants ...\$35 EFDA program approval application fee—dentists and expanded function dental assistants ...\$35 EFDA program approval application fee—dentists and expanded function dental assistants ...\$35 EFDA program approval application fee—dentists and expanded function fee—dentists and expanded function dental assistants ...\$35 EFDA program approval application fee—dentists and expanded function fee—dentists and expanded fee—dentists and expanded function fee—dentists and expanded function fee—dentists and expanded function fee—dentists and expanded function fee—dentists and expanded fee—de Application fee—dental radiology authorization ...\$75 Notification application—postgraduate training or faculty member ...\$75 (b) For fees related to anesthesia permits, refer to § 33.339 (relating to fees for issuance of permits). Authority The provisions of this § 33.3 issued under section 4 of The Dental Law (63 P. S. § 123); amended under sections 3 and 4(a) and (b) of The Dental Law (63 P. S. §§ 122 and 123(a) and (b)). Source The provisions of this § 33.3 adopted April 28, 1989, effective March 23, 1991, effective March 24, 1995, effective March 26, 1995, effective March 27, 1995, effective March 28, 1989, eff June 24, 1995, 25 Pa.B. 2492; corrected June 30, 1995, effective June 17, 2000, 30 Pa.B. 3046; amended April 30, 2004, effective May 1, 2004, 34 Pa.B. 2326; amended June 5, 1998, effective June 6, 1998, 28 Pa.B. 2598; amended June 5, 1998, effective June 6, 1998, 28 Pa.B. 2590; amended June 17, 2000, 30 Pa.B. 3046; amended April 30, 2004, effective June 6, 1998, 28 Pa.B. 2590; amended June 18, 2004, effective June 18, 2004, effective June 19, amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2899; amended December 11, 2009, effective December 20, 2013, effective December 21, 2013, 43 Pa.B. 7441. Immediately preceding text appears at serial pages (363507) to (363508). Cross References This section cited in 49 Pa. Code § 33.101 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.115 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. 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Code § 33.105 (relating to biennial renewal of licenses); 40 Pa. Code § 33.105 (relating to biennial renewal of licenses); 40 Pa. Code § 33.105 (relating to biennial rene Code § 33.116 (relating to certification of public health dental hygiene practitioners); 49 Pa. Code § 33.202 (relating to fictitious names). § 33.4. Board address of the Board is State Board of Dentistry, Post Office Box 2649, Harrisburg, PA 17105-2649. Source The provisions of this § 33.4 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. Source The provisions of this § 33.11 adopted April 4, 1949; reserved June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. Source The provisions of this § 33.11 adopted April 4, 1949; reserved June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. Source The provisions of this § 33.11 adopted April 4, 1949; reserved June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. Source The provisions of this § 33.12 adopted April 4, 1949; reserved June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. Source The provisions of this § 33.11 adopted April 4, 1949; reserved June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. Source The provisions of this § 33.11 adopted April 4, 1949; reserved June 24, 1995, 25 Pa.B. 2492. § 33.11. [Reserved]. 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Immediately preceding text appears at serial page (156434). § 33.21 adopted April 4, 1949; amended May 6, 1977, effective May 7, 1977, 7 Pa.B. 1237; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492, Immediately preceding text appears at serial page (154121), § 33,22, [Reserved], Source—The provisions of this § 33,22 adopted December 24, 1977, Pa.B. 3925; amended September 7, 1984, effective September 8, 1984, 14 Pa.B. 3250; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (154121) and (119334). § 33.31. [Reserved]. Source The provisions of this § 33.31 adopted April 4, 1949; amended August 2, 1985, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (119334) to (119336) and (159385). § 33.32. [Reserved]. Source The provisions of this § 33.41 adopted September 18, 1967; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2396; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (159385) to (159386). Law Reviews The Choice Between Adjudication and Rulemaking for Developing Administrative Policy in Pennsylvania, Fitzpatrick, Terrance J., 4 Widener J. Public L. 373 (1995). § 33.43. [Reserved]. Source The provisions of this § 33.43. [Reserved]. Source The provisions of this § 33.43. [Reserved]. Source The provisions of this § 33.45. [Reserved]. of this § 33.45 adopted May 24, 1985, effective May 25, 1985, 15 Pa.B. 1915; reserved June 24, 1995, effective September 20, 1986, effective September 20, 1986, 16 Pa.B. 3511; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (159388) and (178769). § 33.47 adopted June 21, 1991, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (159388) and (178769). § 33.47 adopted June 24, 1995, effective June 24, 1995, e preceding text appears at serial pages (178770). § 33.48. [Reserved]. Source The provisions of this § 33.48 adopted March 5, 1993, effective June 24, 1995, effective June The provisions of this § 33.51 adopted November 11, 1977, effective November 12, 1977, 7 Pa.B. 3316; amended June 12, 1987, effective June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (178771) and (159391) to (159392). § 33.51a. [Reserved]. Source The provisions of this § 33.51a adopted June 12, 1987, effective June 13, 1987, 17 Pa.B. 2216; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (159392). § 33.52. [Reserved]. Source The provisions of this § 33.52 adopted January 27, 1978, effective January 28, 1978, 8 Pa.B. 252; reserved July 20, 1990, effective January 28, 1978, 8 Pa.B. 3972. Immediately preceding text appears at serial page (119344). § 33.61 [Reserved] July 20, 1990, effective January 28, 1978, 8 Pa.B. 252; reserved July 20, 1990, effective January 28, 1978, 8 Pa.B. 3972. Immediately preceding text appears at serial page (119344). § 33.61 [Reserved] July 20, 1990, effective January 28, 1978, 8 Pa.B. 252; reserved July 20, 1990, effective January 28, 1978, 8 Pa.B. 3972. Immediately preceding text appears at serial page (119344). 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (159393) to (159394) and (167701). Subchapter B. LICENSURE OF DENTISTS AND CERTIFICATION OF EXPANDED FUNCTION DENTAL ASSISTANTS Sec. 33.101. General information. 33.102. Professional education. 33.103. Examinations. 33.104. Initial licensure/certification; licensure/certification documents. 33.105. Biennial renewal of licenses and certificates. 33.106. Reactivation of licenses and certificates. 33.107. Licensure and certificates. 33.107. Licensure and certificates. 33.107. Licensure/certification by criteria approval. 33.108. Transfers out-of-State. 33.109. Licensure/certificates. 33.107. Licensure and certificates. 33.107. Licensure and certificates. 33.107. Licensure and certificates. 33.108. Transfers out-of-State. 33.109. Licensure/certification by criteria approval. 33.108. Transfers out-of-State. 33.109. Licensure/certificates. 33.109. Licensure/certification by criteria approval. 33.108. Transfers out-of-State. 33.109. Licensure/certification by criteria approval. 33.108. Licensure/certification by criteria approval. 33.108. Transfers out-of-State. 33.109. Licensure/certification by criteria approval. 33.109. Licensure/certification by criteria approximation by crite name or address; service of process and legal papers. 33.110. Volunteer license. 33.111. [Reserved]. 33.112. [Reserved]. 33.114. First certification of public health dental hygiene practioners. 33.117. EFDA program approval. 33.111. [Reserved]. 33.122. [Reserved]. 33.124. [Reserved]. 33.124. [Reserved]. 33.125—33.128. [Reserved]. 33.141. [Reserved]. 33.141. [Reserved]. 33.141. [Reserved]. 33.141. [Reserved]. 33.142. [Reserved]. 33.143. [Reserved]. 33.144. [Reserved]. 33.145. [Reserved]. 33.145. [Reserved]. 33.146. [Reserved]. 33.147. [Reserved]. 33.148. [Reserved]. 33.148. [Reserved]. 33.148. [Reserved]. 33.148. [Reserved]. 33.149. [Reserved]. 33.151. [Reserved]. 33.161. [Reserved]. 33.162. [Reserved]. 33.163. [Reserved]. 33.164. [Reserved]. 33.164 information. (a) Only persons holding a current license issued by the Board may practice as an expanded function dental assistant in this Commonwealth. (b) Only persons holding a certificate issued by the Board may practice as an expanded function dental assistant in this Commonwealth. shall satisfy the requirements of the act and of this subchapter. (d) Applications for licensure or certification shall be accompanied by the Board and shall be accompanied by the Boar S. § § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.101 adopted January 18, 1965; amended September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (238316). § 33.102. Professional education of graduation from a dental school accredited or provisionally accredited by the Commission on Accreditation of the American Dental Association. (2) Candidates for licensure who received their professional education requirement by submitting their credentials to an accredited or provisionally accredited school and obtaining additional preclinical and clinical training that will lead to the awarding of the D.M.D. or D.D.S. degree by that school. (b) Dental hygienists shall show compliance with section 3(d) of the act by submitting certification of graduation from a dental hygiene school accredited or provisionally accredited by an approved United States Department of Education-recognized regional accrediting agency or the Commission on Dental Association, if the school's dental hygiene course of study comprises a minimum of 2 years of at least 32 weeks of at least 30 hours each week or its equivalent. (2) Candidates for licensure who received their professional education outside the United States in a nonaccredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials to an accredited school may satisfy the education requirement by submitting their credentials are submitted as a submitted school may satisfy the education requirement by submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requirement as a submitted school may satisfy the education requi school. (c) Expanded function dental assistants. (1) Candidates for certification as expanded function dental assistants shall show compliance with section 3(d.1) of the act by submitting verification of one of the following: (i) Graduation from a Board-approved EFDA program at a 2-year college or other institution accredited or provisionally accredited by an accrediting agency approved by the United States Department of Education Council on Postsecondary Accreditation which required the successful completion of at least 75 hours of clinical and didactic instruction in restorative functions accredited or

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provisionally accredited by the Commission on Dental Accreditation (CODA) of the American Dental Association. (iii) Completion of a Board-approved EFDA program, which offers a certificate or diploma, consisting of at least 200 hours of clinical and didactic instruction from a dental assisting program accredited by one of the following:
     (A) The Commission on Dental Accreditation (CODA) of the American Dental Association. (B) An accrediting agency approved by the United States Department of Education Council on Postsecondary Accreditation whose expanded function educational standards are approved by the Board. (2) The Board will approve EFDA programs that
meet the criteria in § 33.117 (relating to EFDA program approval). A list of Board-approved EFDA programs will be maintained on the Board's web site. (3) Candidates for certification who receive their professional education outside the United States or from a nonaccredited program may satisfy the education requirement by submitting their
credentials to a program listed in paragraph (1) and obtaining additional training that will lead to the awarding of a degree by that school. (4) This subsection does not apply to persons who are not required to meet the educational requirements under sections
2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. §§ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.102 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359; amended December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982;
amended February 10, 2012, effective February 11, 2012, 42 Pa.B. 769. Immediately preceding text appears at serial pages (346645) to (346646) and (349677). Cross References This section cited in 49 Pa. Code § 33.117 (relating to EFDA program approval).
Board Dental Examination (written examination (written examination) and the dental clinical examination administered by one of the following: (1) The North East Regional Dental Examination (WREB). (2) The Southern Regional Dental Testing Agency, Inc. (SRTA).
Service, Inc. (CRDTS). (5) The Council of Interstate Testing Agencies, Inc. (CITA). (b) Dental hygiene Examination (written examination) and the dental hygiene clinical examination administered by one of the following: (1) The North East Regional Board of Dental
Examiners, Inc. (NERB). (2) The Southern Regional Testing Agency, Inc. (SRTA). (3) The Western Regional Examining Board (WREB). (4) The Council of Interstate Testing Agencies, Inc. (CITA). (c) Expanded function dental assistants. Candidates for certification shall pass a
written examination acceptable to the Board. (d) Additional requirement. The Board will recognize successful completion of the dental assistant examination approved by the Board for up to 5 years from the date scores are reported to the Board. After 5 years, the Board will
accept passing scores on the examinations only if the candidate has been engaged in postgraduate training or in the practice of dentistry, as a dental hygienist or as an expanded function dental assistant in another jurisdiction. Authority The provisions of this § 33.103 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S.
§ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.103 adopted June 24, 1995, effective June 24, 1995, except subsection (c) effective Ju
May 14, 2010, effective May 15, 2010, 40 Pa.B. 2532. Immediately preceding text appears at serial pages (346647) and (342139). § 33.104. Initial licensure/certification documents. (a) Each new licensee is issued a wall certificate and a registration packet including a biennial renewal certificate and a registration packet including a biennial renewal certification documents.
wallet-size license card that show the expiration date of the license. Licenses expire on March 31 of each odd-numbered year, regardless of the date of issuance. (b) Each new certificate indicating initial certificate initial certificate initial certificate initial certificate initial certificate initial cert
that show the expiration date of the certificates expire on March 31 of each odd-numbered year, regardless of the date of issuance. (c) Fees as prescribed by the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § $ 1401-101—1401-501), shall be charged for duplicate wall certificates and biennial renewal documents. A
duplicate will be issued only upon submission by the licensee or certificate holder of a notarized statement specifying why the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the duplicate will be returned if the original is unavailable and stating that the original is unavailable and stating the original is unavai
§ $ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.104 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (223025). § 33.105. Biennial renewal of licenses and certificates. (a) Licenses
and certificates are renewable for a 2-year period beginning April 1 of each odd-numbered year. The fee for the biennial renewal licenses or certificates, as appropriate, and wallet-size cards which include the expiration date
 (b) As a condition of biennial renewal, commencing with the 2001-2003 renewal period, licensees and certification in infant, child and adult cardiopulmonary resuscitation and continuing dental education). Licensees and certificate
holders shall certify their compliance with this subsection when renewing their licenses on and after April 1, 2001. Courses for certification in cardiopulmonary resuscitation (CPR) shall be substantially similar in content to the CPR courses offered by the American Heart Association and the American Red Cross and have a similar renewal period.
 (c) Dentists and dental hygienists who fail to renew their licenses and expanded function dental assistants who fail to renew their certificates are prohibited from practicing their profession in this Commonwealth. Authority The provisions of this § 33.105 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § 121—124.1
129—129.1, 130, 130e and 130h). Source The provisions of this § 33.105 adopted June 23, 1995, effective August 11, 2000, effective August 12, 2000, 30 Pa.B. 2495; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 2495; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 2495; amended August 13, 2000, 30 Pa.B. 2495; amended August 13, 2000, 30 Pa.B. 2495; amended August 14, 2000, effective August 14, 2000, and 130h).
  This section cited in 49 Pa. Code § 43b.14a (relating to civil penalties—dentists, dental hygienists and dental assistants). § 33.106. Reactivation of licenses and expanded function dental assistants who have failed to renew their certificates.
may apply for reactivation on forms prescribed by the Board. The applicant for reactivation shall pay the current biennial renewal fee, provide evidence of current biennial renewal fee, provide ev
with the 1999-2001 renewal period, licensees and certificate was not renewed. (b) In addition to the requirements for the renewal periods during which the license or certificate was not renewed. renewed. (b) In addition to the requirements in subsection (a), an applicant for reactivation who has failed to renew for more than 5 years may be
subject to reexamination under section 3.1(b) of the act (63 P. S. § 122.1.(b)). (c) An applicant for reactivation who practiced in this Commonwealth without a current license or certificate shall pay a later renewal fee of $5 for each month or part of a month during which the unauthorized practice occurred, as provided in section 225 of the Bureau of
Professional and Occupational Affairs Fee Act (63 P. S. § 1401-225). In addition, the applicant shall pay the biennial renewal fees and biennial ren
practice without a current license or an expanded function dental assistant who practice without a current certificate. Authority The provisions of this § 33.106 adopted June 23, 130, 130e and 130h). Source The provisions of this § 33.106 adopted June 23, 130 and 11.7 of the Dental Law (63 P. S. § 121—124.1, 129—129.1, 130, 130e and 130h).
1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, 30 Pa.B. 2495; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 2359; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 2495. Immediately preceding text appears at serial pages (266021) to (266022). § 33.107. Licensure and certification by criteria approval. Dentists, dental hygienists and
expanded function dental assistants who are currently licensed or certification in this Commonwealth if the credentials submitted meet the requirements of the act and of this subchapter. Licensure and certification by criteria approval will be granted only to applicants
whose licensing boards confirm that they reciprocate with the Commonwealth. An applicant shall cause the licensing authority of each state where the applicant has practiced to submit to the Board a letter of good standing. The
provisions of this § 33.107 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.107 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding provisions of this § 33.107 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding provisions of this § 33.107 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, and 130h).
text appears at serial page (223026). § 33.108. Transfers out-of-state. Dentists, dental hygienists and expanded function dental assistants who wish their licensure, certification or grades certified to another state shall pay the fee in § 33.108 amended under sections 2—5.1, 10—11.5 and 11.7 and 11
of the Dental Law (63 P. S. § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.108 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 14, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 14, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 14, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 14, 2000, effective June 24, 2000,
change of name or address; service of process and legal papers. (a) A licensee's or certificate holder's name on file with the Board shall be the name that appears on the licensee or certificate unless that name is legally changed, in which case the licensee or certificate holder shall report the change to the Board in writing within 10 days. (b) A
licensee or certificate holder who changes an address on file with the Board in writing within 10 days. Licensees or certificate holders who do not comply with this subsection shall bear full responsibility for failure to receive correspondence, including biennial renewal notifications, from the Board or the Department. (c) A
licensee's or certificate holder's most recent name and address on file with the Board will be deemed the licensee's or certificate holder's official name and address for purposes of service of process and other legal papers. Authority The provisions of this § 33.109 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental Law (63 P. S. § 1216 and 11.7 of the Dental L
-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.109 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2359. Immediately preceding text appears at serial page (238317). § 33.110. Volunteer license. (a) Purpose and definitions. (1) The following
subsections implement the Volunteer Health Services Act (35 P. S. § 449.41—449.50) and provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the issuance of a volunteer license and seeks to provide for the iss
without remuneration. (2) The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise: Approved clinic— (i) An organized community-based clinic offering primary health care services to individuals and families who cannot pay for their care, to Medical Assistance
clients or to residents of medically underserved areas or health professionals shortage areas. (ii) The term includes a State health center, as designated by Federal rulemaking or as approved by the Department of Health or the Department of Public Welfare. Unrestricted
license—A license which is not restricted or limited by order of the Board under its disciplinary power. (b) License and meets one of the Board that the licensee will practice without personal remuneration in approved clinics and meets one of the
                           (1) Holds a currently renewed, active, unrestricted license, registration or certificate in this Commonwealth and retires from the active practice of dentistry, or as a dental hygienist or as an expanded function dental assistant in this
Commonwealth in possession of an unrestricted license, registration or certificate which was allowed to lapse by not renewing it. A retired licensee, registration or continued competency to be eligible for renewal. (c) Applications. An
applicant for a volunteer license shall complete an application obtained from the Board. In addition to providing information requested by the Board certifying that the applicant intends to practice exclusively: (i) Without personal remuneration for
professional services. (ii) In an approved clinic. (2) A letter signed by the director or chief operating officer of an approved clinic by the governing body or responsible officer of the clinic. (d) Validity of license. A volunteer license shall be valid for the
biennial period for which it is issued, subject to biennial renewal. During each biennial renewal period, the volunteer license holder shall notify the Board of any change in clinic or volunteer license shall be renewed
biennially on forms provided by the Board. (1) As a condition of biennial renewal, the applicant shall be exempt from payment of the biennial renewal fee in § 33.3 (relating to fees). (f) Return to active practice. A volunteer
license holder who desires to return to active practice shall notify the Board and apply for biennial registration on forms provisions. A volunteer license holder shall be subject to the disciplinary provisions of the act and this chapter. Failure of the licensee to comply with the Volunteer Health Services Act or this chapter.
section may also constitute grounds for disciplinary action. (h) Permits to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (1) A dentist who applies for a volunteer license under subsection (b) who holds a current permit to administer anesthetic modalities may also apply for reissuance of an
unrestricted or restricted permit of the type issued to the dentist as an active licensee under § 33.333 (relating to types of permits). (2) A retired dentist who applies under subsection (b)(1) and (2) for a volunteer licensee who, within 2 years of the date of application, held an unrestricted permit or a restricted permit I, may apply for reissuance of
the permit, but shall be required to comply with § 33.336a (relating to requirements for unrestricted permit I) by completing: (i) An attestation in accordance with § 33.336a(c). (iii) Continuing anesthesia education in accordance with § 33.336a(b).
  (3) A retired dentist who applies under subsection (b)(1) and (2) for a volunteer license who, within 5 years of the date of application, held a restricted permit II may apply for reissuance of the permit II) by providing:

(i) A statement containing the
make, model and serial number of nitrous oxide/oxygen analgesia equipment. (ii) A certification that the equipment is properly calibrated, maintained, contains a fail-safe system and is in working order. (iii) An attestation that the applicant has written procedures for handling emergencies. (4) A dentist who applies for a volunteer license
who does not qualify for a permit under paragraphs (1)—(3) and who wishes to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia under § 33.332(a) (relating to requirement of permit to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia) shall satisfy the
educational requirements of § 33.335(a)(1), § 33.336 or § 33.336 o
   (i) Supervision. Volunteer dental hygienists shall meet the supervision requirements of § 33.205(c)(1) (relating to practice as a dental hygienist). Volunteer expanded function dental assistants shall meet the supervisions of this § 33.110 issued under section 5 of the
 Volunteer Health Services Act (35 P. S. § 449.45); and section 3(o) of The Dental Law (63 P. S. § 122(o)); amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 33.110 adopted November 28, 1997, effective November 29, 1997, 27 Pa.B. 6220; amended May 13, 2005, effective
May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (267884). § 33.111. [Reserved]. Source The provisions of this § 33.111 adopted January 20, 1978, effective January 21, 1978, 8 Pa.B. 203; amended July 31.11. [Reserved].
20, 1990, effective July 21, 1990, 20 Pa.B. 3972; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148359). § 33.112. [Reserved]. Source The provisions of this § 33.112 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved
June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148359). \S 33.113. [Reserved]. Source The provisions of this \S 33.113 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9773).
§ 33.114. First certification examination. (a) The Board will give notice to temporary permit holders of the date, time and location of the first expanded function dental assistant certification examination. (b) Failure to register or to sit for the
examination (unless the Board grants a waiver under subsection (c)) shall be deemed a failure of the examination. Upon notice from the Board of the failure of the examination, the temporary permit to the Board. (c) The Board
will grant a waiver to a temporary permit holder who has not been present at the examination, who provides the Board with in 10 days of the examination date.
If a waiver is not granted, the temporary permit holder shall, upon notice, immediately cease practicing as an expanded function dental assistant and return the permit to the Board. Authority The provisions of this § 33.114 amended under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. § 121—124.1, 129—129.1, 130, 130e and
130h). Source The provisions of this § 33.114 adopted May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. § 33.115. Local anesthesia permit issued by the Board under this section before administering local anesthesia to a patient in a dental office. For purposes of this section
the term "local anesthesia" includes local infiltration anesthesia and intraoral nerve block anesthesia and intraoral nerve. (b) Application. A dental hygienist who desires to obtain a permit to administer local anesthesia shall submit an application on a form provided by the Board, pay
the permit fee prescribed in § 33.3 (relating to fees) and meet the qualifications for the permit as prescribed in this section. (c) Qualifications. To obtain a local anesthesia permit, a dental hygienist in this Commonwealth. (2) Hold current certification in Basic Life
Support (BLS). (3) Provide to the Board one of the following: (i) Certification of education by the dental hygiene program on a form provided by the Board verifying that the dental hygiene program that meets the
                           (A) The dental hygiene program is accredited by the American Dental Association's Commission on Dental Accreditation (CODA). (B) The dental hygiene program included the successful completion of a didactic and clinical course in the administration of local anesthesia. (ii) Certification of education by the dental or
dental hygiene program on a form provided by the board verifying that the dental hygienist successfully completed, within the 5 years immediately preceding the filing of the application for local anesthesia sponsored by a
dental or dental hygiene education program accredited by CODA. (iii) A certificate or letter of good standing from the proper licensing authority of another state, territory or district of the United States, or of a province or territory of Canada, verifying that the dental hygienist possesses a current license or permit issued by the proper licensing
authority of another state, territory or district of the United States, or by the proper licensing authority of a province or territory of Canada, where the dental hygienist is authorized under the laws of that jurisdiction to administer local anesthesia, provided that the following additional conditions are met:

(A) The jurisdiction where the dental
hygienist is so licensed or permitted requires completion of a course in the administration of local anesthesia accredited by CODA or by the Commission on Dental Accreditation of Canada (CDAC) prior to obtaining certification, endorsement or other such authority.
                                                                                                                                                                                                                                                                                                                                                   (B) The dental hygienist signs a certification statement on the application for a
local anesthesia permit verifying that the dental hygienist actively engaged in the administration of local anesthesia permit. (C) The dental hygienist signs a certification statement on the application for a local anesthesia
permit verifying that, at all times prior to filing the application for local anesthesia in accordance with all applicable laws and regulations of the jurisdiction where the dental hygienist is so licensed or permitted.
verifies that there has been no disciplinary action taken against the dental hygienist relating to the administration of local anesthesia. (d) Expiration and biennial renewal. A local anesthesia permit issued by the Board under this section will expire at the same time as the permitholder's dental hygiene license but may be renewed biennially at the
same time the dental hygiene license is renewed. A dental hygiene license is renewed application on a form provided by the Board. (2) The permit renewal fee set forth in § 33.3. (3) Proof of current certification in BLS. Authority The provisions of this § 33.115 issued
under sections 3(d), (j.2) and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.115 adopted December 11, 2009, 39 Pa.B. 6982. Cross References This section cited in 49 Pa. Code § 33.205 (relating to practice as a dental hygienist). § 33.116. Certification of public health dental
hygiene practitioners. (a) Application. A licensed dental hygienist who desires to obtain certification as a public health dental hygiene practitioner shall submit an application fee prescribed in $ 33.3 (relating to fees) and meet the qualifications for certification as prescribed in this section.
 (b) Qualifications. To qualify for certification as a public health dental hygienist shall: (1) Hold a current license in good standing to practice as a dental hygienist has completed
annual aggregate. This documentation may include a certificate of insurance issued by the insurer, or a copy of the declarations page of the professional liability insurance policy. (c) Expiration and biennial renewal. A certificate issued by the Board under this section will expire at the same time as the certificateholder's dental hygiene license but
may be renewed biennially at the same time the dental hygiene license is renewed. A dental hygiene practitioner certificate shall submit the following: (1) A renewal application on a form provided by the Board. (2) The permit renewal fee set forth in § 33.3. Authority The provisions of this
§ 33.116 issued under section 3(d), (j.2) and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.117. EFDA program approval. (a) Definitions. The following words and terms, when used in this section, have the following
meanings, unless the context clearly indicates otherwise: Clinical evaluation —An evaluation experience in a dental office. Clinical instruction—A learning experience in a
or by other simulation methods. Competencies—Statements describing the necessary requirements to perform each procedure in § 33.205a (relating to meet the acceptable and prevailing standard of care within the dental community in this Commonwealth. Competent—
Having sufficient knowledge, skill and expertise in performing expanded functions to meet and maintain the acceptable and prevailing standard of care within the dental community in this Commonwealth. Laboratory or preclinical instruction—A learning experience in which students perform expanded functions using study models, typodonts,
manikins or other simulation methods under the supervision of the instructor. (b) Application. EFDA programs shall apply for Board approval on forms to be provided by the Board and pay the fee in § 33.3 (relating to fees). The application must include the following information: (1) The EFDA program goals and objectives. (2) The criteria for
measuring competencies. (3) Documentation of accreditation as required under section 3(d.1) of the act (63 P. S. § 122(d.1)). (4) The curriculum vitae and job description of each faculty member assigned to the EFDA program. (6) A description of the physical
facilities and equipment used by the EFDA program for laboratory, preclinical and clinical instruction. (7) A copy of the formal written agreement for the use of off-campus laboratory, preclinical or clinical instruction. (8) Course outlines, course descriptions or syllabi for the EFDA program curriculum. (9) Other information related
to the EFDA program requested by the Board. (c) Requirements for approval. The Board will approve EFDA program shall delineate its program goals and objectives for preparing individuals in the expanded function dental assisting procedures in
§ 33.205a to a level consistent with the acceptable and prevailing standard of care within the dental community in this Commonwealth. (ii) The EFDA program shall develop specific criteria for measuring levels of competency for the procedures in § 33.205a which reflect the acceptable and prevailing standards and expectations of the dental
community. Students shall be evaluated by faculty according to these predetermined criteria. (iii) The EFDA program shall record and retain student competency for a minimum of 5 years from the student's graduation or completion of the EFDA program. (2) Institutional accreditation. The EFDA
program shall comply with the accreditation requirements of section 3(d.1) of the act and § 33.102(c) (relating to professional education). (3) Program director. The EFDA program director who is responsible for and involved in the following:

(i) Student selection. (ii) Curriculum development and implementation.
   (iii) Ongoing evaluation of program goals, objectives, content and outcomes assessment. (iv) Annual evaluation of the evaluation of the EFDA
program. (vi) Participation in planning for and operation of facilities used in the EFDA program, including instructional objectives and course outcomes.
    (ix) Instruction of licensed dentists overseeing off-campus facility are consistent with the philosophy and objectives of the EFDA program. (4) Faculty. An EFDA program faculty member shall either be a
dentist who holds a current license in good standing from the Board or meets the following criteria: (i) Holds a current expanded function dental assistant. (ii) Holds National certification as a certified
dental assistant issued by the Dental Assisting National Board. (iv) Has completed a course in education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology of at least 3 credit by a credit by
equipment. (i) The EFDA program shall provide physical facilities which provide space adequate to the size of its student body and sufficient to enable it to meet its educational objectives for laboratory, preclinical and clinical instruction.
program and shall be adequate in quantity and variety to provide the training specified in the course curriculum or program content. (iii) If the EFDA program contitions must be met: (A) There must be a formal written agreement between the EFDA
program and the laboratory, preclinical facility. (B) In off-campus clinical facility are consistent with the philosophy
and objectives of the EFDA program. (iv) The standards in this paragraph are equally applicable to extramural dental offices or clinic sites used for clinical practice experiences, such as internships or externships. (i) General education. The
EFDA program shall include general education subjects as determined by the educational institution with a goal of preparing the student to work and communicate effectively with patients and other health care professionals. (ii) Dental sciences. The EFDA program shall include content in general dentistry related to the expanded functions in
section 11.10(a) of the act (63 P. S. § 130k(a)) and as set forth in § 33.205a, including courses covering the following topics: (A) Dental anatomy. (B) Occlusion. (C) Rubber dams. (D) Matrix and wedge. (E) Cavity classification and preparation design.
                                                                                                                                                                          (L) Coronal polishing. (M) Fluoride treatments, including fluoride varnish. (N) Taking impressions of teeth for study models, diagnostic casts and athletic appliances. (iii) Clinical experience
     (H) Composite restoration. (I) Sealants. (J) Crown and bridge provisional fabrication. (K) Dental law and ethics.
component. The EFDA program shall include a minimum of 120 hours of clinical experience component shall be designed to achieve a student's clinical competence in each of the expanded function dental assisting procedures
in § 33.205a. (7) Demonstrating competency in general education. Students of the EFDA program shall be required to demonstrate competency in general education subjects by attaining a passing grade on examinations.
competency by attaining a score of at least 80% in laboratory and preclinical courses. Students shall be required to: (A) Carve the anatomy of all teeth. (B) Establish proper contact areas, embrasures, marginal adaptation, as well as facial and lingual heights of contour to restore the proper
tooth form and function in restorative materials commonly used for direct restorations, such as amalgam and composite resin. (C) Apply the basic concepts and terms of occlusion and carving concepts in the restorations.
      (E) Identify and differentiate G.V. Black's cavity classifications. (F) Select, prepare, assemble, place and remove a variety of matrices and occlusion. (H) Assemble, place and remove rubber dams.
     (J) Crown and bridge provisional fabrication. (K) Understand the act and this chapter as they apply to an expanded function dental assistant's responsibilities. (L) Perform coronal polishing. (M) Perform fluoride treatments, including fluoride varnish. (N) Take impressions of teeth for study models, diagnostic casts and
athletic appliances. (iii) Clinical experience. EFDA program students shall be evaluated and deemed clinically competent by at least one licensed dentist clinical experience. EFDA program director shall instruct the dentist clinical experience competencies to ensure consistency in evaluation. Clinical
competency is achieved when the dentist evaluator confirms the student has sufficient knowledge, skill and expertise in performing expanded functions to meet and maintain the acceptable and prevailing standard of care within the dential community in this Commonwealth. (iv) Documenting competency.
program director shall document the student's general education, preclinical and laboratory competency attainment prior to graduation from the EFDA program. (C) The EFDA program director shall sign a statement certifying the student's
competency attainment in general education, laboratory and preclinical instruction, and clinical experience to the Board as part of the student's application for certification as an expanded function dental assistant. (D) The EFDA program shall retain supporting documentation evidencing the student's competency attainment for a minimum of 5
years from graduation or completion of the EFDA program from the approved list if tails to meet and maintain the requirements set forth in this section, in accordance with the following: (1) The Board will give an EFDA
program notice of its provisional denial of approval or of its intent to remove the program from the approved list. (2) The notice will set forth the requirements that are not being met or maintained by the EFDA program.
answer to the notice. (4) The EFDA program will be provided an opportunity to appear at a hearing to demonstrate why approval should not be refused or withdrawn. (5) The Board will issue a written decision is a final decision of a governmental agency subject to review under 2 Pa.C.S. § 702 (relating to
appeals). (e) Biennial renewal of EFDA program approval. EFDA program approvals are renewal of Board approval on forms provided by the Board and pay the fee for biennial renewal in § 33.3. Upon applying for renewal, the EFDA
program shall update all of the information required under subsection (b)(1)—(9) or certify that there have not been changes to the EFDA program. Authority The provisions of this § 33.117 adopted under section 3(a), (b), (d.1)(1) and (o) of The Dental Law (63 P. S. § 122(a), (b), (d.1)(1) and (o)). Source The provisions of this § 33.117 adopted
February 10, 2012, effective February 11, 2012, 42 Pa.B. 769. § 33.121. [Reserved]. Source The provisions of this § 33.121 adopted January 18, 1965; amended September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages
(148359) to (148360). § 33.122. [Reserved]. Source The provisions of this § 33.122 adopted January 18, 1965; amended September 12, 1975, effective January 21, 1978, 8 Pa.B. 203; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3972; reserved June 23, 1995,
effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148360). § 33.123. [Reserved]. Source The provisions of this § 33.123 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately
preceding text appears at serial pages (148360) and (135699). § 33.124. [Reserved]. Source The provisions of this § 33.124 adopted January 20, 1978, effective January 21, 1978, 8 Pa.B. 203; reserved April 28, 1989, effective April 29, 1989, 19
Pa.B. 1840. Immediately preceding text appears at serial page (119349). § $ 33.125—33.128. [Reserved]. Source The provisions of these § 33.125—33.128 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, effective September 13, 1975, freserved].
Source The provisions of this § 33.131 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (135699) to (135700)
§ 33.132—33.134. [Reserved]. Source The provisions of these § 33.132—33.134 adopted January 18, 1965; amended September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (135700) to (135701). § § 33.135—
33.140. [Reserved]. Source The provisions of these § 33.135—33.140 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, feective September 13, 1975, feective September 13, 1975, effective September 13, 1975, effective September 14, 1975, effective September 15, 1975, effective September 16, 1975, effective September 17, 1975, effective September 18, 1975, effective September 19, 1975, effect
September 13, 1975, 5 Pa.B. 2397; amended November 3, 1978, effective November 4, 1978, 8 Pa.B. 3034; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135702). § 33.141a. [Reserved]. Source The provisions of this § 33.141a adopted November 3, 1978, effective November 4, 1978, effective November 4
1978, 8 Pa.B. 203; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3972; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148361). § 33.143. [Reserved]. Source The provisions of this § 33.143 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397;
reserved January 20, 1978, effective January 21, 1978, 8 Pa.B. 203. Immediately preceding text appears at serial page (30317). § 33.144 adopted September 12, 1975, effective January 21, 1978, 8 Pa.B. 203. Immediately preceding text appears at serial page (30317). § 33.144 adopted September 12, 1978, effective January 21, 1978, 8 Pa.B. 203. Immediately preceding text appears at serial page (30317).
preceding text appears at serial page (30317). § 33.145. [Reserved]. Source The provisions of this § 33.145 adopted September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148362). § 33.146. [Reserved]. Source The
provisions of this § 33.146 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148362). § 33.151. [Reserved]. Source The provisions of this
§ 33.151 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9784). § 33.161 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9784).
preceding text appears at serial page (9785). § 33.162. [Reserved]. Source The provisions of this § 33.163 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9785). § 33.163. [Reserved]. Source The provisions of this § 33.163 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9785). § 33.163. [Reserved]. Source The provisions of this § 33.163 adopted January 18, 1965; reserved September 19, 1975, effective September 19, 1975, effectiv
18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial pages (9785) to (9786). § 33.164. [Reserved]. Source The provisions of this § 33.164 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text
appears at serial page (9786). § 33.191. [Reserved]. Source The provisions of this § 33.191 adopted September 12, 1975, effective September 13, 1975, feactive September 13, 1975, 5 Pa.B. 2492. Immediately preceding text appears at serial page (135705). Subchapter C. MINIMUM STANDARDS OF
CONDUCTAND PRACTICE Sec. 33.201. Use of titles and other designations. 33.202. Fictitious names. 33.203. Advertising. 33.204. Assignment of duties. 33.205b. Practice as a public health dental hygiene practitioner. 33.206.
information on prescriptions. 33.207. Prescribing, administering and dispensing controlled substances. 33.208. Prescribing, administering and dispensing medications. 33.211. Unprofessional conduct. 33.211a. Sexual misconduct. 33.212. Misleading.
deceptive, untrue or fraudulent representations. 33.213. Use and replacement of policy. 33.221—33.223. [Reserved]. 33.224—33.226. [Reserved]. 33.221. Use of lasers in the dental office—statement of policy. 33.214. Disclosure of financial or ownership interest—statement of policy. 33.221—33.226. [Reserved]. 33.221.
33.234. [Reserved]. 33.241. [Reserved]. 33.242. [Reserved]. 33.250. Suspected child abuse—mandated reporting requirement. 33.253. Immunity from liability
33.254. Confidentiality—waived. 33.255. Noncompliance. 33.256. Child abuse recognition and reporting—mandatory training requirement. 33.257. Child abuse recognition and reporting course approval process. 33.291. [Reserved]. § 33.201. Use of titles and other designations. (a) Dentists, dental hygienists and expanded function dental
assistants may use only the following titles when formally holding themselves out to the public as members of their respective professions: (1) Dentists. (i) "Doctor" or "Doctor" or "Doctor" or its
abbreviation except in combination with one of these titles. (ii) "Dentist," "Doctor of Dental Surgery," "Doctor of Dental Medicine," or a title such as "Orthodontist," signifying a specialty recognized by the Board in which the dentist has advanced training in conformity with § 33.203(d)(1) (relating to advertising), when preceded by the
licensee's name. (iii) "D.D.S." or "D.M.D.," when preceded by the licensee's name. (i) Expanded function dental assistants. Expanded function dental assistants. Expanded function dental assistants.
dental assistant" or "EFDA" when preceded by the certificate holder's name. (b) In addition to the titles approved under subsection (a), licensees may use, in conjunction with their names, designations of advanced professional status—such as diplomate or fellow.
(c) References in this section to the licensee's or certificate holder's name shall be interpreted to mean the name appearing on the licensee's or certificate holder's surname. Authority The provisions of this § 33.201 amended under
sections 2-5.1, 10-11.5 and 11.7 of The Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.201 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1977, of the Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.201 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1977, of the Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.201 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1977, of the Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.201 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1977, of the Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.201 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1977, of the Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h). Source The provisions of this § 33.201 adopted June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1977, of the Dental Law (63 P. S. § 121-124.1, 129-129.1, 130, 130e and 130h).
2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (253124). § 33.202. Fictitious name that is not false, misleading or deceptive. (b) Dentists who wish to practice under a fictitious name shall submit to the Board a fictitious name registration and the fee specified in § 33.3 (relating to
fees). The dentist who submits the registration shall be associated with the facility, if different from the applicant, shall be identified on the registration. (c) Changes in the ownership of a dental facility, if different from the applicant, shall be identified on the registration.
changes in the scope of practice or changes in professional staffing, shall be reported in writing within 10 days. (d) Advertisements in any medium shall include the name, as it appears on the current biennial renewal certificate, and the degree—D.D.S. or D.M.D.—of at least one licensed dentist who is associated with the dental facility. The lettering
for the name of the dentist shall be at least equal in size to the lettering used for the fictitious name. The dentist who registered to use the name under subsection (b) shall be jointly responsible for the advertisement.
prominently displayed in the entrance or reception area of the dental facility. (f) The names of dentists who have practiced under the fictitious name shall be maintained in the records of the dental facility for at least 5 years following their departure from the practice. (g) The use of the name of a dentist no longer actively associated with the
practice may be continued for up to 1 year. (h) Dentists who are specialists under § 33.203(d)(1) (relating to advertising) may incorporate their area of specialist in one area may include another recognized specialist area, or a nonspeciality area, in a fictitious name (examples: a specialist in orthodontics using
Central Orthodontics and Pediatric Dentistry or a specialist in periodontics using Central Periodontics and Cosmetic Dentistry) only if the specialist conspicuously discloses, in every medium in which the name is used, that specialist conspicuously discloses, in every medium in which the name is used, that specialist conspicuously discloses, in every medium in which the name is used. (i) Dentists who are not specialists under
§ 33.203(d)(1) may incorporate any area of dentistry in their fictitious name, including the recognized specialties, only if the name, in every medium in which it is used, is accompanied by the conspicuous disclosure that services are provided by a general dentist. (j) A fictitious name may not include the word "clinic" unless the name designates a
public or quasipublic facility as defined in § 33.1 (relating to definitions). (k) A fictitious name may not include the word "institute" unless the name designates an educational or research facility or the number of dentists at
the facility who are specialists under § 33.203(d)(1). Source The provisions of this § 33.202 adopted June 24, 1997, 27 Pa.B. 2547. Immediately preceding text appears at serial pages (223032) to (223034). Cross References This section cited in 49 Pa. Code
§ 33.203 (relating to advertising). § 33.203. Advertising is permitted to provide the public with a sufficient basis for making an informed selection of a dentist. For purposes of this section, the term "advertising" includes signs, letterheads, business cards, and printed or broadcast announcements of services to the public
                     that is false, misleading or deceptive is prohibited under section 4.1(a)(10) of the act (63 P. S. § 123.1(a)(10)). Advertising is false, misleading or deceptive if it does one or more of the following:
                                                                                                                                                                                                                                                                           (1) Contains a material misrepresentation of fact, or omits a fact necessary to make the statement considered as a whole not materially
misleading. (2) Is likely to create an unjustified expectation about results the dentist can achieve. (3) Compares the advertising dentist's services with the services of other dentists unless the comparison can be factually substantiated.
being advertised. Each dentist whose name appears on the dentist whose name appears on the dentist whose name appears on the dentist whose name shall use the name that appears on the dentist whose name appears on the dentist whose name appears on the dentist whose name appears in the advertisement and shall use the name that appears on the dentist whose name appears of the dent
any medium may identify the dentist as a specialist in a particular area of dentistry, state that the practice is limited to a particular area of dentistry or merely designate the kinds of dentistry area unless the
conditions in subparagraphs (i) and (ii) are satisfied. Holding out as a specialist includes the use of the terms "specialist" and "limited to specialist" and "limited to specialist" and "limited to specialist includes the use of the terms "specialist" and "limited to specialist" a
specialty. The Board has adopted the American Dental Association's (ADA's) standards for recognizing the following specialties: (A) Dental public health. (B) Endodontics. (C) Oral and maxillofacial surgery. (D) Oral pathology.
                                                                                                                                                                                                                                                                                                                            (E) Orthodontics. (F) Pediatric dentistry.
                                                                                                                                                                                                                                                                                                                                                                                             (G) Periodontics.
   (ii) The dentist shall have successfully completed a specialty training program approved by the ADA's Commission on Dental Accreditation. (2) A dentist who is a specialty area, or in a nonspecialty area
(examples: a specialist in orthodontics announcing additional services in placing dental implants) shall conspicuously disclose that specialist under paragraph (1) may not hold out or
imply that general dentists associated with the practice are specialists. (4) A dentist who is not a specialist under paragraph (1)(i), the advertisement shall
conspicuously disclose that services are provided by a general dentist. For example, an advertisement that announces services in prosthodontics or oral surgery shall include the general dentist disclosure, whereas an advertisement that announces services in prosthodontics or oral surgery shall include the general dentist.
dentists nor specialists may hold out or imply that a nonspecialty area of dentistry has specialize in or limit their practice to temporomandibular joint disorders, or implantology but may announce services in, or a practice limited to diagnosing or treating temporomandibular joint disorders,
or placing dental implants. (e) A dental advertisement in any medium may contain the fees charged by the advertised fee is the minimum fee charged for the advertised service and that the
actual fee may vary depending on the degree of complexity involved in treatment. The disclosure statement also shall be at least as prominent in the advertisement. If the fee information is verbal, the disclosure statement also shall be at least equal to the fee
information in volume, quality and duration. If the fee information is in writing, the disclosure statement also shall be in writing and shall be at least equal to the fee information in size, legibility and length. (f) A dental advertisement in any medium may state that dental services, as defined in subsection (k), will be rendered free of charge. (g) For at
least 60 days following final publication or broadcast of an advertised fees or free services advertised fees or free services would be
available for a shorter period of time. When a dental patient agrees, within the 60-day period or the period otherwise stated in the advertised fee, even if the services are rendered beyond the 60-day
period or the period otherwise stated in the advertisement. When a dental patient agrees, within the 60-day period or the period otherwise stated in the advertisement, to accept a treatment plan for services advertised as free, the advertisement, to accept a treatment plan for services advertised as free, the advertisement, to accept a treatment plan for services advertised as free, the advertised as free advertised as
period otherwise stated in the advertisement. (h) A dental advertisement on radio or television shall be retained for 1 year following the final broadcast of the advertisement. The dentist who is responsible for the advertisement under subsection (c) shall
furnish the Board with a copy of the advertisement within 20 days of being requested to do so. (j) If the narrator of a dental advertisement on radio or television is represented as a dentist, that person shall be the dentist so represented as a dentist, that person shall be the dentist so represented.
may be advertised under subsection (e). Whenever a fee is advertised for one of the definition set forth in this subsection. These definitions will help ensure that commonly used terms for dental services convey the same
meanings in advertisements, thus providing consumers with a better opportunity to compare fees for equivalent services. (1) Examination. A study of the structures and the appropriate history. At a minimum, the study shall include the charting of caries; the notation of
periodontal disease, occlusal discrepancies, and oral lesions; and a written diagnosis. If a dentist intends to render services in addition to the examination and to charge a separate fee for the additional services, the dentist shall disclose this separate fee to the patient before rendering the additional services. (2) Treatment planning. A written
statement of treatment recommendations following an examination and diagnosis. This statement recommendation and diagnosis. (4) Oral prophylaxis. Scaling and polishing of teeth by a licensed
dentist or dental hygienist. (5) Restorative dentistry. Procedures involving restoration of tooth structure. The advertisement shall indicate type of restoration and materials to be used. (6) Endodontics. Treatment of the dental pulp, its replacement with suitable material and associated surgery, if indicated. (7) Orthodontics. Prevention and
treatment of irregular dentition. (8) Periodontics. Treatment of diseases of the hard and soft tissue surrounding and supporting the oral dentition, including curettage, root planing, surgery, splinting, equilibration and hygiene control procedures. (9) Prosthodontics. Restoration and replacement of teeth and other oral structures by artificial
devices, including: (i) Fixed prosthetics. Crowns and bridges. The advertisement shall indicate the type of prosthesis and materials to be used. (ii) Removable prosthetics. Partial and full dentures. The advertisement shall indicate type of prosthesis and materials to be used. (iv) Removable prosthetics. Crowns and bridges.
extractions, and treatment of oral pathology, injuries, pain, dysfunction, deformities or other conditions of the oral cavity and its surrounding structures. Source The provisions of this § 33.201 (relating to use of titles and
other designations); and 49 Pa. Code § 33.202 (relating to fictitious names). § 33.204. Assignment of duties. Dental procedures shall be assigned to a competent person who the dentist deems appropriate as defined by and consistent with the act. Source The provisions of this § 33.204 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492.
§ 33.205. Practice as a dental hygienist. (a) Scope of professional practice. A dental hygienist may offer to perform services that involve: (1) Placement of subgingival agents. (2) Periodontal probing, scaling, root planning, polishing or another procedure required to remove calculus deposits, accretions, excess or flash restorative
materials and stains from the exposed surfaces of the teeth and beneath the gingiva. (3) Evaluation of the patient to collect data to identify dental hygiene care needs. (4) The application of sealants. (6) Taking of
impressions of the teeth for athletic appliances. (7) Administration of local anesthesia by regional injection in accordance with § 33.115 (relating to local anesthesia permit). (b) Prohibition against independent practice. A dental hygiene
services separate or independent from the office or other workplace in which the supervision of a dentist is provided. (c) Practice sites. A dental hygienist may engage in professional practice at the following sites under the supervision of a dentist as required in subsection (d): (1) In dental facilities. (2) In public or private institutions such as
schools, hospitals, public health care agencies, nursing homes, mobile health units and homes for juveniles, the elderly and the handicapped. (3) In institutions under the jurisdiction of Federal, State or local health units and homes for juveniles, the elderly and the handicapped.
services as follows: (i) A dental hygienist may provide the professional services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be provided under general supervision of a dentist and the services may be a dentist and th
for the placement of subgingival agents by the dental hygienist. (ii) A dental hygienist may provide the professional services identified in subsection (a)(2) under the general supervision of a dentist when the patient is free of systemic disease, as determined by the dentist with input from the dental hygienist
and upon review of the patient's medical history. (iii) A dental hygienist may provide the professional services identified in subsection (a)(2) under the direct supervision of a dentist when the patient is suffering from systemic disease which is severe, incapacitating, or life threatening, as determined by the dentist with input from the dental
hygienist and upon review of the patient's medical history. (iv) A dental hygienist may provide the professional services identified in subsection (a)(7) only under the direct supervision of a dentist. For
purposes of this subparagraph, direct supervision means supervision by a dentist who has examined the procedure, and takes full professional responsibility for the completed procedure. (2) In subsection (c)
(2) and (3) practice sites (public and private institutions and institutions and institutions and institutions and institutions of a dentist, except that
these services may be provided under general supervision if a dentist has reviewed the patient's dental hygienist. (ii) A dental hygienist may provide the professional services identified in subsection (a)(2)—(6) under
the general supervision of a dentist. For the purposes of this paragraph, general supervision is defined as supervision by a dentist who authorizes and takes full professional responsibility for the provision of the services. A single authorizes and takes full professional responsibility for the purposes of this paragraph, general supervision of the services. A single authorizes and takes full professional responsibility for the purposes of this paragraph, general supervision of the services. A single authorizes and takes full professional responsibility for the purposes of this paragraph, general supervision of the services. A single authorizes and takes full professional responsibility for the purposes of this paragraph, general supervision of the services. A single authorizes and takes full professional responsibility for the purposes of this paragraph, general supervision of the services.
hygienist may provide the professional service identified in subsection (a)(7) only under the direct supervision by a dentist. For purposes of this subparagraph, direct supervision by a dentist who has examined the performance of the
procedure, and takes full professional responsibility for the completed procedure. (3) For professional services and the supervision required with the unlisted service and utilize
the appropriate supervision. Supervision for noncomparable services will be determined by the Board on a modality basis. (4) Notwithstanding the supervision for noncomparable services will be determined by the Board on a modality basis.
  The provisions of this § 33.205 amended under section 3(d), (j.2) and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.205 adopted June 23, 1995, effective December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982; corrected February 26, 2010, effective December 12, 2009, and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)).
December 12, 2009, 40 Pa.B. 1082. Immediately preceding text appears at serial pages (346652) to (346662). Cross References This section cited in 49 Pa. Code § 33.1(relating to volunteer license); and 49 Pa. Code § 33.205b (relating to practice as a public health dental hygiene practitioner).
§ 33.205a. Practice as an expanded function dental assistant. (a) Scope of professional practice. (i) An expanded function dental assistant may offer to perform the following services: (ii) Placing and removing wedges. (iv) Applying cavity liners
and bases. (v) Placing and condensing amalgam restorations. (vi) Placing and contouring amalgam restorations. (vii) Performing composite resin restorations. (viii) Performing fluoride treatments, including fluoride
             (x) Taking impressions of teeth for study models, diagnostic casts or athletic appliances. (2) Each of the professional services identified in paragraph (1) shall be performed under the direct supervision of a dentist. (b) Prohibitions. An expanded function dental assistant may not perform the following procedures: (1) Complete or
limited examination, diagnosis and treatment planning. (2) Surgical or cutting procedures of hard or soft tissue. (3) Prescribing drugs, medicaments or work authorizations. (4) Final inspection and approval of restorative and other
endodontic procedures. (6) Placement and intraoral adjustments of fixed and removable prosthetic appliances. (7) Administration of local anesthesia, parenteral or inhalational sedation, nitrous oxide analgesia or general anesthesia.
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Expanded function dental assistants shall perform under the direct supervision of a dentist. Direct supervision means that a dentist is in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the procedure and remains in the dental office or treatment facility, while the procedure is being

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performed by the expanded function dental assistant, and, before dismissal of the patient, personally evaluates the work performed by the expanded function dental assistant. Authority The provisions of this § 33.205a amended under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. §§ 121—124.1, 129—129.1, 130, 130e and 130h)
and section 4 of the act of April 29, 2010 (P. L. 176, No. 19). Source The provisions of this § 33.205a adopted May 12, 2000, effective May 13, 2000, 
cited in 49 Pa. Code § 33.117 (relating to EFDA program approval). § 33.205b. Practice as a public health dental hygiene practitioner may perform the dental hygiene services set forth in § 33.205(a)(2)—(6) (relating to practice as a dental hygienist) in the practice
settings identified in subsection (c) without the authorization, assignment or examination by a dentist. A public health dental hygiene practitioner shall refer each patient
to a licensed dentist on an annual basis. Documentation of the referral must be maintained in the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient within the scope of professional practice set fortham to see a dentist as referred will not prevent the public health dental hygiene practitioner from continuing to provide dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient within the scope of professional practice set for the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the public health dental hygiene services to the patient to see a dentist as referred will not prevent the professional hygiene services the professional hygiene services as the professional hygiene servi
in subsection (a). (c) Practice settings. A public health dental hygiene practitioner may perform dental hygiene services without the supervision of a dentist in the following practice settings: (1) Public and private educational institutions that provide elementary and secondary instruction to school aged children under the jurisdiction of the State
 Board of Education, and in accordance with all applicable provisions of the Public School Code of 1949 (24 P.S. § $ 1-101—27-2702), the regulations relating to certification of professional personnel), and the regulations of the Department of Health in 28 Pa. Code
§ 23.35 (relating to dental hygienists). (2) Correctional facilities. For purposes of this section, correctional facilities include Federal prisons and other institutions, motivational facilities. For purposes of this section, correctional facilities include Federal prisons and other institutions, motivational boot camps and community, motivational facilities.
corrections centers operated or contracted by the Department of Corrections; and jails, prisons, detention facilities or correctional institutions operated or contracted by local, county or regional prison authorities within this Commonwealth. (3) Health care facilities, as defined in section 802.1 of the Health Care Facilities Act (35 P.S. § 448.802a)
including a general, chronic disease or other type of hospital; a home care agency; a 
defined in section 1001 of the Human Services Code (62 P.S. § 1001), including an adult day care center; family child care home; boarding home, hospital or maternity home. (6) Any other facility licensed and regulated by
the Department of Human Services or a successor agency. (7) Domiciliary care facilities, as defined in section 202-A of The Administrative Code of 1929 (71 P.S. § 581-2). (8) Older adult daily living centers Licensing Act (62 P.S. § 1511.2). (9) Continuing-care provider facilities,
as defined in section 3 of the Continuing-Care Provider Registration and Disclosure Act (40 P.S. § 3203). (10) Federally-qualified health centers, as defined in section, the term includes Federally-qualified health center lookalikes that do not receive
grant funds under section 330 of the Public Health Service Act (42 U.S.C.A. § 254b). (11) Public or private institutions under the jurisdiction of a Federal, State or local agency. (12) Free and reduced-fee nonprofit health clinics. (13) An office or clinic of a physician who is licensed by the State Board of Medicine under the Medical Practice Act
of 1985 (63 P.S. § 422.1—422.53) or by the State Board of Osteopathic Medicine under the Oste
published on the Pennsylvania Department of Health's web site at www.health.pa.gov. For purposes of this paragraph, an office or clinic of a physician includes a "satellite location" as defined in § 18.122 (relating to definitions). (14) A "facility," as defined in 28 Pa. Code
§ 701.1 (relating to general definitions) that is licensed by the Department of Drug and Alcohol Programs to provide drug and alcohol treatment services. (d) Recordkeeping. A public health dental hygiene services provided to the patient
The dental record must be retained for at least 5 years from the date of the last treatment entry. The dental record must include, at a minimum, the following: (1) The name and address of the patient and, if the patient is a minor, the name of the patient is a minor, the name of the patient or legal guardian. (2) The date dental hygiene services are provided. (3) A
under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under sections 3(o) and 130j(b)(10)). Source The provisions of this § 33.205b adopted December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982; amended January 15, 2021, effective January 15, 2021, effectiv
16, 2021, 51 Pa.B. 304. Immediately preceding text appears at serial pages (371899) to (3718999) to (3718999) to (3718999) to (3718999) to (37189999) to (37189999) to (3718999999) to (37189999999999999999999999999999999999
 (a) The name, address, telephone number and dental license number of the prescribing dentist shall appear on prescriptions for drugs, services or supplies. (b) Noncomplying dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63)
P. S. § 123.1(a)(8)). Source The provisions of this § 33.206 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. § 33.207. Prescribing, administering or dispensing controlled substances as defined in section 4 of The Controlled Substance, Drug, Device and
Cosmetic Act (35 P. S. § 780-104), a dentist shall comply with, or cause compliance with, the following minimum standards: (1) Scope of authority. A dentist may prescribe, administer or dispense a controlled substance only:
                   (iii) In accordance with treatment principles accepted by a responsible segment of the profession. (2) Dental examination and medical history shall be taken before a dentist initially prescribes, administers or dispenses a controlled substance to a patient. The
examination and medical history shall be complete enough to justify the prescription, administration or dispensation of the controlled substance. The examination shall relate to the patient's dental record shall contain written evidence of the
examination and medical history. (3) Records. (i) On each occasion when a controlled substance is prescribed, administered or dispensed to a patient, an entry shall be made in the patient's dental record containing the following information: (A) The name, quantity and strength of the controlled substance. (B) The directions for use.
                                                (D) The condition for which the controlled substance was issued. (ii) For the purpose of this subsection, health care facility records will be considered part of the patient's dental record that contains entries pertaining to the issuance of controlled substances shall be retained by the
dentist for a minimum of 5 years following the date of the last entry of any kind in the record. (4) Emergency prescription may be telephoned to a pharmacist. An emergency prescription for a Schedule II controlled substance shall be covered by a
written prescription delivered to the dispensing pharmacist within 72 hours. A dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist has given the patient a dental examination and has taken a medical history as required by paragraph (2). (5) Exception. This subsection, except for
paragraph (1), does not apply when a controlled substance is prescribed, administered or dispensed to a patient in a health care facility regulated by the Department of Public Welfare. (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying dentist
to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). (c) This section does not restrict or limit the applicability of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § 780-101—780-144) or of another statute or regulation and does not relieve a dentist from complying with more stringent
standards that may be imposed by another regulation or statute. Source The provisions of this § 33.207 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Cross References This section cited in 49 Pa. Code § 33.208 (relating to preparing
maintaining and retaining patient records); and 49 Pa. Code § 33.212 (relating to misleading, deceptive, untrue or fraudulent representations). § 33.208. Prescribing, administering and dispensing medications not included under § 33.207 (relating to prescribing, administering and
dispensing controlled substances), dentists shall comply with, or cause compliance with, the following minimum standards: (1) Scope of authority. A dentist may prescribe, administer or dispense medication only: (i) In good faith in the course of the dentist's professional practice. (ii) Within the scope of the dentist-patient relationship.
    (iii) In accordance with treatment principles accepted by a responsible segment of the profession. (2) Dental examination and medical history shall be taken before a dentist initially prescribes, administers or dispenses medication to a patient. The examination and medical history
shall be complete enough to justify the prescription, administration or dispensation of the medical history. (3) Records
On each occasion when medication is prescribed, administered or dispensed to a patient, an entry shall be made in the patient's dental record containing the following information: (i) The date of issuance. (ii) The date of issuance. (iv) The condition for which the medication
was issued. (4) Emergency prescriptions. If an emergency requires the issuance of a prescription may be telephoned to a pharmacist. A dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist may not order a renewal or a refill of an emergency prescription unless the order is a renewal or a refill of an emergency prescription or a refill of an emergency prescription unless the order is a refill of an emergency prescription or a refill of a refill of a refill of a refill of a refi
taken a medical history as required by paragraph (2). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Source The provisions of this § 33.208 adopted June 23, 1995,
effective June 24, 1995, 25 Pa.B. 2492. Cross References This section cited in 49 Pa. Code § 33.209 (relating to misleading, deceptive, untrue or fraudulent representations). § 33.209. Preparing, maintaining and retaining patient records); and 49 Pa. Code § 33.212 (relating to misleading, deceptive, untrue or fraudulent representations).
maintain a dental record for each patient which accurately, legibly and completely reflects the evaluation and treatment of the patient. A patient dental record shall be prepared and maintained regardless of whether treatment is actually rendered or whether a fee is charged. The record shall include, at a minimum, the following: (1) The name and
address of the patient and, if the patient is a minor, the name of the patient's parents or legal guardian. (2) The date of each patient visit. (3) A description of the patient is a minor, the name of the patient visit. (5) Information as
required in § 33.208 (relating to prescribing, administering and dispensing medications) and this section with regard to controlled substances or other medications prescribed, administered or dispensed. (6) The date and type of radiographs taken and orthodontic models made, as well as the radiographs and models themselves. Notwithstanding
this requirement, the dentist may release orthodontic models to the patient. This transaction shall be memorialized on a form which is signed by the patient. The signed form shall become part of the patient. This transaction shall be memorialized on a form which is signed by the patient. This transaction shall be memorialized on a form which is signed by the patient.
sedation or general anesthesia. This shall include results of the preanesthesia physical evaluation, medical history and anesthesia procedures utilized. (8) The date of each entry into the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the person providing the service if not the dentity of the de
assistant, and the like. (b) A patient dental record shall be retained by a dentist for a minimum of 5 years from the date of the last dental entry. (c) Within 30 days of receipt of a written dental record, along with copies of
radiographs and orthodontic models, if requested, shall be furnished to the patient's new dentist. This service shall be provided either gratuitously or for a fee reflecting the cost of reproduction. (d) The obligation to transfer records under subsection (c) exists irrespective of a patient's unpaid balance for dental services or for the
cost of reproducing the record. (e) Dentists shall provide for the disposition of patient records in the event of the dentist's withdrawal from practice, incapacity or death in a manner that will ensure their availability under subsection (c). (f) The components of a patient dentist or an agent and retained by a health
care facility regulated by the Department of Public Welfare shall be considered a part of the patient dental record required to be maintained by a dentist, but shall otherwise be exempt from subsections (a)—(e). The components of a patient dental record shall contain information required by applicable Department of
Health and Department of Public Welfare regulations—see, for example, 28 Pa. Code § 141.26 (relating to prescribing, administering and dispensing controlled
substances; and prescribing, administering and dispensing medications). (h) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Authority The provisions of this § 33.209 amended
under sections 3(c) and 11.2(a) of the Dental Law (63 P. S. §§ 122(o) and 130c(a)). Source The provisions of this § 33.209 adopted June 23, 1995, effective May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears
at serial pages (266034) to (266036). Notes of Decisions Patient's Complaint was supported by substantial evidence, where, based on the expert testimony, the Board found that the dentist should have recorded the parents' complaint that their
son had black spots on his teeth or recorded "no complaints" on the child's record, and where the Board stated that while the dentist recorded the child's record, and where the Board of Dentistry, 740 A.2d 760 (Pa. Cmwlth. 1999). Cross References This section
cited in 49 Pa. Code § 33.340 (relating to duties of dentists who are restricted permit I holders); and 49 Pa. Code § 33.340a (relating to duties of dentists who are restricted permit II holders); and 49 Pa. Code § 33.340a (relating to duties of dentists who are restricted permit II holders).
drugs shall comply with the following standards: (1) Each drug storage area shall be maintained in a clean and orderly condition. (i) The storage area shall be maintained in a clean and orderly condition.
drugs and related supplies and equipment which are necessary for the administration and dispensing of drugs to the dentist's own patients. (iii) Drugs in the storage area shall be accurately labeled. Until a drug is administered or dispensed to a dental patient, it shall be kept in the manufacturer's original container showing the manufacturer's lot
number and the expiration date. (iv) Drugs in the storage area shall be free from adulteration. Appropriate procedures shall be established to minimize the hazards of cross contamination. (v) Outdated or deteriorated drugs shall be identified as such and shall be segregated in the storage area pending their return to the manufacturer or their
appropriate disposal. The dentist shall maintain records reflecting the final disposition of these products. (2) Controlled substances shall be stored in a substantially constructed, locked container such as a cabinet or safe. Access to the locked container where controlled substances are kept in order to clean, replenish supplies or perform other
necessary functions shall be allowed only when a dentist is present and supervising. (3) The dentist shall provide for the storage of drugs in dental offices. It does not relieve a dentist from complying with more stringent standards
that may be imposed by another regulation or by statute. (5) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Source The provisions of this § 33.210 adopted June 23, 1995,
effective June 24, 1995, 25 Pa.B. 2492. § 33.211. Unprofessional conduct, (a) Dentists. Unprofessional conduct, as defined in section 4.1(a)(8), includes the following conduct by a dentist: (1) Knowingly or negligently employing as a dentist, dental hygienist or expanded function dental assistant a person whose
license or certificate is not current or has been suspended or revoked. (2) Failing to carry out supervisory responsibility with regard to auxiliary personnel or has been suspended or revoked. (2) Failing to carry out supervisory responsibility with regard to auxiliary personnel or has been suspended or revoked.
  (4) Withdrawing dental services after a dentist-patient relationship has been established so that the patient is unable to obtain necessary dental care in a timely manner. (5) Physically, sexually or verbally abusing a patient. (6) Unnecessarily exposing a patient to ionizing radiation. (7) Failing to follow current infection-control
 recommendations issued by the Federal Centers for Disease Control or to ensure that auxiliary personnel and other supervisees follow these Federal guidelines. (8) Failing to make available to a patient, within 30 days of a
request, information sufficient to enable the patient to complete an insurance form. (b) Dental hygienists. Unprofessional conduct by a dental hygienist without the supervision of a dentist. (2) Performing a service that the dental hygienist
knows, or has reason to know, the hygienist is not competent to perform or not authorized to perform. (3) Physically, sexually or verbally abusing a patient. (4) Failing to follow current infection-control recommendations issued by the Federal Centers for Disease Control.
function dental assistants. Unprofessional conduct, as defined in section 4.1(a)(8) of the act includes the following conduct by an expanded function dental assistant without the direct supervision of a dentist. (2) Performing a service that the expanded function dental assistant is not
competent or not authorized to perform. (3) Physically, sexually or verbally abusing a patient. (4) Failing to follow current infection-control recommendation in violation of § 33.302 (relating to auxiliary personnel performing radiologic procedures). Authority
  The provisions of this § 33.211 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § $ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.211 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 20, 1978, January 21, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 20, 1978, January 21, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 20, 1978, January 21, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 21, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 21, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 21, 1975, effective September 13, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 21, 1975, effective September 13, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 21, 1975, effective September 13, 1975, effective Septe
1978, 8 Pa.B. 203; amended July 20, 1990, effective July 21, 1990, 20 Pa.B. 3972; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective July 21, 1990, effective July 21, 1990, effective July 21, 1990, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial pages (223044) to (233045). § 33.211a. Sexual misconduct. (a) Disciplinary action authorized
Unprofessional conduct, as defined in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)), includes sexual misconduct by a dentist, a dental hygienist, a public health dental hygienist, a dental hygienist hygienist hygienist, a dental hygienist hygienist
of the act (63 P. S. § 129.1). (b) Impaired professional program. A Board-regulated practitioner who engages in conduct prohibited by this section or correction. (c) Consent. Consent is not a defense to conduct prohibited by this section.
 (d) Exclusion. This section does not apply to conduct between a Board-regulated practitioner and the Board-regulated practitioner of this § 33.211a adopted under sections 4.1(a)(8) and 10.1 of the Dental Law (63 P. S. § § 123.1 (a)(8) and 129.1)
Source The provisions of this § 33.211a adopted November 14, 2008, effective November 15, 2008, 38 Pa.B. 6279. § 33.212. Misleading, deceptive, untrue or fraudulent representations. As used in section 4.1(a)(2) of the act (63 P. S. § 123.1(a)(2)), the phrase "misleading, deceptive, untrue or fraudulent representations" includes the following
conduct by dentists, dental hygienists and expanded function dental assistants: (1) Misrepresenting or concealing a material fact in obtaining payment for dental services. (2) Writing a prescription for a controlled
substance or other medication in the name of a person other than for whom the controlled substance or other medication is intended under §§ 33.207 and 33.208 (relating to prescribing, administering and dispensing medications). (4) Falsifying a patient's record regarding
treatment or the issuance of a controlled substance or other medication. Authority The provisions of this § 33.212 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.212 adopted January 18, 1965; amended September 12, 1975,
effective September 13, 1975, 5 Pa.B. 2397; reserved April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2397; reserved April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (223045). Cross References This section cited in 49 Pa. Code
§ 33.404 (relating to reporting continuing education credit hours). § 33.213. Use and replacement of dental amalgams—statement of policy. (a) Background. The safety of health problems, has become a recurring issue in dentistry. The Food and
will prevent, cure or ameliorate disorders other than those associated with confirmed allergic reactions to mercury. Nonetheless, nonallergic patients may request the use of alternative restoration will thereby disappear or improve. Dentists
receiving these requests must make ethical and professional decisions compatible with the best interests of their patients. (b) Purpose. Section 4.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9)) authorizes the Board to take disciplinary action against licensees who engage in unprofessional conduct or commit acts of negligence, incompetence
or malpractice. The replacement of amalgams may implicate both provisions by, for example, generating complaints of unnecessary or even harmful treatment. The Board therefore provides the following guidelines to assist its licensees in conforming their behavior to the requirements of the act. In a disciplinary action brought against a dentist for
treatment associated with replacing amalgams, the Board will consider whether these guidelines were followed. (c) Guidelines that, before replacing amalgams in a nonallergic patient, the dentist: (i) Explain to the patient
with information on contraindications and costs associated with removal/replacement of amalgam restorations. (iii) Advise a patient relying on third-party payment to ascertain whether the insurer will cover removal/replacement procedures.
as appropriate, secure from the physician documentation of recommendations made to the patient. (v) Memorialize in writing the disclosures made to the patient and the patient and the patient are to refuse to refuse amalgam restorations when, in their professional judgment, this
procedure would not be in the best interests of the patient. Source The provisions of this § 33.213 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended September 13, 1975, effective September 14, 1975, effective September 15, 2013, effective September 16, 2013, effective September 17, 1975, effective September 18, 1975, effective September 19, 2013, effective September 20, 2013, effective September 
preceding text appears at serial pages (311481) to (311482). § 33.214. Disclosure of financial or ownership interest—statement of policy. (a) Purpose. This section provides guidelines for compliance with the act of May 26, 1988 (P. L. 403, No. 66) (35 P. S. § 449.21—449.23), which requires practitioners of the healing arts, before referring a
patient to a facility or entity engaged in providing health-related services, tests, pharmaceuticals, appliances or devices, to disclose to the patient any financial or ownership interest of the practitioner in the facility or entity. (b) Definitions. The following words and terms, when used in this section, have the following meanings, unless the context
clearly indicates otherwise: Appliances or devices—The term includes therapeutic equipment, instruments and prosthetic appliances. Disclose to the patient—The practitioner has a financial or ownership interest in the facility or entity to which the
patient is referred. The practitioner shall also inform the patient of the patient of the patient of the patient and professional corporation not on the premises of
the practitioner. Financial interest of the practitioner or ownership by the practitioner in the facility or entity—A financial or ownership interests held by the practitioner's spouse or the practitioner's minor children. Health-related services—The term includes radiologic services, physical
therapy, counseling and laboratory services. Pharmaceutical—Pertaining to a drug or pharmacy. Practitioner of the healing arts—A dentist or dential hygienist. Referral—The act of prescribing, ordering, directing or recommending to a patient a specific facility or entity which provides a health-related service, test, pharmaceutical,
appliance or device, either by means of prescription, recommended course of treatment, or direction concerning diagnostic or therapeutic treatment or services. Test—The term includes a test necessary for dental diagnosis or treatment or services. Test—The term includes a test necessary for dental diagnostic or therapeutic treatment.
financial or ownership interest when making a referral covered by the act. Meaningful disclosure may be made orally or in writing. In either event, the Board recommends that the disclosure be memorialized, dated and signed at the time of referral by the practitioner and the
patient, and that the practitioner maintain written evidence of the disclosure to another person in the practitioner delegates the disclosure to another person in the practitioner maintain written evidence of the disclosure shall be
substantially in the following form: I ACKNOWLEDGE THAT I HAVE BEEN ADVISED BY MY DENTIST/DENTAL HYGIENIST THAT HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR ENTITY TO WHICH HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN THE FACILITY OR THE FACILITY OR THE FACILITY O
FACILITY OR ENTITY TO PROVIDE THE SERVICE, DRUG, DEVICE OR EQUIPMENT. (3) In an enforcement proceeding before the Board, the memorialization referred to in paragraphs (1) and (2) shall constitute presumptive evidence that the practitioner made the required disclosure. The disclosure to the patient is not, however, the act of the
patient signing the form but is, rather, the act of the patient's freedom of choice. (d) Guidelines for disclosure. With regard to patients who are minors, unconscious, of unsound mind or otherwise incompetent to understand their
freedom of choice in selection of a facility or entity, disclosure shall be made to the guardian, spouse or closest adult next of kin. Disclosure of a practitioner will not be disciplined for failure to disclose in the event of an emergency
which prevents consulting the patient or the patient or the patient's representative. Source The provisions of this § 33.214 adopted May 13, 1977, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (151838) to (151839). § 33.215. Use of lasers in the dental
office—statement of policy. (a) Background and purpose. The use of lasers in experimental and institutional settings has raised questions with regard to using this technology in the dental office. In addressing this issue, the Board has been mindful of its principal mandate: protection of the public. Section 4.1(a)(8) and (9) of the act (63 P. S.
§ 123.1(a)(8) and (9)) authorizes the Board to take disciplinary action against licensees who engage in unprofessional conduct or who commit acts of negligence, incompetent treatment or treatment that fails to conform to
acceptable standards of practice. The Board offers the following guidelines to assist its licensees in conforming their behavior to the act. In a disciplinary action brought against a dentist who uses a laser in private practice shall
  (1) Be familiar with and conform to regulations on lasers promulgated by the Food and Drug Administration. (2) Possess clinical competency in the use of lasers. The Board recommends a minimum of 6 hours of instruction should
include hands-on training and should cover all known risks to patients, staff and the practitioner. Source The provisions of this § 33.221—33.223 adopted January 18, 1965; amended September 12, 1975,
effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (151839). § $ 33.224—33.226 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B.
2397. Immediately preceding text appears at serial pages (9789) to (9790). § 33.231. [Reserved]. Source The provisions of this § 33.231 adopted January 18, 1989, effective April 28, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective June 24,
1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (151840). § $ 33.232—33.234. [Reserved]. Source The provisions of these § $ 33.232—33.234 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (151840).
pages (151840) and (135711). § 33.241. [Reserved]. Source The provisions of this § 33.241 adopted January 18, 1965; amended September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135711). § 33.242. [Reserved]. Source
   The provisions of this § 33.242 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, effective April 29, 1989, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, effective September 12, 1975, effective April 29, 1989, effective April 29, effectiv
reporting requirements. (a) General rule. Under 23 Pa.C.S. § 6311 (relating to persons required to reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to
suspect that a child is a victim of child abuse under any of the following circumstances: (1) The mandated reporter is directly responsible for the care,
supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child. (3) A person makes a specific disclosure to the mandated reporter that an
identifiable child is the victim of child abuse. (4) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse. (b) Staff members of public or private agencies, institutions and facilities. Whenever a Board regulated practitioner is required to make a report under
subsection (a) in the capacity as a member of the staff of a medical, dental or other public or private institution, school, facility or agency, that Board regulated practitioner shall immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the
designated agent of the person in charge. (c) Reporting procedure. A mandated report of suspected child abuse to the Department of Human Services by either: (1) Making an oral report of suspected child abuse to the Department of Human Services by either: (1) Making an oral report of suspected child abuse to the Department of Human Services by either: (1) Making an oral report of suspected child abuse to the Department of Human Services by either: (2) Making an oral report of suspected child abuse to the Department of Human Services by either: (3) Making an oral report of suspected child abuse to the Department of Human Services by either: (4) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services by either: (4) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services by either: (5) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services by either: (6) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report of suspected chil
Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted under this subparagraph may be submitted to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted under this submitted under this subparagraph may be submitted under this submitted under 
electronic reporting) through the Department of Human Service's Child Welfare Information by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional
oral or written report. (d) Written or electronic reports. A written or electronic report of suspected child abuse, shall include the following information, if known: (1) The names and addresses of the child's welfare. (2) Where the suspected child abuse occurred. (3) The age and
sex of the subject or subjects of the report. (4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the persons. (6) Family
composition. (7) The source of the report. (8) The name, telephone number and e-mail address of the person making the report. (10) Other information required by Federal law or regulation. (11) Other information that the
Department of Human Services may require by regulation. Authority The provisions of this § 33.250 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and the Child Protective Services Law, 23 Pa.C.S.
§ 6383(b)(2). Source The provisions of this § 33.250 adopted November 8, 1996, effective November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial pages (311485) to (311487). Cross References This section cited in 49 Pa. Code § 33.251 (relating to
photographs, medical tests and X-rays of child subject to report); 49 Pa. Code § 33.253 (relating to immunity from liability); 49 Pa. Code § 33.254 (relating to noncompliance). § 33.255 (relating to noncompliance).
take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at
the time the written report is sent, or within 48 hours after an electronic report is made under § 33.250(c)(2) (relating to suspected child abuse—mandated reporting requirements), or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain
them or duplicates of them upon request. Authority The provisions of this § 33.251 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source
  The provisions of this § 33.251 adopted November 8, 1996, effective November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, effective August 1, 2020, for Pa.B. 3854. Immediately preceding text appears at serial page (311487). Cross References This section cited in 49 Pa. Code § 33.253 (relating to immunity from liability); 49 Pa. Code
§ 33.254 (relating to confidentiality—waived); and 49 Pa. Code § 33.255 (relating to noncompliance). § 33.252. Suspected death as a result of child abuse—mandated report that a child died as a result of child abuse—mandated report that suspicion to the coroner or
medical examiner of the county where death occurred or, in the case where the child is transported to another county for medical examiner of the county where the injuries were sustained. Authority The provisions of this § 33.252 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and the county where the injuries were sustained.
section 3(o) of The Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended July 31, 2020, effective August 1, 2020, 50 and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, effective August
Pa.B. 3854. Immediately preceding text appears at serial pages (311487) to (311488). Cross References This section cited in 49 Pa. Code § 33.253 (relating to confidentiality—waived); and 49 Pa. Code § 33.255 (relating to immunity from liability). Under 23
Pa.C.S. § 6318 (relating to immunity from liability) a Board regulated practitioner who participates in good faith in the making of a report of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying
in a proceeding arising out of an instance of suspected child abuse or general protective services or engaging in any action authorized under 23 Pa.C.S. § § 6314—6317, shall have immunity from civil and criminal liability that might otherwise result by reason of the Board regulated practitioner's actions. For the purpose of any civil or criminal
proceeding, the good faith of the Board regulated practitioner shall be presumed. The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of a Board regulated practitioner's actions under § $ 33.250—33.252 (relating to suspected child abuse—mandatory reporting requirements; photographs
medical tests and x-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement). Authority The provisions of this § 33.253 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of The Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); and section 3(o) of The Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the Dental Law (63 P. S. § 122(o)); amended under section 3(o) of the De
Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.253 adopted November 8, 1996, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial page (311488).
§ 33.254. Confidentiality—waived. To protect children from abuse, the reporting requirements of §§ 33.250—33.252 (relating to suspected child abuse—mandated reporting requirements) take
precedence over the provisions of any client confidentiality, ethical principle or professional standard that might otherwise apply. In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient does not apply to a situation involving child abuse and does not
relieve the mandated reporter of the duty to make a report of suspected child abuse. Authority The provisions of this § 33.254 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective
Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.254 adopted November 8, 1996, effective November 9, 1996, 26 Pa.B. 3854. Immediately preceding text appears at serial page (311488). § 33.255. Noncompliance. (a) Disciplinary action. A Board regulated
practitioner who willfully fails to comply with the reporting requirements in §§ 33.250—33.252 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to reporting requirements; photographs, medical tests and X-rays of child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to reporting requirements; photographs, medical tests and X-rays of child abuse—mandated reporting requirements) will be subject to disciplinary action
under section 4.1 of the act (63 P.S. § 123.1). (b) Criminal penalties. Under 23 Pa.C.S. § 6319 (relating to penalties), a Board regulated practitioner who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities and who willfully fails to do so commits a criminal offense, as follows: (1) An offense not
otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the felony of the first degree or higher. (ii) The mandated reporter willfully fails to report. (iii) The mandated reporter has direct knowledge of the
nature of the abuse. (3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children
through the individual's employment, program, activity or service, the mandated reporter commits a felony of the first degree or higher, the mandated reporter commits a felony of the second degree. (4) A mandated reporter who, at the time of sentencing for an offense under 23
Pa.C.S. § 6319, has been convicted of a prior offense under § 6319, commits a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the first degree or higher, the penalty for the second or subsequent offense under § 6319, commits a felony of the first degree. Authority The provisions of this § 33.255 issued under the Child Protective a felony of the first degree or higher, the penalty for the second or subsequent offense under § 6319, commits a felony of the first degree or higher, the penalty for the second or subsequent offense under § 6319, commits a felony of the first degree or higher, the penalty for the second or subsequent offense under § 6319, commits a felony of the first degree or higher, the penalty for the second or subsequent offense under § 6319, commits a felony of the first degree or higher.
Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); am
July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial page (371903). § 33.256. Child abuse recognition and reporting—mandatory training requirement. (a) Except as provided in subsection (c), individuals applying to the Board for an initial license or certificate shall submit proof of completion of 3 hours
of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services. (b) Except as provided in subsection (c), licensees and certificate holders seeking renewal of a license or certificate.
hours of approved continuing education in child abuse recognition and reporting requirements, as a portion of the total continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in
§ 33.257 (relating to child abuse recognition and reporting course approval process). (c) An applicant, licensee or certificate holder meets one of the following: (1) The
applicant, licensee or certificate holder submits documentation demonstrating that: (i) The applicant, licensee or certificate holder has already completed child abuse recognition training was approved by the Department of Education in
consultation with the Department of Human Services. (iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicant, licensee or certificate holder submits documentation demonstrating all of the following: (i) The applicant, licensee
or certificate holder has already completed child abuse recognition training required under 23 Pa.C.S. § 6383(c) (relating to education and training received equals or exceeds the amount of training or continuing education required under
subsection (a) or (b), as applicable. (3) The applicant, licensee or certificate holder submits documentation demonstrating that the applicant, licensee or certificate holder should not be subject to the training or continuing education requirement. Each request for an exemption under this paragraph will be considered on a case-by-case basis.
Authority The provisions of this § 33.256 issued under section 3(0) of the Dental Law (63 P.S. § 122(0)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.256 adopted July 31, 2020, effective August 1, 2020, 50 Pa.B. 3485. Cross Reference This section cited in 49 Pa. Code § 33.401 (relating to
credit-hour requirements). § 33.257. Child abuse recognition and reporting course approval process. (a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b)
simultaneously to the Department of Human Services (DHS), Office of Children, Youth and Families, and to the Bureau at the following addresses: (1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120 or electronically at RA-PWOCYFCPSL@pa.gov.
  (2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649 or electronically at RA-stcpsl[lowbar]course[lowbar]app@pa.gov. (b) Submissions must include all of the following: (1) Contact information (mailing address, e-mail address and telephone number) for the agency/course
            rator. (2) General description of the training and course delivery method. (3) Title of the course. (4) Timed agenda and estimated hours of training. (5) Learning objectives. (6) Intended audience. (7) All course related materials, including as applicable: (i) Handouts.
   (iii) Interactive activities or exercises. (iv) Videos and audio/visual content. (v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material. (vi) For online courses, a transcript or recording of audio training. (8) Citation of sources, including written permission to use copyrighted material, if
applicable. (9) Anticipated credentials or experience of the presenter, or biography of presenter, if known. (10) Printed materials used to market the training. (11) Evaluation used to assess participants' satisfaction with the training. (12) Sample certificate of attendance/participation, which shall include: (i) Name of participants.
    (ii) Title of training. (iii) Date of training. (iv) Length of training (2 or 3 hours). (v) Name and signature of the authorized representative of the provider. The signature of the provider attended the entire course. (13) Verification of ability to report participation/attendance
electronically to the Bureau in a format prescribed by the Bureau's web site and the Board's web
Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.257 adopted July 31, 2020, effective August 1, 2020, freetive August 1, 2020, effective August 1, 2020, effective August 1, 2020, effective August 1, 2020, freetive August 1, 2020, effective August 2, 2020, effect
provisions of this § 33.291 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135712). Subchapter D. PERFORMANCE OF RADIOLOGIC PROCEDURESBY AUXILIARY PERSONNEL Sec. 33.301. Definitions
33.302. Requirements for personnel performing radiologic procedures. 33.303. Applications for examination fees. 33.304. Radiologic procedure examination fees. 33.305. Effective date. § 33.301. Definitions. The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:
  Ionizing radiation— (i) Gamma rays and X-rays; alpha and beta particles, high-speed electrons, neutrons, protons and other nuclear particles. (ii) The term does not include ultrasound, sound or radio waves or visible, infrared or ultraviolet light. Premises of the dentist—A location at which a dentist practices dentistry, other than a health
care facility regulated by the Department of Public Welfare or the Federal government. Radiologic procedure—A dental diagnostic procedure examination. Radiologic procedure examination. Radiologic procedure examination.
Authority The provisions of this § 33.301 issued under section 11.4 of The Dental Law (63 P. S. § 130e); amended June 23, 1995, effective June 24,
1995, 25 Pa.B. 2492; amended December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982. Immediately preceding text appears at serial pages (311489) to (311490). § 33.302. Requirements for personnel performing radiologic procedures.
forth in § 33.205b(c) (relating to practice as a public health dental hygiene practitioners shall take radiograph, the public health dental hygiene practitioner shall provide to
the patient a copy of the radiograph and a referral to a dentist indicating the reason the radiograph was taken and any observations noted by the public health dental hygiene practitioner. (2) The public health dental hygiene practitioner shall instruct the patient to consult with the dentist as indicated on the referral form. (3) Upon presentation
by the patient, the dentist shall perform an examina-tion of the patient, review the radiograph and report any diagnosis to the public health dental hygiene practitioner and the patient. (b) Dental hygiene practitioner and the patient, review the radiograph and report any diagnosis to the public health dental hygiene practitioner and the patient.
 "'general supervision" means supervision by a dentist who examines the patient, develops a dental treatment plan, authorizes the performance of the radiologic services to be performance of the dental hygienist. (c) Auxiliary personnel who have passed the
radiologic procedure examination adopted by the Board may perform radiologic procedure so the premises of a dentist. The dentist shall be on the premises when a radiologic procedure is performed, but is not required to personally observe performance of the procedure. Authority The provisions of this
§ 33.302 issued under section 11.4 of The Dental Law (63 P. S. § 130e); amended under section 3(d), (j.2) and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.302 adopted August 21, 1987, effective August 22, 1987, 17 Pa.B. 3477; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended
December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982. Immediately preceding text appears at serial page (311490). Notes of Decisions Ripeness Petition for review of these regulations was dismissed as the association of dental hygienists' allegations of direct and immediate harm did not establish the justiciability of a pre-enforcement
challenge to this regulation. The association's allegations of change in their work schedule, reduced availability of dental hygiene services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental hygiene services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental hygiene services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental hygiene services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental hygiene services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental hygiene services.
immediate harm. Pennsylvania Dental Hygienists' Association v. State Board of Dentistry, 672 A.2d 414 (Pa. Cmwlth. 1996). Cross References This section cited in 49 Pa. Code § 33.211 (relating to unprofessional conduct). § 33.303. Applications for examination. The testing
organization charged with administering the radiologic procedure examination will provide examination application materials to licensed dentists in this Commonwealth and to educational institutions and professional associations designated by the Bureau for distribution to auxiliary personnel who wish to apply to take the examination. Authority
  The provisions of this § 33.303 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.304. Radiologic procedure examination fees. Examination candidates shall pay fees directly to the testing organization charged with
administering the radiologic procedure examination. Authority The provisions of this § 33.304 adopted August 21, 1987, effective August 21, 1987, effective August 22, 1987, 17 Pa.B. 3477. § 33.305. Effective date. The testing organization charged with administering the
radiologic procedure examination will begin accepting applications to take the examination on August 22, 1987. On and after January 1, 1988, no auxiliary person may administer radiologic procedures on the premises of a dentist except as set forth in this subchapter. Authority The provisions of this § 33.305 issued under section 11.4 of The Dental
Law (63 P. S. § 130e). Source The provisions of this § 33.305 adopted August 21, 1987, effective August 22, 1987, 17 Pa.B. 3477. Subchapter E. ADMINISTRATION OF GENERAL ANESTHESIA, DEEP SEDATION, CONSCIOUS SEDATION AND NITROUSOXIDE/OXYGEN ANALGESIA Sec. 33.331. Definitions. 33.332. Requirement of permit to
administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. 33.333. Types of permit. 33.336. Requirements for restricted permit I. 33.336a. Requirements for unrestricted permit and restricted permit I.
              Approved peer evaluation organizations for administering clinical evaluations and office inspections and clinical evaluations and clinical evaluations of peer evaluation organizations of peer evaluations and clinical evaluations. 33.336c. Standards for office inspections and clinical evaluations and clinical evaluations of peer evaluation organizations.
33.337. Requirements for restricted permit II. 33.337a. Requirements for temporary permit I holders. 33.340b. Duties of dentists who are unrestricted permit I holders. 33.340b. Duties of dentists who are
restricted permit II holders. 33.341. Duties of dentists who are not permit, refusal to issue or renew. 33.342. Inspection of dental patients—statement of policy. § 33.331. Definitions. The
following words and phrases, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise: AAOMS—American Association of Oral and Maxillofacial Surgeons. AAOMS Guidelines—AAOMS Parameters and Pathways 2000 Clinical Practice Guidelines for Oral and Maxillofacial Surgeons.
Outpatient Facilities (AAOMS Par Path 2000), 4/15/99. AAPD Guidelines—AAPD Guidelines for the Elective Use of Conscious Sedation, Deep Sedation and General Anesthesia in Pediatric Dental Patients (May, 1998). ACLS
—Advanced Cardiac Life Support. ADA—American Dental Association. ADA Guidelines—ADA Guidelines—ADA Guidelines for the Use of Conscious Sedation, Deep Sedation and General Anesthesia for Dentists (October, 2000). Adult patient—A patient 18 years of age or older. Authorized agent—An organization or individual that the Board has officially
authorized to act as the Board's agent in carrying out the mandates of the Board, the act or this chapter. BLS—Basic Life Support. Board—The State Board of Dentistry. CRNA—A registered nurse certified as a Registered Nurse Anesthetist by the Council on Certification of Nurse Anesthetists of the American Association of Nurse Anesthetist by the Council on Certification of Nurse Anesthetists of the American Association of Nurse Anesthetist by the Council on Certification of Nurse Anesthetists of the American Association of Nurse Anesthetist by the Council on Certification of Nurse Anesthetists of the American Association of Nurse Anesthetists of the Nurse Anesthe
Nurse Anesthetists authorized to administer anesthesia under § 21.17 (relating to the administer general anesthesia by a registered nurse.) Clinical evaluation—A determination of the dentist's current technical competency to safely administer general anesthesia, deep sedation or conscious sedation and to effectively respond to anesthesia related
emergencies, in accordance with the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAPD Guidelines (for pediatric patients) for general dentists. Communications equipment—Equipment capable of being used to elicit a response in an emergency by voice, video or electronic data transmission, such as a telephone, video
link, intercom, two-way radio or other similar device. Conscious sedation—A minimally depressed level of consciousness that is produced by a pharmacologic method, or a combination of both, in which the patient retains the ability to maintain an airway independently and continuously and to respond appropriately to
physical stimulation or verbal command. Deep sedation—A controlled, pharmacologically induced state of depressed consciousness from which the patient is not easily aroused and which may be accompanied by a partial loss of protective reflexes, including the ability to maintain a patent airway independently or respond purposefully to physical
stimulation or verbal command, or both. General anesthesia—A controlled state of unconsciousness that is produced by a pharmacologic method, or a combination of both, and that is accompanied by a complete or partial loss of protective reflexes that include the patient's inability to maintain an airway independently
and to respond purposefully to physical stimulation or verbal command. General dentist—A dentist who is not an oral and maxillofacial surgeon. Nitrous oxide/oxygen analgesia—The diminution or elimination of pain in the conscious patient through the use of nitrous oxide/oxygen. OMS—Oral and Maxillofacial Surgeon who is a current member
of the PSOMS or AAOMS. Office inspection—A determination as to whether the offices where the dentists who are unrestricted permit I holders; and duties
of dentists who are restricted permit II holders), as appropriate to the type of permit, and in accordance with the AAOMS Manual for OMSs, or the ADA Guidelines (for pediatric patients) and the AAPD Guidelines (for pediatric patients
Maxillofacial Surgeons. Patient physical evaluation—An assessment of the patient's physical and mental condition relevant to the surgery to be performed and anesthesia or anesthetic to be utilized. Pediatric patient—A patient under 18 years of age. Peer evaluation—An entity approved by the Board for administering a program
whereby licensed dentists conduct office inspections and clinical evaluations for dentists seeking initial or renewal unrestricted or restricted or restrict
unrestricted permit or restricted permit I who conducts an office inspection or clinical evaluation under the auspices of an approved peer evaluation or ganization. Physician—A Pennsylvania licensed medical or osteopathic Board of
Anesthesiology, or is credentialed to administer anesthesia in a hospital or ambulatory surgical facility licensed by the Department of Health. Authority The provisions of this § 33.331 issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § § 120(o)
and 130c(a)). Source The provisions of this § 33.331 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238326). Cross References This section cited in 49 Pa. Code § 33.341 (relating to duties of dentists who are not
permitholders). § 33.332. Requirement of permit to administer general anesthesia, deep sedation or nitrous oxide/oxygen analgesia. (a) Permit required for administration of anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia.
the administration of, general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia in a dental office. (b) Permit not required to possess a permit under this subchapter before administration of anesthetic modality in other facilities. A dentist is not required to possess a permit under this subchapter before administration of anesthetic modality in other facilities.
anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia in a State- or Federally-regulated facility other than a dental office. (c) Failure to comply with subsection (a) will be considered unprofessional conduct and will subject the dentist to disciplinary action under section 4.1 of the act (63 P. S.
§ 123.1). Authority The provisions of this § 33.332 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d); amended under sections of this § 33.332 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended July 7,
1989, effective July 8, 1989, 19 Pa.B. 2953; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (238326) to (238327). Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license). § 33.333. Types of permits. The Board will issue the following permits to
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The provisions of this § 33.333 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.333 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May
14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238327). Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license). § 33.334. Application for permit. (a) A dentist who desires to obtain a permit to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen.
Box 2649, Harrisburg, Pennsylvania 17105-2649. Authority The provisions of this § 33.334 issued under sections 3(0) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.334 adopted July 8, 1988, effective July 9,
1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (238327) to (238328). § 33.335. Requirements for unrestricted permit. (a) To secure an unrestricted permit, a dentist shall have done one of the following: (1) Successfully completed at least 2 years in a
postgraduate program for advanced training in anesthesiology and related academic subjects that conforms to Part II of the American Board of Oral and Maxillofacial Surgeons,
Fellow of the American Association of Oral and Maxillofacial Surgery or a Fellow of the American Dental Society of Anesthesiology, or be eligible for examination by the American Board of Oral and Maxillofacial Surgery. Authority The provisions of this § 33.335 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § § 130c and 130d);
amended under sections 3(0) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.335 adopted July 8, 1989, effective July 8, 1989
appears at serial page (238328). Cross References This section cited in 49 Pa. Code § 33.336. Requirements for restricted permit I, a dentist shall have successfully completed a course on conscious sedation
comprising at least 60 hours of undergraduate or postgraduate program) or Part II (for a postgraduate program) or Part III (for a postgraduate program) or the ADA's Guidelines for Teaching the Comprehensive Control of Pain and Anxiety in Dentistry. Authority The provisions of this
§ 33.336 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 122(o) and 130d); amended July 7, 1989, effective July 8, 1989, 1988, 1989, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended July 7, 1989, effective July 8, 1989, 19 Pa.B. 2953;
amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238329). Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license); and 49 Pa. Code § 33.136a. Requirements for unrestricted permit and restricted
permit I. (a) Office inspections and clinical evaluations organization under § 33.336b (relating to approved peer evaluation organizations for administering
clinical evaluations and office inspections). (2) First renewal permit beginning April 1, 2005. Beginning April 1, 2005, renewal unrestricted and restricted and restricted and restricted inspection and clinical evaluation may be
waived if the applicant can demonstrate satisfactory completion of an office inspection and clinical evaluation, administered by an organization approved by the Board, within 6 years preceding April 1, 2005. (3) Subsequent renewal permit I
renewal applicants shall satisfactorily complete an office inspection and clinical evaluation once every 6 years. (4) Report of office inspection and clinical evaluation that evidences
the applicant's satisfactory completion of an office inspection and clinical evaluation. (b) Standards for anesthesia administration of anesthesia to adult and pediatric
patients will be conducted in conformance with the standards outlined in the AAOMS Guidelines and the AAOMS Guidelines an
that the administration of anesthesia to pediatric patients will be conducted in conformance with the standards outlined in the AAPD Guidelines. (c) ACLS/PALS certification. (1) Adult patients, An applicant for an unrestricted or restricted or restricted or restricted or restricted in conformance with the standards outlined in the AAPD Guidelines.
administration of anesthesia to an adult patient. (2) Pediatric patients. An applicant for an unrestricted or restricted or restricted or restricted and maintained current certification in PALS prior to the administration of anesthesia education. (1) Beginning April 1, 2005, and for all
subsequent renewal periods, the following hours of continuing education are required as a condition of permit I. An applicant for an unrestricted permit I. An applicant for a restricted permit shall have completed 15 hours of Board approved courses related to general anesthesia and deep sedation. (ii) Restricted permit I. An applicant for a restricted
permit I shall have completed 15 hours of Board approved courses related to conscious sedation. (2) Continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholder's continuing anesthesia education will be credited toward the permitholde
11.2(a) of The Dental Law (63 P. S. § § 122(o) and 130c(a)). Source The provisions of this § 33.336a adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license); and 49 Pa. Code § 33.338 (relating to expiration and renewal of permits).
§ 33.336b. Approved peer evaluation organizations for administering clinical evaluations and office inspections and do not require prior approval from the Board: (1) The American Association of Oral and Maxillofacial Surgeons (AAOMS)
  (2) The Pennsylvania Society of Oral and Maxillofacial Surgeons (PSOMS). (b) An organization of oral and maxillofacial surgeons or of unrestricted permit I holders that does not qualify as an organization to conduct clinical evaluations and office inspections under subsection (a) may apply to the Board for approval to serve as
an organization to conduct clinical evaluations and office inspections. In determining whether to grant approval, the Board will consider the following criteria: (i) A minimum 5 years experience administering general anesthesia and deep sedation (for
unrestricted permitholders) or conscious sedation (for restricted permit I holders) within the last 7 years. (ii) A current unrestricted permit I. (iii) Completion of a minimum 7-hour course in conducting office inspections and clinical evaluations.
criteria listed in § 33.336d (relating to qualifications of peer evaluations to applicants for initial and renewal permits.
  (4) Whether the organization's fee for office inspections and clinical evaluations is based upon reasonable costs. (5) Whether the organization has an internal appeal procedure to contest the office inspection or clinical
evaluation. (7) Whether the organization has a peer review oversight committee whose members meet the following criteria: (i) A minimum 5 years experience administering general anesthesia and deep sedation.
office inspections and clinical evaluations. (9) Whether the organization agrees to make records of all office inspections and clinical evaluation agrees to make records for at least 5 years. (10) Whether the organization agrees to make records for at least 5 years.
a reasonable time if the results of the initial office inspection or clinical evaluation are unsatisfactory. (11) Whether the organization agrees to conduct office inspections and clinical evaluations in conformance with the standards outlined in the AAOMS Manual and AAOMS Guidelines (for OMSs) and the ADA Guidelines or AAPD Guidelines (for
general dentists), and in accordance with § § 33.340 and 33.340a (relating to duties of dentists who are unrestricted permit I holders). (12) Whether the organization agrees to utilize peer evaluator teams consisting of at least two permitholders as follows: (i) For office inspections and
clinical evaluations of unrestricted permitholders and applicants, a team consisting of at least two unrestricted permitholders and applicants, a team consisting of at least two unrestricted permitholders. (ii) For office inspections and clinical evaluations of restricted permitholders.
restricted permit I holder. (c) An approved peer evaluation organization may not require a permit applicant to become a member of the organization as a precondition for the applicant. Authority The provisions of this § 33.336b issued under sections 3(o) and 11.2(a) of The
Dental Law (63 P. S. §§ 122(a) and 130c(a)). Source The provisions of this § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b adopted May 13, 2005, effective May 14, 2005, and 130c(a)).
§ 33.340 (relating to duties of dentists who are unrestricted permitholders). § 33.336c. Standards for office inspections and clinical evaluations. Office inspections and clinical evaluations shall be conducted in accordance with the AAOMS Manual and AAOMS Guidelines for OMSs and the ADA Guidelines and AAPD Guidelines for general dentists.
Authority The provisions of this § 33.336c issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.336c issued under section 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)).
reports). § 33.336d. Qualifications of peer evaluators conducting office inspections and clinical evaluator conducting office inspections and applicants shall be a licensed dentist holding a current unrestricted permit. (b) A peer evaluator conducting office inspections and
clinical evaluations of restricted permit I holders and applicants shall be a licensed dentist holding either a current restricted permit I may only conduct office inspections and clinical evaluations when part of a team consisting of at least one
unrestricted permitholder. (c) A peer evaluator shall be independent from, and have no conflict of interest with, the dentist or dental practice being reviewed. (d) The administering approved peer evaluator shall ensure that its peer evaluators are qualified under this section. Authority The provisions of this § 33.336d issued under
sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d adopted May 13, 2005, effective May 14, 2005, and a code § 33.336d adopted May 13, 2005, effective May 14, 2005, and a code § 33.336d adopted May 13, 2005, effective May 14, 2005, and a code § 33.336d adopted May 13, 2005, effective May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adopted May 14, 2005, and a code § 33.336d adop
inspections). § 33.336e. Confidentiality of peer evaluation reports. (a) Office inspection and clinical evaluation reports and related information shall remain confidential except as provided in § 33.336a(a)(4) (relating to requirements for unrestricted permit 1) and the act of June 21, 1957 (P. L. 390, No. 212) (65 P. S. § § 66.1—
66.4), known as the Right-to-Know Law. (b) An administering approved peer evaluation organization shall submit to the Board a written report of the results of the office inspection and clinical evaluation was conducted that documents whether the applicant has successfully
completed the office inspection and clinical evaluation or office inspection and clinical evaluation or office presents an immediate and clear danger to the public health and safety, the administering approved peer evaluation or office inspection shall immediately notify the Commissioner of the Bureau.
Authority The provisions of this § 33.336e issued under sections 3(0) and 11.2(a) of The Dental Law (63 P. S. § § 122(a) and 130c(a)). Source The provisions of this § 33.336e adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. § 33.337. Requirements for restricted permit II. (a) To secure a restricted permit II, a dentist shall have
successfully completed a course in nitrous oxide/oxygen analgesia comprising at least 14 hours of undergraduate program or Part III (for a postgraduate program) or Part III (for a postgraduate program)
Pain and Anxiety in Dentistry. (b) Initial restricted II permit applicants shall provide the following: (1) The make, model and serial number of any nitrous oxide/oxygen analgesia equipment utilized by the applicant. (2) Certification that the equipment is properly calibrated and maintained, contains a fail-safe system and is in working order.
  (3) An attestation that the applicant has written office procedures for administration of nitrous oxide/oxygen analgesia and handling emergencies related to the administration of nitrous oxide/oxygen analgesia. (c) Subsequent renewal permits. Following the applicant's initial permit renewal after April 1, 2004, for each subsequent renewal period, an
applicant shall provide an attestation to the Board, in accordance with § 33.338(b)(4) (relating to expiration and renewal of permits), that the nitrous oxide/oxygen analgesia equipment that the applicant uses is properly calibrated and maintained and contains a fail-safe system. Authority The provisions of this § 33.337 issued under sections 11.2
and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d); amended under sections 3(o) and 130c(a)). Source The provisions of this § 33.337 adopted July 8, 1988, effective July 8, 1989, effective July 8, 1988, effective July 8, 1989, effective July
14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (238329) to (238330). Cross References This section cited in 49 Pa. Code § 33.337 a. Requirements for temporary permit. (a) To secure a temporary unrestricted
permit, restricted permit I or restricted permit I or restricted permit I, an application proof that the application proof th
3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.337a adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. § 31.338. Expiration and renewal of permits issued by the Board under this subchapter will expire at the same time as the permitholder's dental license but may be
renewed biennially at the same time the dental license is renewed. (b) A dentist who desires to renew a permit shall submit the following: (1) A renewal application on a form provided by the Board. (2) The permit renewal fee prescribed in § 33.339 (relating to fees for issuance of permits). (3) Proof of current certification in ACLS (adult
patients) or PALS (pediatric patients), or both (for unrestricted permits and restricted I permits). (4) An attestation, on the renewal application, that any equipment used to administer general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia has been installed, properly calibrated and maintained according to the
equipment manufacturer's guidelines and contains a fail-safe system (for all permits). (5) Proof of compliance with the continuing anesthesia education requirements for unrestricted permit and restricted permit and restr
under § 33.336a(a). Authority The provisions of this § 33.338 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 120(o) and 130c(a)). Source The provisions of this § 33.338 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045;
amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238330). Cross References This section cited in 49 Pa. Code § 33.337 (relating to requirements for restricted permit II).
subchapter: (1) Unrestricted permit. (i) Initial ...$10 (ii) Renewal ...$210 (iii) Temporary ...$15 (iii) Temporary ...$15 Authority The provisions of this § 33.339
issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 120(o), 123(a) and (b) and 130c(a)). Source The provisions of this § 33.339 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14,
2005, 35 Pa.B. 2899 and 2880; amended December 20, 2013, effective December 21, 2013, 43 Pa.B. 7441. Immediately preceding text appears at serial page (346672). Cross References This section cited in 49 Pa. Code § 33.334 (relating to application for permit); and 49 Pa. Code § 33.338 (relating to application for permit); and 49 Pa. Code § 33.338 (relating to fees); 49 Pa. Code § 33.340 (relating to application for permit); and 49 Pa. Code § 33.380 (relating to fees); 49 Pa. Code § 33.340 (relating to fees); 40 Pa. Code § 33.
expiration and renewal of permits). § 33.340. Duties of dentists who are unrestricted permit issued under this subchapter shall ensure that: (1) Prior to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia, the permitholder takes on
updates a patient medical history and gives the patient a physical evaluation sufficient to determine the patient's suitability to receive general anesthesia, deep sedation, conscious sedation or nitrous
oxide/oxygen analgesia on an outpatient basis contains the following: (i) An operating room. (ii) An operating system. (iv) Suction equipment commensurate with the patient's age, size and condition. (v) Oxygen and supplemental gas delivery systems, including primary and back-up sources and a fail-
safe control mechanism. (vi) A sterilization area. (vii) A recovery area. (viii) A gas storage area and scavenger system. (ix) Emergency equipment. (xi) Patient transport equipment. (xii) Monitoring equipment, procedures
and documentation to conform to the age, size and condition of the patients (general dentists); and the AAOMS Guidelines for adult patients (general dentists); and the AAOMS Guidelines for adult patients (general dentists). (xiii) Capnograph for intubated patients and pulse oximeter.
    (xiv) ECG. (xv) Blood pressure monitoring device. (xvi) Defibrillator. (xvii) Results of patient medical history and patient physical evaluation, and identification of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia.
    (xviii) Signed, written, informed patient consent, prior to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia, which includes a description of the procedure, its risks and possible alternative treatments. Consent for a minor patient shall be obtained from the minor's parent or guardian.
    (xix) Stethoscope. (3) Auxiliary personnel who assist the permitholder in the administration of general anesthesia, deep sedation or conscious sedation: (i) Are trained to perform the duties that the permitholder and do not involve the
 actual administration of general anesthesia, deep sedation or conscious sedation. (ii) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the permitholder's authority.
    (iv) Are currently certified in BLS. (4) CRNAs who are delegated the duties of administering general anesthesia, deep sedation or conscious sedation: (i) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the performance of the duties. (ii) Do not perform duties that
are beyond the scope of the permitholder's authority. (iii) Are currently certified in ACLS. (5) The Board receives a complete report of a death or incident requiring medical care and resulting in physical or mental injury that directly
resulted from the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia by the permitholder or by a CRNA working under the supervision of the permitholder. The permitholder or by a CRNA working under the supervision of the permitholder or by a CRNA working under the supervision of the permitholder.
a dental office of the permitholder will be used for the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (8) General anesthesia or deep sedation of nitrous oxide/oxygen analgesia.
administration and monitoring of anesthesia, and the dental procedures are performed by a dental licensee who is not involved in the administration of the general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia is installed,
maintained and calibrated according to the equipment manufacturer's guidelines; is in proper working condition prior to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia; and monitoring equipment is being used during the administration of general anesthesia. (10) If the permitholder
travels to the offices of non-permitholders for the purpose of administering general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia, the permitholder dentist's office for the administration of general anesthesia,
and that the staff is properly trained to handle anesthesia-related emergencies. (11) General anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia is administered to adult patients in accordance with the ADOMS Guidelines and AAOMS Manual (OMSs) or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS Guidelines and AAOMS Manual (OMSs) or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance with the ADOMS or to adult patients in accordance wit
Guidelines (general dentists) or to pediatric patients in accordance with the AAPD Guidelines, or the AAPD Guidelines, the AAOMS Manual, the AAPD Guidelines and this subchapter. (12) Patient records are prepared, maintained and retained in
accordance with § 33.209 (relating to preparing, maintaining and retaining patient records). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action under sections.
11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d); amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § $ 122(o) and 130c(a)). Source The provisions of this § 33.340 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text
constitutes "appropriate" monitoring equipment lends itself to a situation in which the standards are left to be defined by the personal or professional views of individual members of the State Board of Dentistry, 740 A.2d 760 (Pa. Cmwlth. 1999). Cross References This section cited in 49 Pa. Code § 33.331
(relating to definitions); 49 Pa. Code § 33.336b (relating to approved peer evaluation organizations for administering clinical evaluations and office inspections); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations for administering clinical evaluations and office inspections); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 49 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organizations); 40 Pa. Code § 33.340 (relating to approved peer evaluation organization org
restricted permit I holders. (a) A dentist who possesses a restricted permit I issued under this subchapter shall ensure that: (1) Prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia, the permitholder takes or updates a patient medical history and gives the patient a physical evaluation sufficient to determine the
patient's suitability to receive conscious sedation or nitrous oxide/oxygen analgesia. (2) The dental office in which the permitholder administers conscious sedation or nitrous oxide/oxygen analgesia on an outpatient basis contains the following: (i) An operating room. (ii) An operating table or chair. (iii) A lighting system.
equipment commensurate with the patient's age, size and condition. (v) Oxygen and supplemental gas delivery systems, including primary and back-up sources and a fail-safe control mechanism. (vi) A sterilization area. (viii) A gas storage area and scavenger system. (ix) Emergency airway equipment and
medications, including intravenous emergency equipment. (xi) Communications equipment. (xi) Patient transport equipment. (xii) Monitoring equipment. (xii) Monitoring equipment. (xiii) Monitoring equipment. (xiiii) Monitoring equipment.
utilized, prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia. (xviii) Signed, written, informed patient consent, prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia. (xviii) Signed, written, informed patient consent, prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia.
shall be obtained from the minor's parent or guardian. (xix) Stethoscope. (3) Auxiliary personnel who assist the permitholder and do
not involve the actual administration of conscious sedation. (ii) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the permitholder.
certified in BLS. (4) CRNAs who are delegated the duties of administering conscious sedation: (i) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the permitholder of the duties. (ii) Do not perform duties that are beyond the scope of the permitholder's authority
    (iii) Are currently certified in ACLS. (5) The Board receives a complete report of a death or incident requiring medical care and resulting in physical or mental injury that directly resulted from the administration of conscious sedation or
nitrous oxide/oxygen analgesia by the permitholder or by a CRNA working under the supervision of the permitholder shall submit the report within 30 days of the death or incident. (7) The Board receives prior notice of the first time that a dental office of the permitholder will be used for the administration of conscious sedation or
nitrous oxide/oxygen analgesia. (8) Monitoring equipment and equipment used to administer conscious sedation and nitrous oxide/oxygen analgesia is installed, maintained and calibrated according to the equipment manufacturer's quidelines, contains a fail-safe system and is in proper working condition prior to the administration of conscious
sedation or nitrous oxide/oxygen analgesia. (9) If the permitholder travels to the offices of non-permitholder shall satisfactorily complete a clinical evaluation and the equipment transported to a non-permitholder dentist's office for the
administration of conscious sedation or nitrous/oxide oxygen analgesia by a permitholder must satisfactorily complete an inspection conducted by an approved peer evaluation organization sedation or nitrous/oxide oxygen analgesia by a permitholder must satisfactorily complete an inspection conducted by an approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organizations for administering clinical evaluations and office inspections) in accordance with the
requirements of the AAOMS Manual and AAOMS Guidelines, the AAPD Guidelines, as applicable. As part of that clinical evaluation and inspection, the permitholder shall certify that each office location in which conscious sedation or nitrous oxide/oxygen analgesia is administered has the equipment required by paragraph (2)
and that the staff is properly trained to handle anesthesia-related emergencies. (10) Conscious sedation and nitrous oxide/oxygen analgesia is administered to adult patients in accordance with the ADA Guidelines (general dentists) or to
pediatric patients in accordance with the AAPD Guidelines, or the AAPD Guidelines, the AAOMS Manual, t
to preparing, maintaining and retaining patient records). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 123.1). Authority
P. S. §§ 122(o) and 130c(a)). Source The provisions of this § 33.340a adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336b (relating to definitions); 49 Pa. Code § 33.336b (relating to definitions); 49 Pa. Code § 33.336b (relating to definitions); 49 Pa. Code § 33.331 (relating to definitions); 49 Pa. Code § 33.336b (relating to definitions); 49 Pa. Code § 33.336b (relating to definitions); 49 Pa. Code § 33.336b (relating to definitions); 49 Pa. Code § 33.331 (relating to definitions); 49 Pa. Code § 33.336b (relating to definitions); 40 Pa. Code § 33
inspections); 49 Pa. Code § 33.341 (relating to duties of dentists who are not permit II holders.) § 33.342 (relating to inspection of dentists who are restricted permit II issued under this subchapter shall ensure that: (1) Prior to the
administration of nitrous oxide/oxygen analgesia, the permitholder takes or updates a patient medical history and gives the patient a physical evaluation sufficient to determine the permitholder administers nitrous oxide/oxygen analgesia on an
outpatient basis contains the following: (i) An operating room. (ii) An operating table or chair. (iii) A lighting system. (iv) Dental office suction equipment. (v) Oxygen and supplemental gas delivery systems, including primary and back-up sources and a fail-safe control mechanism. (vi) A sterilization area. (vii) A gas
storage area and scavenger system. (viii) Communications equipment, procedures and documentation to conform to the age, size and condition of the patients (OMS), the ADA Guidelines for adult patients (general dentists) and the AAPD
Guidelines for pediatric patients (general dentists). (x) Results of patient medical history, patient physical evaluation of the administration of nitrous oxide/oxygen analgesia. (xi) Signed, written, informed patient consent, prior to the administration of the nitrous oxide/oxygen analgesia.
nitrous oxide/oxygen analgesia, which includes a description of the procedure, its risks and possible alternative treatments. Consent for a minor patient shall be obtained from the minor's parent or guardian. (xii) Stethoscope. (3) Nitrous oxide/oxygen analgesia is administered to adult and pediatric patients in accordance with the AAOMS
Guidelines and AAOMS Manual (OMS) or to adult patients in accordance with the AAPD Guidelines (general dentists) or to pediatric patients in accordance with the AAPD Guidelines and this subchapter shall be resolved in
favor of this subchapter. (4) Monitoring equipment and equipment manufacturer's guidelines, contains a fail-safe system and is in proper working condition prior to the administration of nitrous oxide/oxygen analgesia. (5) Patient
records are prepared, maintained and retained in accordance with § 33.209 (relating to preparing, maintaining and retaining patient records). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action under section 4.1 of the act (63 P. S. § 123.1). Authority The
provisions of this § 33.340b issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.340b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.331 (relating to definitions); 49 Pa. Code § 33.341 (relating to
duties of dentists who are not permitholders, (a) A dentist who does not possess a permit issued under this subchapter may not allow general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia to
be administered on an outpatient basis in his dental office unless the following conditions are met: (1) The Board receives prior notice of the first time that the dental office will be used for the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (2) The dental office meets the appropriate
effect. (3) The general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia, are administered by one of the following: (i) The holder of a permit under this subchapter or CRNA delegatee. (ii) A physician as defined in § 33.331 (relating to definitions). (4) Either the dentist who performs the dental procedure
or the CRNA, physician or permitholder who administers the general anesthesia, deep sedation or conscious sedation possesses a current certification in ACLS. (5) The nonpermitholder dentist receives a written certification from the permitholder that all monitoring equipment and equipment used to administer general anesthesia, deep sedation,
conscious sedation and nitrous oxide/oxygen analgesia is present in the nonpermitholder's office, is properly installed, maintained and calibrated according to the equipment manufacturer's guidelines, contains a fail-safe system and is in proper working condition prior to the administration of general anesthesia, deep sedation, conscious sedation or
nitrous oxide/oxygen analgesia, and that monitoring equipment is being used during the administration of general anesthesia. (6) The nonpermitholder that the permitholder dentist's office
for the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia by a permitholder has satisfactorily completed an inspection conducted by an approved peer evaluation organization strategies and office
inspection), in accordance with the requirements of the AAOMS Manual and AAOMS Guidelines (OMS), ADA Guidelines or AAPD Guidelines are applicable. (b) A dentist shall submit to the Board a complete written report on a death or an incident requirements of the AAOMS Manual and AAOMS Guidelines (OMS), ADA Guidelines or AAPD Guidelines, as applicable.
administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia in his dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action under section
4.1 of the act (63 P. S. § 123.1). (d) Beginning April 1, 2005, and for all subsequent renewal periods, non-permitholder licensees who maintain offices in which general anesthesia. These 5 hours shall be credited towards
the nonpermitholder licensee's continuing education requirement under § 33.401(a)(1) (relating to credit hour requirements). Authority The provisions of this § 33.341 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 122(o) and 130c(a)).
Source The provisions of this § 33.341 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (266045) to (266046). Notes of Decisions Notice In the absence of a
clause exempting from the notice requirements those who administered anesthesia prior to the effective date of the regulation applied only to new practitioners, the State Board of Dentistry's interpretation of that
regulation; the dentist was required to give notice the first time he used general anesthesia in his office after the effective date of the regulation. Watkins v. State Board of Dentistry, 740 A.2d 760 (Pa. Cmwlth. 1999). Cross References This section cited in 49 Pa. Code § 33.342 (relating to inspection of dental offices). § 33.342. Inspection of dental
offices. (a) Inspections. The Board, through its authorized agents, may conduct inspections of a dental office with or without prior notice, for the purpose of determining whether the office is in compliance with the equipment and facility requirements prescribed in § 33.340a(a)(2), § 33.340a(a)(2), or § 33.340a(a)(2), (relating to duties of dentists who
are unrestricted permit I holders; duties of dentists who are restricted permit I holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders. (2) Upon a complaint that
the office or the dentist who operates the office is not in compliance with this subchapter. (3) Upon a reasonable belief that conditions exist in the office, the Board's authorized agents will advise the dentist whose
office is being inspected that the inspection is being made under this section and is limited in scope by this section. (c) Access during inspection. A dentist shall give the Board's authorized agents access to: (1) Areas of the dential office where general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia are administered
  (2) Equipment, supplies, records and documents relating to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (3) Interviews with auxiliary personnel. (d) Guideline for inspection will be conducted under provisions pertaining to office facilities and equipment in
§ 33.340(a)(2), § 33.340a(a)(2), § 33.34
Board will give the dentist whose office was inspected written notice of the deficiencies and of the deficiencies and of the deficiencies and of the deficiencies. A reinspection shall take place within 30 days, and, if noncompliance is still shown, formal administrative charges may be initiated. Authority The provisions of this § 33.342 issued under sections 11.2 and 11.3
of The Dental Law (63 P. S. § 130c and 130d); amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.342 adopted July 8, 1988, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial
pages (266046) and (266047). § 33.343. Suspension, revocation, limitation of permit; refusal to issue or renew. The Board may, following notice and a hearing under section 4.1(c) of the act (63 P. S. § 123.1(c)), refuse to issue or renew.
requirements of the act or this subchapter. (2) Fraud or deceit in obtaining or attempting to obtain a permit. (3) Knowingly aiding or abetting the improper issuance of a permit. (4) Incompetence, negligence or misconduct in rendering services authorized by a permit. (5) Having a dental license suspended or revoked under section 4.1 of the
act. Authority The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions of this § 33.343 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The provisions 11.2 and 11.3 of The Dental Law (63 P. S. § $ 130c and 130d). Source The Dental Law (63 P. S. § $ 130c and 130d). Source The Dental Law (63 P. S. § $ 130c and 130d). Sourc
(a) Background. Section 11.2 of the act (63 P. S. § 130c) directs the Board to establish minimal training and education for the issuance of permits to dentists to administer general anesthesia, conscious sedation and analgesia on an outpatient basis. Definitions of these three terms appear in section 2 of the act (63 P. S. § 121). The definition of
conscious sedation as "a minimally depressed level of consciousness... produced by a pharmacologic or nonpharmacologic method, or combination thereof" has raised the question and thus triggers the permit requirement. (b) Purpose. The Board regards section
11.2 of the act as expressing the legislature, the Board believes that the protection afforded by the act extends to
patients who, owing to a depressed level of consciousness produced by premedication, are at greater risk during the dental procedure and the recovery period thereafter. The Board believes further that such an increase in patient risk as a result of premedication requires the dentist to have training in preventing, recognizing and managing
complications and emergencies associated with conscious sedation. It is this training which the conscious sedation permit requirement is designed to ensure. (c) Implementation and the patient's physical and medical condition—bear on the effects of premedication
during and after the dental procedure and that judgments as to these effects are the professional responsibility of the dentist. It is for the dentist therefore to determine whether premedication produces conscious sedation creating an increased risk of harm to the patient. If so, the dentist shall possess a restricted permit I or an unrestricted permit. In
disciplinary proceedings brought against a dentist who has premedicated a patient without a permit, the Board will consider whether the average dentist in this Commonwealth, acting reasonably under the same circumstances, would have concluded, based on this section, the act and this chapter, that a permit was required. (d) Guidelines. The
Board cannot provide absolute directives as to when a dentist is required to possess a permit before premedicating patients. The Board offers, however, the following guidelines concerning patients who, in its judgment, are most and least likely to require the protection afforded by the permit requirement: (1) The Board regards pediatric patients
geriatric patients, patients with handicapping conditions and patients who are medically compromised as principal candidates for nonparenteral premedicate patients from these groups are advised to consider most carefully whether the permit requirement applies.
  (2) The Board regards persons not in the groups enumerated in paragraph (1), for whom nonparenteral premedications are used solely to relieve dentally related pain, as generally incurring no increased risk of injury. In the absence of obvious risk,
premedication of these patients is not considered conscious sedation for purposes of the permit requirement. Source The provisions of this § 33.344 adopted December 9, 1989, 19 Pa.B. 5223. Subchapter F. CONTINUING DENTAL EDUCATION Sec. 33.401. Credit-hour requirements. 33.402. Continuing education
subject areas. 33.403. Program sponsors. 33.404. Reporting continuing education credit hours. Authority The provisions of this Subchapter F adopted August 11, 2000, effective August 12, 2000, effective August 12, 2000, effective August 12, 2000, effective August 12, 2000, effective August 13, 2000, effective August 14, 2000, effective August 12, 2000, effective August 14, 2000, effective August 15, 2000, effective August 16, 2000, effective August 17, 2000, effective August 17, 2000, effective August 18, 2000, effective August 19, 2000, effective August 1
2000, 30 Pa.B. 4245, unless otherwise noted. Cross References This subchapter cited in 49 Pa. Code § 33.105 (relating to biennial renewal of licenses and certificates). § 33.401. Credit-hour requirements. (a) An applicant shall complete the following continuing education credit hours during the preceding biennial period: (1) Dentists—30 hours
  (2) Dental hygienists—20 hours. (3) Expanded function dental assistants—10 hours. (b) Except as provided in subsection (h), the required hours shall be taken in subject areas listed in § 33.403 (relating to continuing education subject areas) from a program sponsor listed in § 33.403 (relating to program sponsors). (c) At least 50% of the
required credit hours shall be taken in lecture or clinical presentations. (d) A maximum of 50% of the required credit hours as preparation time
for each credit hour of instruction, and for actual instruction, up to 50% of the required hours. Additional credit hours for instructors are subject to the limitations of subsection (e). (2) Authors will be awarded for repeating a
program in the same renewal period unless the subject matter has substantially changed during that period. (f) A licensee or certificate holder suspended for disciplinary reasons is not exempt from the continuing education
requirement in subsection (a) for only the biennial period during which the applicant passed the licensure or certification examination. (2) An applicant who cannot meet the continuing education requirement due to illness, emergency or hardship may apply to the Board in writing for a waiver. The request must explain why compliance is
impossible. Waiver requests will be evaluated on a case-by-case basis. (h) All licensees and certificate holders shall complete 2 of the required hours of continuing education in approved courses on child abuse recognition and reporting—mandatory training requirement). The
 Board will not renew a license or certificate unless the bureau has received an electronic report from an approved course provider documenting the attendance/participation by the licensee or certificateholder. Authority The provisions of this § 33.401 amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective
Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.401 amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial pages (363518). Cross References This section cited in 49 Pa. Code § 33.336a (relating to requirements for unrestricted permit and restricted
permit I); and 49 Pa. Code § 33.341 (relating to duties of dentists who are not permitholders). § 33.402. Continuing education subject areas. (a) Except as provided in subsections (c)—(e), the required credit hours shall be completed in subject areas.
health dental hygiene practitioner or expanded function dental assistant. Examples of acceptable subjects include: (1) Diagnosis and treatment of oral pathosis. (2) Clinical and technological subjects. (3) Emergency procedures excluding hours required for cardiopulmonary resuscitation (CPR) certification. (4) Infection control. (5) Abuse
and neglect. (6) Medical and scientific subjects. (7) Laws and regulations pertaining to dentists, dental hygienists and expanded function dental assistants. (b) Credit hours will not be awarded in nonclinical subjects, including: (1) Billing. (2) Office management. (3) Practice building. (4) Insurance reimbursement. (5) Communication
skills, except as provided in subsection (c). (c) A dental hygienist may complete no more than three of the required 20 hours of continuing education in public health-related courses. (e) A
school dental hygienist who is certified as a public health dental hygiene practitioner and who, as a certified education courses for the Public School Code of 1949 (24 P. S. § 12-1205.2) may submit evidence of the completion of education courses
approved for certification by the school district to meet the 20-hour continuing education requirement. (f) A dental hygienist who holds a local anesthesia, including pharmacology or other related courses.
(g) Expanded function dental assistants shall comply with the following: (1) Except as provided in paragraph (2), expanded function dental assistants shall complete 3 of the 10 required hours of continuing education in the area of coronal polishing as follows:
the Board by March 31, 2011, shall complete the 3 hours of continuing education in the area of coronal polishing as a condition of renewal for the biennial period which begins on April 1, 2013. (ii) Unless an exemption applies, an expanded function dental assistant certified by the Board after March 31, 2011, shall complete the 3 hours of
continuing education in the area of coronal polishing as a condition of renewal for the first complete 3 hours of continuing education in coronal polishing in paragraph (1): (i) Expanded function
dental assistants who are also licensed as dental hygienists. (ii) Expanded function dental assistants who can document that they have completed coursework including coronal polishing as part of their education at a Board-approved EFDA education program at any time after June 28, 2010. (iii) Expanded function dental assistants who can
document that they have completed a course in coronal polishing of at least 3 hours offered by an approved program sponsor at any time after June 28, 2010. (3) The requirements of this subsection may not be met through video, online or distance education, but shall be completed by physical attendance at a hands-on clinical training course
offered by an approved program sponsor or an approved EFDA education program. Authority The provisions of this § 33.402 amended under section 3 of The Dental Law (63 P. S. § 122; and section 4 of the act of April 29, 2010 (P. L. 176, No. 19). Source The provisions of this § 33.402 amended December 11, 2009, effective December 12, 2009,
39 Pa.B. 6982; amended September 7, 2012, effective September 8, 2012, 42 Pa.B. 5736. Immediately preceding text appears at serial pages (346674) to (346675). Cross References The provisions of this § 33.401 (relating to credit-hour requirements).
  (1) An accredited dental, dental hygiene or expanded function dental assisting school or program. (2) The medical or osteopathic medical school or college accredited by an accredited by accredited by accredited by accredited by
Continuing Education Review Program, the American Dental Association's specialty association and the American Dental Hygienists Association. (4) The National Dental Association and the American Dental Hygienists Association.
American Osteopathic Medical Association and the American Nursing Association. (6) The Pennsylvania Academy of General Dentistry National Sponsor Approval Program. (8) The Veterans' Administration. (9) The United States military services. (10) The National Institutes of Health.
 (11) The United States Public Health Services. (b) Program sponsors shall: (1) Disclose in advance to prospective participants the objectives, prerequisites, experience level, content, required advanced preparation, teaching method and number of continuing education credits involved in the program. (2) Conduct programs in subjects which
contribute directly to the maintenance of clinical competence of a dentist, dental hygienist or expanded function dental assistant. (3) Provide program materials which are accurate and consistent with currently accepted standards relating to the program of the number and
type of participants and the teaching methods to be utilized. (5) Evaluate the program, through questionnaires of the participants and instructors, to determine its effectiveness. (6) Retain accurate attendance records and written outlines for a 4-year period. (7) Provide participants with a continuing education certificate after assuring
satisfactory completion and attendance of the program. (c) The Board may, following notice and hearing under 2 Pa.C.S. § $ 501—508 (relating to practice and procedure of Commonwealth agencies), withdraw the approval of a program sponsor for cause and amend subsection (a) accordingly. (d) A party desiring to be an approved program
sponsor shall file a written petition with the Board outlining the party's qualifications and experience. Upon Board approval, subsection (a) will be amended accordingly. Cross References This section cited in 49 Pa. Code § 33.401 (relating to credit-hour requirements).
provide the requested information concerning the required hours on an application for biennial renewal. (b) The applicant shall provide a copy of the documentation consists of any one of the following: (1) A continuing
education certificate or sponsor-generated printouts. (2) A certified transcript of courses taken for credit in an accredited university or college. For noncredit courses taken, a statement of hours of attendance, signed by the instructor. (3) Evidence of publication for published articles, books or continuing education programs. (4) Evidence
obtained from the program sponsor of having been an instructor, including an agenda. (d) The responsibility for documentation shall be maintained for 4 years after the completion of the program. (e) Falsification of information required under subsection (a)
constitutes a violation of § 33.212(1) (relating to misleading, deceptive, untrue or fraudulent representations) and section 4.1 of the act (63 P. S. § 123.1(a)(2)). (f) Failure to comply with subsection (b) may result in disciplinary or corrective action. No part of the information on this site may be reproduced for profit or sold for profit. This material
has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version. Page 2 CHAPTER 33. STATE BOARD OF DENTISTRY A. GENERAL PROVISIONS ... 33.1 B. LICENSURE OF
DENTISTS AND DENTAL HYGIENISTS AND CERTIFICATION OF EXPANDED FUNCTION DENTAL ASSISTANTS ... 33.201 D. PERFORMANCE OF RADIOLOGIC PROCEDURES BY AUXILIARY PERSONNEL ... 33.301 E. ADMINISTRATION OF GENERAL ANESTHESIA, DEEP
SEDATION, CONSCIOUS SEDATION AND NITROUS OXIDE/OXYGEN ANALGESIA ... 33.331 F. CONTINUING DENTAL EDUCATION ... 33.401 Authority The provisions of this Chapter 33 issued under The Dental Law (63 P. S. § 120—130b), unless otherwise noted. Cross References This chapter cited in 25 Pa. Code § 215.24 (relating to
human use); 49 Pa. Code § 23.34 (relating to professional corporations); 49 Pa. Code § 27.21 (relating to professional corporations); 49 Pa. Code § 47.21 (relating to professional corporations). Subchapter
A. GENERAL PROVISIONS Sec. 33.1. Definitions, 33.2. [Reserved], 33.21. [Reserved], 33.31. [Reserved], 33.41. [Reserved], 33.43. [Reserved], 33.45. [Reserved], 33.46. [Reserved], 33.46. [Reserved], 33.47. [Reserved], 33.47. [Reserved], 33.47. [Reserved], 33.48. [Reserved], 33.48. [Reserved], 33.48. [Reserved], 33.49. [Reserved], 33.49.
33.47. [Reserved]. 33.48. [Reserved]. 33.51. [Reserved]. 33.51. [Reserved]. 33.51. [Reserved]. 33.51. [Reserved]. 33.51. [Reserved]. 33.51. [Reserved]. 33.61. [Reserved]. 33.48. [Reserved]. 33.51. [Reser
American Society of Anesthesiologists for a patient without systemic disease. ASA CLASS II—A classification of patient status developed by the American Society of Anesthesiologists for a patient with
severe systemic disease that limits activity but is not incapacitating. ASA CLASS IV—A classification of patient status developed by the American Society of
Anesthesiologists for a moribund patient not expected to survive 24 hours with or without operation. Act—The Dental Law (63 P. S. § 120—130i), which regulates the licensure of dentistry and practice as a dental hygienist and the practice as a dental hy
supportive procedures authorized by the act and this chapter under the general or direct supervision of a dentist, restricted faculty license holder, dental hygiene practitioner—A dentist, restricted faculty license holder, dental hygienist, public health dental hygiene practitioner or expanded function dental assistant. Board regulated practitioner—A dentist, restricted faculty license holder, dental hygienist, public health dental hygienist hygienist, public health dental hygienist hygienist, public health dental hygienist hygie
pain. Bureau—The Bureau of Professional and Occupational Affairs of the Commonwealth. Child—An individual under 18 years of age. Child abuse—Intentionally, knowingly or recklessly doing any of the following: (i) Causing bodily injury to a child through any recent act or failure to act. (ii) Fabricating, feigning or intentionally
exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act. (iii) Causing or substantially contributing to serious mental injury to a child through any recent act.
exploitation of a child through any act or failure to act. (vi) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act. (vii) Causing serious physical neglect of a child. (viii) Engaging in any
                                                                                                                                                                                                                                                                                                                                                                                              (C) Forcefully shaking a child under 1 year of age.
                                          (A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child. (B) Unreasonably restraining or confining a child, based on consideration of the method, location or duration of the restraint or confinement.
      (D) Forcefully slapping or otherwise striking a child under 1 year of age. (E) Interfering with the breathing of a child. (F) Causing a child to be present at a location while a violation is being investigated by law
                       (G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
                                                                                                                                                                                                                        (I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), where the victim of the sexual
offense was under 18 years of age when the crime was committed.
                                                                                               (II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.
                                                                                                                                                                                                                                                                                                 (III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).
       (IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration). (I) Engaging a child in a severe form of trafficking in persons or sex
trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C.A. § 7102). ChildLine—An organizational unit of the Department of Human Services, which operates a 24-hour a day Statewide toll free telephone system for receiving reports of suspected child abuse, referring reports for
investigation and maintaining the reports in the appropriate file. Continuing education certificate—A document prepared by the program sponsor which contains the title of the course, the dates attended or completed and the hours of education completed. Coronal polishing— (i) A procedure limited to the supragingival removal of light plaque
and extrinsic stain from the exposed natural and restored surfaces of the teeth using a rotary instrument with a rubber cup or brush and a polishing agent. (ii) The term does not include calculus removal. Credit hour—A minimum unit of continuing education consisting of 60 minutes of instruction. Programs longer than 60 minutes will be
credited in 30 minute increments. Current patient— (i) A person that is in the process of dental treatment with a Board-regulated practitioner within the previous 3 months. (ii) The term does not include a patient who has terminated the Board-regulated practitioner/patient
relationship by being accepted as a patient of record at another dental practice. Dental clinic—A public or quasipublic institution operated not for profit which has as a primary purpose providing dental health care. Department—The Department of State of the Commonwealth. Direct supervision—Supervision by a dentist who examines the
patient, authorizes the procedure to be performed, is physically present in the dental facility and available during performance of the procedure, and examines and takes full professional responsibility for the completed procedure, and examines and takes full professional responsibility for the completed procedure.
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supervision by a dentist who examines the patient, develops a treatment plan, authorizes the performance of the dental hygiene services to be performance of the dental hygienest. In facilities identified in § 33.205(c)(2) and (3) (relating to practice as a dental

licensees qualified under this subchapter: (1) Unrestricted permit. A permit which authorizes the holder to administer conscious sedation or nitrous oxide/oxygen analgesia. (2) Restricted permit II. A permit which authorizes the holder to administer conscious sedation or nitrous oxide/oxygen analgesia. (3) Restricted permit II. A permit which authorizes the holder to administer nitrous oxide/oxygen analgesia. (4) Temporary permit. A permit be applicant for an unrestricted I permit to administer the appropriate type of anesthesia relevant to the applicant's qualifications. Authority

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hygienist), general supervision is defined in § 33.205(d)(2). Individual study—A course of continuing education offered by an approved program sponsor, which permits the participant to learn without interactive learning methodologies and which requires a passing grade on a written examination or workbook
   Local anesthesia—The elimination of sensations, especially pain, in one part of the body by regional injection of an anesthetic agent. Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term
includes all Board regulated practitioners. Parent—A biological parent, adoptive parent or legal guardian. Perpetrator—A person who has committed child abuse as defined in this section. (i) This term includes only the following: (A) A parent of the child. (B) A spouse or former spouse of the child's parent.
former paramour of the child's parent. (D) A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee of child-care service, a school or through a program, activity or service. (E) An individual 14 years of age or older who resides in the same home as the child.
individual 18 years of age or older who does not reside in the same home of the child but is related within the third degree of consanguinity or affinity by birth or adoption of the child. (G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section
103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C.A. § 7102). (ii) Only the following may be considered a perpetrator for failing to act, as provided in this section: (B) A spouse or former spouse of the child's parent.
18 years of age or older and responsible for the child's welfare. (E) A person 18 years of age or older who resides in the same home as the child. Person responsible for the child's welfare.—A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental
care, supervision and control. Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization: (i) A recreational camp or program. (ii) A recreational camp or program.
     (v) An enrichment or educational program. (vi) A troop, club or similar organization. Program sponsor—The party approved by the Board who is responsible for the development and presentation of the continuing dental hygiene practitioner—A licensed denta
as having met the requirements of section 11.9 of the act (63 P.S. § 130j), and who is authorized to perform dental hygiene practitioner) without the authorization, assignment or examination of a dentist. Recent act or failure to act—An act or failure to act
committed within 2 years of the date of the report to the Department of Human Services or county agency. Serious mental injury—A psychologist, including the refusal of appropriate treatment, that does one or more of the following: (i) Renders a child chronically and severely
anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened. (ii) Seriously interferes with a child's life or safety is threatened. (ii) Seriously interferes with a child's life or safety is threatened.
health, threatens a child's well-being, causes bodily injury or impairs a child in a manner that is appropriate considering the child's development or functioning:

(i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's development or functioning:

(ii) The failure to provide a child in a manner that is appropriate considering the child's development or functioning:

(iv) A repeated, prolonged or egregious failure to provide a child with adequate essentials of life, including
food, shelter or medical care. Sexual abuse or exploitation—Any of the following: (i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in sexually explicit conduct, which includes the following: (A) Looking at the sexual or other intimate parts of a child or
another individual for the purpose of arousing or gratifying sexual desire in any individual. (B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer or 
                                                                                                       (D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming. (ii) Any of the following offenses committed against a child:
               (B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault). (C) Involuntary deviate sexual intercourse). (D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).
sexual assault as defined in 18 Pa.C.S. 3124.2 (relating to institutional sexual assault). (F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault). (G) Indecent assault as defined in 18 Pa.C.S. § 3127
(relating to indecent exposure). (I) Incest as defined in 18 Pa.C.S. § 4302 (relating to prostitution and related offenses). (K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).
Pa.C.S. § 6318 (relating to unlawful contact with minor). (M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children). (iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or
older and whose age is within 4 years of the child's age. Sexual misconduct—Any conduct with a current patient, including words, gestures or expressions, actions or any combination thereof, which is sexual in nature. Subgingival agents—Therapeutic agents, including
antimicrobials, antibiotics, antibiotics, antibeptics or anesthetics or anesthetics, placed below the free margin of the gingiva by a local delivery system or device, including injectable systems for ointments, gels or pastes, and degradable or nondegradable or
the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); sections 3, 4.1(a)(8) and 10.1 of The Dental Law (63 P. S. § 122, 123(a)(8) and 129.1); and section 4 of the act of April 29, 2010 (P. L. 176, No. 19). Source The provisions of this § 33.1 adopted April 4, 1949; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended
November 8, 1996, effective November 9, 1996, 26 Pa.B. 5410; corrected November 12, 2000, 30 Pa.B. 4245; amended November 14, 2008, effective November 15, 2008, 38 Pa.B. 6279; amended December 11, 2009, effective December 12, 2009, 39 Pa.B. 5700; amended November 14, 2008, effective November 15, 2008, 38 Pa.B. 6279; amended December 11, 2009, effective November 12, 2009, 39 Pa.B. 5700; amended November 19, 1996, 26 Pa.B. 5700; amended November 19, 1990; amended November 19, 1990; amended
Pa.B. 6982; amended February 10, 2012, effective February 11, 2012, 42 Pa.B. 769; amended September 7, 2012, effective September 8, 2012, 42 Pa.B. 5736; amended July 31, 2020, effective February 11, 2012, 42 Pa.B. 5736; amended September 8, 2012, 42 Pa.B. 5736; amended July 31, 2020, effective February 11, 2012, effective February 11
Decisions Ripeness Petition for review of these regulations was dismissed as the association of dental hygienists' allegations of direct and immediate harm did not establish the justiciability of a pre-enforcement challenge to this regulation. The association's allegations of change in their work schedule, reduced availability of dental hygiene
 services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental hygiene care are merely anticipatory, speculative and too remote to support a claim of direct and immediate harm. Pennsylvania Dental Hygienists' Association v. State Board of Dentistry, 672 A.2d 414 (Pa. Cmwlth. 1996). Cross
References This section cited in 49 Pa. Code § 33.202 (relating to fictitious names). § 33.2. Applicability of general rules of administrative practice and procedure) is applicable to the activities of and proceedings before the Board. Source The
provisions of this § 33.2 adopted December 19, 1975, effective December 20, 1975, 5 Pa.B. 3274. § 33.3. Fees. (a) Following is the schedule of fees charged by the Board: Application fee—dentists ...$75 Application fee—dent
dental hygiene practitioner ... $20 Application fee—local anesthesia permit ... $20 Criteria approval application fee expanded function dental assistants ... $75 Fictitious name registration fee—dental hygienists ... $20 Criteria approval application fee expanded function fee expanded function fee expanded function fee—dental hygienists ... $75 Criteria approval application fee expanded function fee expanded function fee—dental hygienists ... $75 Criteria approval application fee expanded function fee—dental hygienists ... $75 Criteria approval application fee—dental hygienists ... $75 Criteria approval application fee expanded function fee—dental hygienists ... $75 Criteria approval application fee—dental hygien fee application fee application fee application fee application
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renewal fee—expanded function dental assistants ...$26 Biennial renewal fee—EFDA program approval ...$42 Biennial renewal fee—certificate of public health dental hygiene practitioner ...$42 Biennial renewal fee—expanded function dental assistants ...$43 Biennial renewal fee—expanded function dental hygiene practitioner ...$44 Biennial renewal fee—expanded function dental hygiene practitioner ...$45 Biennial renewal fee—expanded function dental hygiene practitioner ...$45 Biennial renewal fee—expanded function dental hygiene practitioner ...$45 Biennial renewal fee—expanded function dental hygiene practitioner ...$46 Biennial renewal fee—expanded function dental hygiene practitioner ...$47 Biennial renewal fee—expanded function dental hygiene practitioner ...$48 Biennial renewal fee—expanded function dental hygiene practitioner ...$48 Biennial renewal fee—expanded function dental hygiene practitioner ...$49 Biennial renewal fee—expanded function dental hygiene practitioner ...$40 Biennial renewal fee—expanded function application function application function functi
faculty member ...$75 (b) For fees related to anesthesia permits, refer to § 33.339 (relating to fees for issuance of permits). Authority The provisions of this § 33.3 issued under section 4 of The Dental Law (63 P. S. § 122 and 123(a) and (b)). Source The provisions
of this § 33.3 adopted April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; amended March 22, 1991, effective May 20, 1995, 25 Pa.B. 1950; amended May 19, 
23, 1997, effective May 24, 1997, 27 Pa.B. 2547; amended June 5, 1998, effective June 6, 1998, 28 Pa.B. 2590; amended May 13, 2004, effective May 14, 2005, 35 Pa.B. 2899; amended December 11, 2009, effective May 1, 2004, effective May 13, 2005, effective May 14, 2005, 35 Pa.B. 2899; amended December 11, 2009, effective May 14, 2007, amended May 13, 2008, effective May 14, 2008, amended May 13, 2008, effective May 14, 2008, amended May 13, 2008, effective May 14, 2008, amended May 15, 2008, effective May 14, 2008, amended May 15, 2008, effective May 16, 2008, effective May 18, 2008, effective May 18, 2008, effective May 19, 2008, effective May 19,
December 12, 2009, 39 Pa.B. 6982; amended February 10, 2012, effective February 11, 2012, 42 Pa.B. 769; amended December 20, 2013, effective December 20, 2013, effective December 21, 2013, 43 Pa.B. 7441. Immediately preceding text appears at serial pages (363507) to (363508). Cross References This section cited in 49 Pa. Code § 33.101 (relating to general
information); 49 Pa. Code § 33.105 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to volunteer license); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relating to biennial renewal of licenses); 49 Pa. Code § 33.116 (relati
Code § 33.117 (relating to EFDA program approval); and 49 Pa. Code § 33.202 (relating to fictitious names). § 33.4. Board address. The address of the Board is State Board of Dentistry, Post Office Box 2649, Harrisburg, PA 17105-2649. Source The provisions of this § 33.4 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492.
§ 33.11. [Reserved]. Source The provisions of this § 33.11 adopted April 4, 1949; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (156434). § 33.12 adopted April 4, 1949; reserved June 23, 1995, effective June 24
1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (156434). § 33.21. [Reserved]. Source The provisions of this § 33.21 adopted April 4, 1949; amended May 6, 1977, 7 Pa.B. 1237; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (154121)
§ 33.22. [Reserved]. Source The provisions of this § 33.22 adopted December 24, 1977, 7 Pa.B. 3925; amended September 7, 1984, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (154121) and (119334).
§ 33.31. [Reserved]. Source The provisions of this § 33.31 adopted April 4, 1949; amended August 2, 1985, effective August 3, 1985, 15 Pa.B. 2492. Immediately preceding text appears at serial pages (119334) to (119336) and (159385). § 33.32. [Reserved]. Source The provisions of
this § 33.32 adopted April 4, 1949; reserved July 20, 1990, effective July 21, 1990, 20 Pa.B. 3972. Immediately preceding text appears at serial pages (119337) to (119338). § 33.41. [Reserved]. Source The provisions of this § 33.41 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2396; reserved
June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (159385) to (159386). Law Reviews The Choice Between Adjudication and Rulemaking for Developing Administrative Policy in Pennsylvania, Fitzpatrick, Terrance J., 4 Widener J. Public L. 373 (1995). § 33.43. [Reserved]. Source The
provisions of this § 33.43 adopted May 24, 1985, effective May 25, 1985, 15 Pa.B. 1915; reserved June 24, 1985, effective May 25, 1985, 15 Pa.B. 1915; reserved June 24, 1985, effective May 25, 1985, 15 Pa.B. 1915; reserved June 24, 1985, effective May 26, 1985, 15 Pa.B. 1915; reserved June 28, 1985, effective May 26, 1985, effective May 27, 1985, effective May 28, effective May 28, 1985, effective May 28, effective May 28,
23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (159386) to (159388). § 33.46 adopted September 20, 1986, effective September 20, 1986, 16 Pa.B. 3511; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text
appears at serial pages (159388) and (178769). § 33.47. [Reserved]. Source The provisions of this § 33.47. [Reserved]. Source The provisions of this § 33.47. [Reserved]. Source The provisions of this § 33.48. [Reserved]. Source The provisions of this § 33.48. [Reserved]. Source The provisions of this § 33.48. [Reserved]. Source The provisions of this § 33.47. [Reserved]. Source The provisions of this § 33.49. [Reserved]. Source The provisions of this § 33.49. [Reserved]. Source The provisions of this § 33.49. [Reserved]. Source The provisions of this § 33.47. [Reserved]. Source The provisions of this § 33.47. [Reserved]. Source The provisions of this § 33.49. [
provisions of this § 33.48 adopted March 5, 1993, effective March 6, 1993, 23 Pa.B. 1065; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (178770) to (178771). § 33.51. [Reserved]. Source The provisions of this § 33.51 adopted Movember 11, 1977, effective November 12, 1977, 70.00 and 1979.
 Pa.B. 3316; amended January 20, 1978, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (178771) and (159391) to (159392). § 33.51a. [Reserved]. Source The provisions of this
§ 33.51a adopted June 12, 1987, effective June 13, 1987, ffective June 13, 1987, 17 Pa.B. 2216; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (159392). § 33.52 adopted January 28, 1978, 8 Pa.B. 252; reserved July 20, 1990,
effective July 21, 1990, 20 Pa.B. 3972. Immediately preceding text appears at serial page (119344). § 33.61. [Reserved]. Source The provisions of this § 33.61 adopted December 14, 1990, effective December 15, 1990, 20 Pa.B. 3972. Immediately preceding text appears at serial pages
(159393) to (159394) and (167701). Subchapter B. LICENSURE OF DENTISTS AND CERTIFICATION OF EXPANDED FUNCTION DENTAL ASSISTANTS Sec. 33.101. General information. 33.102. Professional education. 33.103. Examinations. 33.104. Initial licensure/certification; licensure/certification documents
              Biennial renewal of licenses and certificates. 33.106. Reactivation of licenses and certificates. 33.107. Licensure and certificate holder's change of name or address; service of process and legal papers. 33.110. Volunteer license.
             [Reserved]. 33.112. [Reserved]. 33.113. [Reserved]. 33.114. First certification examination. 33.115. Local anesthesia permit. 33.116. Certification of public health dental hygiene practioners. 33.117. [Reserved]. 33.121. [Reserved]. 33.122. [Reserved]. 33.123. [Reserved]. 33.124. [Reserved]. 33.124. [Reserved]. 33.124. [Reserved]. 33.125. [Reserved]. 33.125. [Reserved]. 33.126. [Reserved]. 33.127. [Reserved]. 33.127. [Reserved]. 33.128. [Reserved]. 33.129. [Rese
                 [Reserved]. 33.131. [Reserved]. 33.134. [Reserved]. 33.134. [Reserved]. 33.145. [Reserved]. 33.145. [Reserved]. 33.146. [Reserved]. 33.147. [Reserved]. 33.147. [Reserved]. 33.147. [Reserved]. 33.148. [Reserved]. 33.149. [Reser
               [Reserved]. 33.164. [Reserved]. 33.191. [Reserved]. 33.191. [Reserved]. Authority The provisions of this Subchapter B issued by the
Board may practice dentistry or may practice as an expanded function dental assistant in this Commonwealth. (c) To secure a license or certificate, an applicant shall satisfy the requirements of the act and of this subchapter.
 (d) Applications for licensure or certification shall be made on forms supplied by the Board and shall be accompanied by the Board and shall be accompanied by the application fee in § 33.101 amended under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. § § 121—124.1, 129—129.1, 130, 130e and 130h). Source
   The provisions of this § 33.101 adopted January 18, 1965; amended September 12, 1975, effective June 24, 1995, 25 Pa.B. 2397; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2397; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended June 24, 1995, effective June 24, 
 education. (a) Dentists. (1) Candidates for licensure as dentists shall show compliance with section 3(c) of the act (63 P. S. § 122(c)) which requires a diploma from an "approved institution or college," by submitting certification of the
 American Dental Association. (2) Candidates for licensure who received their professional education outside the United States in a nonaccredited or provisionally accredited school and obtaining additional preclinical and clinical training that will lead to
the awarding of the D.M.D. or D.D.S. degree by that school. (b) Dental hygienists. (1) Candidates for licensure as dental hygienists shall show compliance with section 3(d) of the act by submitting certification of graduation from a dental hygienists shall show compliance with section 3(d) of the act by submitting certification of graduation from a dental hygienists.
recognized regional accrediting agency or the Commission on Dental Accreditation (CODA) of the American Dental Association, if the school's dental hygiene course of study comprises a minimum of 2 years of at least 30 hours each week or its equivalent. (2) Candidates for licensure who received their professional education
outside the United States in a nonaccredited school may satisfy the education requirement by submitting that will lead to the awarding of a degree in dental hygiene by that school. (c) Expanded function dental assistants. (1) Candidates for
certification as expanded function dental assistants shall show compliance with section 3(d.1) of the act by submitting verification of one of the following: (i) Graduation from a Board-approved EFDA program at a 2-year college or other institution accredited by an accredited by an accrediting agency approved by the United States
Department of Education Council on Postsecondary Accreditation which required the successful completion of at least 75 hours of clinical and didactic instruction in restorative functions accredited by the Commission on Dental Accreditation
 (CODA) of the American Dental Association. (iii) Completion of a Board-approved EFDA program, which offers a certificate or diploma, consisting program accredited by one of the following: (A) The Commission on Dental Accreditation (CODA) of the American
                                  (B) An accrediting agency approved by the United States Department of Education Council on Postsecondary Accreditation whose expanded function educational standards are approved by the Board will approve EFDA programs that meet the criteria in § 33.117 (relating to EFDA program approval). A list of
 Board-approved EFDA programs will be maintained on the Board's web site. (3) Candidates for certification who receive their professional education outside the United States or from a nonaccredited program may satisfy the education who receive their professional education outside the United States or from a nonaccredited program may satisfy the education who receive their professional education outside the United States or from a nonaccredited program may satisfy the education who receive their professional education outside the United States or from a nonaccredited program may satisfy the education outside the United States or from a nonaccredited program may satisfy the education requirement by submitting their professional education outside the United States or from a nonaccredited program may satisfy the education outside the United States or from a nonaccredited program may satisfy the education outside the United States or from a nonaccredited program may satisfy the education outside the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education outside the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the United States or from a nonaccredited program may satisfy the education of the Unite
that will lead to the awarding of a degree by that school. (4) This subsection does not apply to persons who are not required to meet the educational requirements under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. § $ 121—124.1, 129—129.1,
130, 130e and 130h). Source The provisions of this § 33.102 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective December 11, 2009, effective December 12, 2009, and 130h). Source The provisions of this § 33.102 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective December 11, 2009, effective December 12, 2009, and 130h).
preceding text appears at serial pages (346645) to (346646) and (349677). Cross References This section cited in 49 Pa. Code § 33.117 (relating to EFDA program approval). § 33.103. Examination (written examination) and the dental clinical examination
 administered by one of the following: (1) The North East Regional Board of Dental Examiners, Inc. (NERB). (2) The Southern Regional Dental Testing Agency, Inc. (CRDTS). (5) The Council of Interstate Testing Agencies, Inc. (CITA)
 (b) Dental hygienists. Candidates for licensure shall pass the National Board Dental Hygiene Examination (written examination) and the dental hygiene clinical examiners, Inc. (NERB). (2) The Southern Regional Testing Agency, Inc. (SRTA).
  (3) The Western Regional Examining Board (WREB). (4) The Central Regional Dental Testing Service, Inc. (CRDTS). (5) The Council of Interstate Testing Agencies, Inc. (CITA). (6) Expanded function dental assistants. Candidates for certification shall pass a written examination acceptable to the Board. (d) Additional requirement. The Board
 will recognize successful completion of the dental or dental or dental hygiene clinical examinations or the expanded function dental assistant examination approved by the Board will accept passing scores on the examinations only if the candidate has been engaged in
postgraduate training or in the practice of dentistry, as a dental hygienist or as an expanded function dental assistant in another jurisdiction. Authority The provisions of this § 33.103 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this
  33.103 adopted June 23, 1995, effective June 24, 1995, except subsection (c) effective June 24, 1996, 25 Pa.B. 2492; amended May 12, 2000, effective September 3, 2004, 34 Pa.B. 4882; amended May 14, 2010, effective May 15, 2010, 40 Pa.B. 2532. Immediately preceding text
appears at serial pages (346647) and (342139). § 33.104. Initial licensure/certification documents. (a) Each new licensee is issued a wall certificate and a registration packet including a biennial renewal certificate and a wallet-size licensee card that show the expiration date of the licensee. Licensee
expire on March 31 of each odd-numbered year, regardless of the date of issuance. (b) Each new certificate indicating initial certificate and a wall certificate indicating initial certificate indicating initial certificate indicating initial certificate indicating initial certificate and a wall certificate indicating initial certificate initia
31 of each odd-numbered year, regardless of the date of issuance. (c) Fees as prescribed by the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401-101—1401-501), shall be charged for duplicate will be issued only upon submission by the licensee or certificates
§ 33.104 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (223025). § 33.105. Biennial renewal of licenses and certificates. (a) Licenses and certificates are renewable for a 2-year period beginning April 1 of each odd-
numbered year. The fee for the biennial renewal is set by the Board. See § 33.3 (relating to fees). Upon renewal, licensees and certificate holders receive new biennial renewal, commencing with the 2001-2003
renewal period, licensees and certificate holders shall maintain current certification in infant, child and adult cardiopulmonary resuscitation and continuing dental education). Licensees and certificate holders shall certify their compliance with this subsection when renewing
their licenses on and after April 1, 2001. Courses for certification in cardiopulmonary resuscitation (CPR) shall be substantially similar in content to the CPR courses offered by the American Red Cross and have a similar renewal period. (c) Dentists and dental hygienists who fail to renew their licenses and
§ 33.105 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359; amended August 11, 2000, effective August 11, 2000, effective August 11, 2000, effective May 13, 2000, 30 Pa.B. 2359; amended August 11, 2000, effective August 12, 2000, and a section cited in 49 Pa. Code § 43b.14a (relating to civil
 penalties—dentists, dental hygienists and expanded function dental assistants). § 33.106. Reactivation of licenses and expanded function dental assistants who have failed to renew their certificates may apply for reactivation on forms prescribed by the Board
holders shall also complete the continuing education requirements for the renewal periods during which the license or certificate was not renewed. (b) In addition to the requirements in subsection (a), an applicant for reactivation who has failed to renew for more than 5 years may be subject to reexamination under section 3.1(b) of the act (63 P. S.
§ 122.1.(b)). (c) An applicant for reactivation who practiced in this Commonwealth without a current license or certificate shall pay a later renewal fee of $5 for each month or part of a month during which the unauthorized practice occurred, as provided in section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P. S. § 1401).
225). In addition, the applicant shall pay the biennial renewal fees does not preclude the Board from taking disciplinary action against a dentist or dental hygienist who practice without a current license or an expanded function dental
assistant who practice without a current certificate. Authority The provisions of this § 33.106 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.106 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12,
2000, effective May 13, 2000, 30 Pa.B. 2359; amended August 11, 2000, effective August 12, 2000, 30 Pa.B. 4245. Immediately preceding text appears at serial pages (266021) to (266022). § 33.107. Licensure and certification by criteria approval. Dentists, dental hygienists and expanded function dental assistants who are currently licensed or
certified in another state or territory or in Canada may be granted licensure or certification by criteria approval will be granted only to applicants whose licensing boards confirm that they reciprocate with the
Commonwealth. An applicant shall cause the licensing authority of each state where the applicant has practiced to submit to the Board a letter of good standing. The Board may grant a personal interview to resolve questions concerning an applicant's qualifications. Authority The provisions of this § 33.107 amended under sections 2—5.1, 10—11.5
and 11.7 of the Dental Law (63 P. S. §§ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.107 adopted June 23, 1995, effective May 13, 2000, effective May 13, 2000, effective May 13, 2000, and 130h). Source The provisions of this § 33.108. Transfers out-of-state.
 Dentists, dental hygienists and expanded function dental assistants who wish their licensure, certification or grades certified to another state shall pay the fee in § 33.3 (relating to fees). Authority The provisions of this § 33.108 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § § 121—124.1, 129—129.1, 130, 130e
 and 130h). Source The provisions of this § 33.108 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (238317).
 (a) A licensee's or certificate holder's name on file with the Board shall be the name that appears on the licensee or certificate holder who changes an address on file with the
Board shall notify the Board in writing within 10 days. Licensees or certificate holder's most receive correspondence, including biennial renewal notifications, from the Board or the Department. (c) A licensee's or certificate holder's most receive correspondence, including biennial renewal notifications, from the Board or the Department.
the Board will be deemed the licensee's or certificate holder's official name and address for purposes of service of process and other legal papers. Authority The provisions of this § 33.109 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this
§ 33.109 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (238317). § 33.110. Volunteer license. (a) Purpose and definitions. (1) The following subsections implement the Volunteer Health Services Act (35 P. S.
§ 449.41—449.50) and provide for the issuance of a volunteer license to a qualified individual who retires from active practice and seeks to provide professional services as a volunteer license authorizes the holder to practice only in an organized community-based clinic without remuneration. (2) The following words and terms, when
used in this section, have the following meanings, unless the context clearly indicates otherwise: Approved clinic— (i) An organized community-based clinic offering primary health care services to individuals and families who cannot pay for their care, to Medical Assistance clients or to residents of medically underserved areas or health
professionals shortage areas. (ii) The term includes a State health center, nonprofit community-based clinic and Federally qualified health center, as designated by Federal rulemaking or as approved by the Department of Public Welfare. Unrestricted license—A license which is not restricted or limited by order of
the Board under its disciplinary power. (b) License and meets one of the following conditions: (1) Holds a currently renewed, active,
unrestricted license, registration or certificate in this Commonwealth and retires from active practice at the time the licensee applies for a volunteer license. (2) Retires from the active practice of dentistry, or as a dental hygienist or as an expanded function dental assistant in this Commonwealth in possession of an unrestricted license, registration
or certificate which was allowed to lapse by not renewing it. A retired licensee, registrant or certificateholder shall meet any requirements of the act or the regulations pertaining to continued education or continued competency to be eligible for renewal. (c) Applications. An applicant for a volunteer licensee shall complete an application obtained
from the Board. In addition to providing information requested by the Board certifying that the applicant intends to practice exclusively: (i) Without personal remuneration for professional services. (ii) In an approved clinic. (2) A letter signed by the
director or chief operating officer of an approved clinic that the applicant has been authorized to provide volunteer services in the named clinic by the governing body or responsible officer of the clinic. (d) Validity of license. A volunteer services in the named clinic by the governing body or responsible officer of the clinic.
biennial renewal period, the volunteer license holder shall notify the Board of any change in clinic or volunteer status within 30 days of the date of the change, or at the time of renewal, whichever occurs first. (e) Biennial renewal. A volunteer license shall be renewed biennially on forms provided by the Board. (1) As a condition of biennial
renewal, the applicant shall satisfy the same continuing education requirements as the holder of an active, unrestricted license. (2) The applicant shall be exempt from payment of the biennial renewal fee in § 33.3 (relating to fees). (f) Return to active practice. A volunteer license holder who desires to return to active practice shall notify the
Board and apply for biennial registration on forms provisions of the Board. (g) Disciplinary provisions of the Board and this chapter. Failure of the licensee to comply with the Volunteer Health Services Act or this section may also constitute grounds for disciplinary action.
 (h) Permits to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (1) A dentist who applies for a volunteer license under subsection (b) who holds a current permit to administer anesthetic modalities may also apply for reissuance of an unrestricted or restricted permit of the type issued to the
dentist as an active licensee under § 33.333 (relating to types of permits). (2) A retired dentist who applies under subsection (b)(1) and (2) for a volunteer license who, within 2 years of the date of application, held an unrestricted permit I, may apply for reissuance of the permit, but shall be required to comply with § 33.336a
(relating to requirements for unrestricted permit and restricted permit I) by completing: (i) An attestation in accordance with § 33.336a(b). (ii) ACLS/PALS certification in accordance with § 33.336a(c). (iii) Continuing anesthesia education in accordance with § 33.336a(d). (3) A retired dentist who applies under subsection (b)(1) and
(2) for a volunteer license who, within 5 years of the date of application, held a restricted permit II may apply for reissuance of the permit II) by providing: (i) A statement containing the make, model and serial number of nitrous oxide/oxygen analgesia.
equipment. (ii) A certification that the equipment is properly calibrated, maintained, contains a fail-safe system and is in working order. (iii) An attestation that the applicant has written procedures for handling emergencies. (4) A dentist who applies for a volunteer license who does not qualify for a permit under paragraphs (1)—(3) and who
wishes to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia under § 33.332(a) (relating to requirement of permit to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia) shall satisfy the educational requirements of § 33.335(a)(1), § 33.336 or § 33.337(a)
(relating to requirements for unrestricted permit; requirements for restricted permit I; and requirements for restricted permit II), as applicable. (5) Volunteer license holders will not be subject to any fee for the issuance or renewal of a permit under this subsection. (i) Supervision. Volunteer dental hygienists shall meet the
supervision requirements of § 33.205(c)(1) (relating to practice as a dental hygienist). Volunteer expanded function dental assistants shall meet the supervisions of this § 33.110 issued under section 5 of the Volunteer Health Services Act (35 P. S. § 449.45); and section
3(o) of The Dental Law (63 P. S. § 122(o)); amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 33.110 adopted November 29, 1997, 27 Pa.B. 6220; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text
appears at serial pages (267882) to (267884). § 33.111. [Reserved]. Source The provisions of this § 33.111 adopted January 20, 1975, effective January 21, 1975, effective
June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148359). § 33.112. [Reserved]. Source The provisions of this § 33.112 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492.
 Immediately preceding text appears at serial page (148359). § 33.113. [Reserved]. Source The provisions of this § 33.113 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9773). § 33.114. First certification examination. (a) The Board will give
notice to temporary permit holders of the date, time and location of the first expanded function dental assistant certification examination. (b) Failure to register or to sit for the examination (unless the Board grants a waiver under subsection (c))
shall be deemed a failure of the examination. Upon notice from the Board of the failure of the examination, the temporary permit holder who has not been
present at the examination, who provides the Board with documentation as scheduled. A request for a waiver shall be filed with the Board within 10 days of the examination date. If a waiver is not granted, the temporary permit holder shall, upon
notice, immediately cease practicing as an expanded function dental assistant and return the permit to the Board. Authority The provisions of this § 33.114 amended under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. §§ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.114 adopted May 12, 2000 and 130h.
effective May 13, 2000, 30 Pa.B. 2359. § 33.115. Local anesthesia permit. (a) Permit required. A dental hygienist shall possess a current permit issued by the Board under this section, the term "local anesthesia" includes local infiltration anesthesia and
intraoral nerve block anesthesia limited to the 2nd (maxillary) and 3rd (mandibular) divisions of the trigeminal nerve. (b) Application on a form provided by the Board, pay the permit fee prescribed in § 33.3 (relating to fees) and meet the
qualifications for the permit as prescribed in this section. (c) Qualifications. To obtain a local anesthesia permit, a dental hygienist in this Commonwealth. (2) Hold current certification in Basic Life Support (BLS). (3) Provide to the Board one of the following
    (i) Certification of education by the dental hygiene program on a form provided by the Board verifying that the dental hygiene program is a dental hygiene program that meets the following criteria: (A) The dental hygiene program is
 accredited by the American Dental Association's Commission on Dental Accreditation (CODA). (B) The dental hygiene program included the successful completion of a didactic and clinical course in the administration of local anesthesia. (ii) Certification of education by the dental or dental hygiene program on a form provided by the board
verifying that the dental hygienist successfully completed, within the 5 years immediately preceding the filing of the application for local anesthesia permit, a course consisting of a minimum of 30 hours of didactic and clinical instruction in the administration of local anesthesia sponsored by a dental or dental hygiene education program accredited by
CODA. (iii) A certificate or letter of good standing from the proper licensing authority of another state, territory or district of the United States, or of a province or territory of canada, verifying that the dental hygienist possesses a current license or permit issued by the proper licensing authority of another state, territory or district of the United
States, or by the proper licensing authority of a province or territory of Canada, where the dental hygienist is authorized under the laws of that jurisdiction to administer local anesthesia, provided that the following additional conditions are met:

(A) The jurisdiction where the dental hygienist is so licensed or permitted requires completion of a
course in the administration of local anesthesia accredited by CODA or by the Commission on Dental Accreditation of Canada (CDAC) prior to obtaining certification statement on the application for a local anesthesia permit verifying that the dental hygienist
actively engaged in the administration of local anesthesia under a current license or permit within the 5 years immediately preceding the filing of the application for a local anesthesia permit. (C) The dental hygienist signs a certification statement on the application for a local anesthesia permit.
application for local anesthesia permit, the dental hygienist is so licensed or permitted verifies that there has been no disciplinary action
taken against the dental hygienist relating to the administration of local anesthesia. (d) Expiration and biennial renewal. A local anesthesia permit issued by the Board under this section will expire at the same time as the permitholder's dental hygiene license but may be renewed biennially at the same time the dental hygiene license is renewed. A
dental hygienist who desires to renew a local anesthesia permit shall submit the following: (1) A renewal application on a form provided by the Board. (2) The permit renewal fee set forth in § 33.3. (3) Proof of current certification in BLS. Authority The provisions of this § 33.115 issued under sections 3(d), (j.2) and (o) of The Dental Law (63)
P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.115 adopted December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982. Cross References This section cited in 49 Pa. Code § 33.205 (relating to practice as a dental hygienist). § 33.116. Certification of public health dental hygiene practitioners. (a) Application. A licensed
dental hygienist who desires to obtain certification as a public health dental hygiene practitioner shall submit an application for certification as prescribed in § 33.3 (relating to fees) and meet the qualification for certification as a public health dental hygiene practitioner shall submit an application for certification as a public health dental hygiene practitioner shall submit an application for certification as a public health dental hygiene practitioner shall submit an application for certification for certification as a public health dental hygiene practitioner shall submit an application for certification 
health dental hygiene practitioner, a dental hygienist shall: (1) Hold a current license in good standing to practice as a dental hygienist in this Commonwealth. (2) Provide to the Board a certification statement signed by a licensed dental hygienist under
the supervision of the licensed dentist. (3) Provide to the Board documentation demonstrating that the dental hygienist has obtained professional liability insurance or is a named insured covered by a group policy in the minimum amount of $1,000,000 per occurrence and $3,000,000 per annual aggregate. This documentation may include a
certificate of insurance issued by the insurer, or a copy of the declarations page of the professional liability insurance policy. (c) Expiration and biennial renewal. A certificate issued by the Board under this section will expire at the same time as the certificate holder's dental hygiene license but may be renewed biennially at the same time as the certificate holder's dental hygiene license but may be renewed biennially at the same time the dental
hygiene license is renewed. A dental hygienist who desires to renew a public health dental hygiene practitioner certificate shall submit the following: (1) A renewal application on a form provided by the Board. (2) The permit renewal fee set forth in § 33.3. Authority The provisions of this § 33.116 issued under section 3(d), (j.2) and (o) of The
Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.116 adopted December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982. § 33.117. EFDA program approval. (a) Definitions. The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:
   Clinical evaluation—An evaluation—An evaluation system based on observation of a student's performance of clinical skills in contexts that resemble those the student will be expected to encounter as an expanded function dental assistant in a dental office. Clinical instruction—A learning experience in a clinical setting where the student performs expanded
 functions on patients under the supervision of an instructor. Clinical setting— (i) A setting in which expanded function dental assisting procedures are performed on typodonts, manikins or by other simulation methods. Competencies—
Statements describing the necessary requirements to perform each procedure in § 33.205a (relating to practice as an expanded function dental assistant) to the level required to meet the acceptable and prevailing standard of care within the dental community in this Commonwealth. Competent—Having sufficient knowledge, skill and expertise in
performing expanded functions to meet and maintain the acceptable and prevailing standard of care within the dental community in this Commonwealth. Laboratory or preclinical instruction—A learning experience in which students perform expanded functions using study models, typodonts, manikins or other simulation methods under the
supervision of the instructor. (b) Application. EFDA programs shall apply for Board approval on forms to be provided by the Board and pay the fee in § 33.3 (relating to fees). The application must include the following information: (1) The EFDA program goals and objectives. (2) The criteria for measuring competencies. (3) Documentation of
accreditation as required under section 3(d.1) of the act (63 P. S. § 122(d.1)). (4) The curriculum vitae and job description of the EFDA program for
laboratory, preclinical and clinical instruction. (7) A copy of the formal written agreement for the use of off-campus laboratory, preclinical or clinical facilities, if applicable. (8) Course outlines, course descriptions or syllabi for the EFDA program curriculum.
 (c) Requirements for approval. The Board will approve EFDA program shall delineate its program shall delineate its program shall delineate its program goals and objectives for preparing individuals in the expanded function dental assisting procedures in § 33.205a to a level consistent with the acceptable
and prevailing standard of care within the dental community in this Commonwealth. (ii) The EFDA program shall develop specific criteria for measuring levels of competency for the procedures in § 33.205a which reflect the acceptable and prevailing standards and expectations of the dental community. Students shall be evaluated by faculty
according to these predetermined criteria. (iii) The EFDA program shall record and retain student clinical evaluation or completion of the EFDA program. (2) Institutional accreditation. The EFDA program shall comply with the accreditation
requirements of section 3(d.1) of the act and § 33.102(c) (relating to professional education). (i) Student selection. (ii) Curriculum development and implementation. (iii) Ongoing evaluation of program goals
 objectives, content and outcomes assessment. (iv) Annual evaluation of faculty performance including a discussion of the evaluation with each faculty member. (v) Evaluation of student performance and maintenance of competency records for 5 years from graduation or completion of the EFDA program.
                                                                                   (vii) Evaluation of the clinical training and supervision provided in affiliated offices and off-campus facilities, as applicable. (viii) Maintenance of records related to the EFDA program, including instructional objectives and course outcomes.
overseeing off-campus clinical procedures performed by expanded function dental assistant students to ensure that the policies and procedures of the EFDA program. (4) Faculty. An EFDA program faculty member shall either be a dentist who holds a current license in good
standing from the Board or meets the following criteria: (i) Holds a current expanded function dental assistant certificate issued by the Board. (ii) Holds National certification as a certified dental assistant issued by the Dental Assistant
National Board. (iv) Has completed a course in education methodology of at least 3 credits or 45 hours offered by an accredited institution of postsecondary education methodology no later than 18 months after employment as a faculty member. (5) Facilities and equipment. (i) The EFDA program shall
provide physical facilities which provide space adequate to the size of its student body and sufficient to enable it to meet the training objectives for laboratory, preclinical and clinical instruction. (ii) The EFDA program shall provide equipment suitable to meet the training objectives of the course or program and shall be adequate in quantity
and variety to provide the training specified in the course curriculum or program content. (iii) If the EFDA program contracts for off-campus laboratory, preclinical or clinical instruction facilities, the following conditions must be met: (A) There must be a formal written agreement between the EFDA program and the laboratory, preclinical or
                             (B) In off-campus clinical facilities, a licensed dentist shall oversee dental procedures performed on patients by EFDA program students. The licensed dentist shall receive instruction to ensure that the policies and procedures of the off-campus facility are consistent with the philosophy and objectives of the EFDA program.
    (iv) The standards in this paragraph are equally applicable to extramural dental offices or clinic sites used for clinical practice experiences, such as internships or externships. (i) General education. The EFDA program shall include general
education subjects as determined by the educational institution with a goal of preparing the student to work and communicate effectively with patients and other health care professionals. (ii) Dental sciences. The EFDA program shall include content in general dentistry related to the expanded functions in section 11.10(a) of the act (63 P. S.
§ 130k(a)) and as set forth in § 33.205a, including courses covering the following topics: (A) Dental anatomy. (B) Occlusion. (C) Rubber dams. (D) Matrix and wedge. (E) Cavity classification and preparation design. (F) Bases and liners. (G) Amalgam restoration. (H) Composite restoration.
       (J) Crown and bridge provisional fabrication. (K) Dental law and ethics. (L) Coronal polishing. (M) Fluoride treatments, including fluoride varnish. (N) Taking impressions of teeth for study models, diagnostic casts and athletic appliances. (iii) Clinical experience component. The EFDA program shall include a minimum
of 120 hours of clinical experience performing expanded function dental assisting procedures as an integral part of the EFDA program. The clinical experience component shall be designed to achieve a student's clinical competency.
     (i) General education. Students of the EFDA program shall be required to demonstrate competency by attaining a score of at least 80% in
laboratory and preclinical courses. Students shall be required to demonstrate the knowledge and skills required to: (A) Carve the anatomy of all teeth. (B) Establish proper contact areas, embrasures, marginal adaptation, as well as facial and lingual heights of contour to restore the proper tooth form and function in restorative materials
commonly used for direct restorations, such as amalgam and composite resin. (C) Apply the basic concepts and terms of occlusion and carving concepts in the restorations. (E) Identify and differentiate G.V. Black's cavity
                          (F) Select, prepare, assemble, place and remove a variety of matrices and wedges. (G) Place and finish Class I—VI restorations with correct marginal adaptation contour, contact and occlusion.
                                                                                                                                                                                                                                                                                                                                       (H) Assemble, place and remove rubber dams. (I) Place sealants.
                                                                                                                                                                                                                                                                                                                                                                                                                                                       (J) Crown and bridge provisional fabrication.
       (K) Understand the act and this chapter as they apply to an expanded function dental assistant's responsibilities. (L) Perform coronal polishing. (M) Perform fluoride treatments, including fluoride varnish.
                                                                                                                                                                                                                                                                                                                                        (N) Take impressions of teeth for study models, diagnostic casts and athletic appliances. (iii) Clinical experience. EFDA
program students shall be evaluated and deemed clinically competent by at least one licensed dentist evaluator in a clinical evaluator students the dentist evaluator confirms the
student has sufficient knowledge, skill and expertise in performing expanded functions to meet and maintain the acceptable and prevailing standard of care within the dental community in this Commonwealth. (iv) Documenting competency.
preclinical and laboratory competency attainment. (B) The licensed dentist evaluator shall document the student's clinical competency attainment prior to graduation from the EFDA program. (C) The EFDA program director shall sign a statement certifying the student's competency attainment in general education, laboratory and
preclinical instruction, and clinical experience to the Board as part of the student's application for certification evidencing the student's competency attainment for a minimum of 5 years from graduation or completion of the EFDA program.
 (d) Refusal or withdrawal of approval. The Board may refuse to approve an EFDA program or may remove an EFDA program from the approved list if it fails to meet and maintain the requirements set forth in this section, in accordance with the following: (1) The Board will give an EFDA program notice of its provisional denial of approval or of its
intent to remove the program from the approved list. (2) The notice will set forth the requirements that are not being met or maintained by the EFDA program will be provided
an opportunity to appear at a hearing to demonstrate why approval should not be refused or withdrawn. (5) The Board will issue a written decision. (6) The Board's written decision is a final decision of a governmental agency subject to review under 2 Pa.C.S. § 702 (relating to appeals). (e) Biennial renewal of EFDA program approval. EFDA
program approvals are renewable for a 2-year period beginning on April 1 of each odd-numbered year. An EFDA program shall apply for renewal of Board approval on forms provided by the Board approval on forms
(b)(1)—(9) or certify that there have not been changes to the EFDA program, Authority The provisions of this § 33.117 adopted February 10, 2012, effective February 11, 2012, 42 Pa.B. 769.
§ 33.121. [Reserved]. Source The provisions of this § 33.121 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (148359) to (148360). § 33.122. [Reserved]. Source The provisions
of this § 33.122 adopted January 18, 1965; amended September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears
at serial page (148360). § 33.123. [Reserved]. Source The provisions of this § 33.123 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 24, 1995, 25 Pa.B. 2397; reserved June 23, 1995, effective September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 24, 1995, 25 Pa.B. 2397; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (148360) and (135699). § 33.124. [Reserved]
Source The provisions of this § 33.124 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended January 20, 1989, 19 Pa.B. 1840. Immediately preceding text appears at serial page (119349). § § 33.125—
33.128. [Reserved]. Source The provisions of these § 33.125—33.128 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, feective September 13, 1975, feective September 13, 1975, effective September 13, 1975, effective September 13, 1975, feective September 13, 1975, effective September 14, 1975, effective September 15, 1975, effective September 18, 1975, effective September 19, 1975, effecti
September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (135699) to (135700). § § 33.132—33.134. [Reserved]. Source The provisions of these § § 33.132—
33.134 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (135701). § $ 33.135—33.140. [Reserved]. Source The provisions of these § $ 33.135—33.140 adopted January
18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial pages (9781) to (9784). § 33.141. [Reserved]. Source The provisions of this § 33.141 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended November 3, 1978, effective November 4, 1978,
8 Pa.B. 3034; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135702). § 33.141a. [Reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135702).
preceding text appears at serial pages (135702) and (148361). § 33.142. [Reserved]. Source The provisions of this § 33.142 adopted September 12, 1975, effective January 21, 1975, effective July 21, 1990, 20 Pa.B. 3972; reserved June 23,
1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148361). § 33.143. [Reserved]. Source The provisions of this § 33.143 adopted September 12, 1975, effective January 21, 1978, 8 Pa.B. 203. Immediately preceding text appears at
serial page (30317). § 33.144. [Reserved]. Source The provisions of this § 33.144 adopted September 12, 1975, effective September 13, 1975, effective September 14, 1975, effective September 15, 1975, effective September 16, 1975, effective September 17, 1975, effective September 18, 1975, effective September 19, 1975, effective Septem
adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, 5 Pa.B. 2397; reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148362). § 33.146 adopted September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; amended April
28, 1989, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (148362). § 33.151. [Reserved June 24, 1995, effective September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397
Immediately preceding text appears at serial page (9784). § 33.161. [Reserved]. Source The provisions of this § 33.161. [Reserved]. Source The provisions of this § 33.162. [Reserved]. Source The provisions of this § 33.162. [Reserved].
adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9785). § 33.163. [Reserved]. Source The provisions of this § 33.163 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial page (9785).
text appears at serial pages (9785) to (9786). § 33.164. [Reserved]. Source The provisions of this § 33.164 adopted January 18, 1965; reserved September 12, 1975, effective September 13, 1975, fractive September 13, 1975, effective September 14, 1975, effective September 15, 1975, effective September 16, 1975, effective September 17, 1975, effective September 18, 1975, effective September 18, 1975, effective September 19, 
September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135705). Subchapter C. MINIMUM STANDARDS OF CONDUCTAND PRACTICE Sec. 33.201. Use of titles and other designations. 33.202. Fictitious names.
33.203. Advertising, 33.204. Assignment of duties, 33.205. Practice as a dental hygienist, 33.205. Practice as a public health dental hygiene practitioner, 33.206. Identifying information on prescriptions, 33.207. Prescribing, administering and dispensing controlled substances,
33.208. Prescribing, administering and dispensing medications. 33.210. Storage of drugs. 33.211. Unprofessional conduct. 33.211. Unprofessional conduct. 33.211. Use and replacement of dental amalgams—
statement of policy. 33.214. Disclosure of financial or ownership interest—statement of policy. 33.215. Use of lasers in the dental office—statement of policy. 33.224—33.224. [Reserved]. 33.224. [Reserved]. 33.242. [Reserved]. 33.225. Suspected child abuse—
mandated reporting requirements. 33.251. Photographs, medical tests and X-rays of child subject to report. 33.252. Suspected death as a result of child abuse—mandated reporting requirement. 33.255. Noncompliance. 33.256. Child abuse recognition and reporting—
mandatory training requirement. 33.257. Child abuse recognition and reporting course approval process. 33.291. [Reserved]. § 33.201. Use of titles and other designations. (a) Dentists, dental hygienists and expanded function dental assistants may use only the following titles when formally holding themselves out to the public as members of
their respective professions: (1) Dentists. (i) "Doctor" or "Dr." if the licensee's name and a title permitted under subparagraph (ii) or (iii) follows immediately. The Board specifically prohibits the use of the word "Doctor" or its abbreviation except in combination with one of these titles. (ii) "Dentists," "Doctor of Dental Surgery," "Doctor of Dental Surgery,
Dental Medicine," or a title such as "Orthodontist," signifying a specialty recognized by the Board in which the dentist has advanced training in conformity with § 33.203(d)(1) (relating to advertising), when preceded by the licensee's name. (2) Dental hygienists. (i) "Dental hygienists."
Hygienist" or "D. H.," when preceded by the licensee's name. (i) "Registered Dental Hygienist" or "R.D.H.," when preceded by the licensee's name. (b) In addition to the titles approved under subsection
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(a), licensees may use, in conjunction with their names, designations of advanced professional status—such as diplomate or fellow. (c) References in this section to the licensee's or certificate holder's name shall be interpreted to mean the name appearing on the licensee's or
certificate holder's current license or certificate but to allow for the use of initials preceding the licensee's or certificate holder's surname. Authority The provisions of this § 33.201 amended under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. § $ 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this
§ 33.201 adopted January 18, 1965; amended May 13, 1977, effective May 14, 1977, 7 Pa.B. 1284; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 1977, effective June 24, 1995, 25 Pa.B. 2492; amended May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (253124). § 33.202. Fictitious names. (a) Dentists may use a fictitious
name that is not false, misleading or deceptive. (b) Dentists who wish to practice under a fictitious name registration and the fee specified in § 33.3 (relating to fees). The dentist who submits the registration shall be associated with the facility and shall assume responsibility for compliance with this section
The owner of the facility, if different from the applicant, shall be identified on the registration. (c) Changes in the ownership of a dental facility, changes in the designation of the responsible dentist, changes in the scope of practice or changes in the scope of practice or changes in the designation of the responsible dentist, changes in the scope of practice or changes in the scope
include the name, as it appears on the current biennial renewal certificate, and the dentist who is associated with the dentist who is associated with the dentist referred to in this subsection and the
dentist who registered to use the name under subsection (b) shall be jointly responsible for the dentists practicing at that location shall be prominently displayed in the entrance or reception area of the dentists who have practiced under the fictitious name shall be prominently displayed in the entrance or reception area of the dentists practicing at that location shall be prominently displayed in the entrance or reception area of the dentists who have practiced under the fictitious name shall be prominently displayed in the entrance or reception area of the dentists who have practiced under the fictitious name shall be prominently displayed in the entrance or reception area of the dentists who have practiced under the fictitious name shall be prominently displayed in the entrance or reception area of the dentists who have practiced under the fictitious name shall be prominently displayed in the entrance or reception area of the dentists who have practiced under the first prominent of the dentists who have practiced under the first prominent of the dentists who have practiced under the first prominent of the dentists who have practiced under the first prominent of the dentists who have practiced under the first prominent of the dentist prominent of 
be maintained in the records of the dental facility for at least 5 years following their departure from the practice may be continued for up to 1 year. (h) Dentists who are specialists under § 33.203(d)(1) (relating to advertising) may incorporate their area of
specialization in their fictitious name. A specialist in one area may include another recognized specialist in orthodontics and Pediatric Dentistry or a specialist in periodontics using Central Periodontics and Cosmetic Dentistry) only if the specialist
conspicuously discloses, in every medium in which the name is used, that specialty status does not extend to the other specialty area. (i) Dentists who are not specialty status does not extend to the other specialty area.
it is used, is accompanied by the conspicuous disclosure that services are provided by a general dentist. (j) A fictitious name may not include the word "clinic" unless the name designates a public or quasipublic facility as defined in § 33.1 (relating to definitions). (k) A fictitious name may not include the word "institute" unless the name designates
an educational or research facility. (1) A fictitious name may not, by the use of plurals or otherwise, misrepresent the number of dentists under § 33.203(d)(1). Source The provisions of this § 33.202 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492;
amended May 23, 1997, effective May 24, 1997, 27 Pa.B. 2547. Immediately preceding text appears at serial pages (223032) to (223033). Cross References This section cited in 49 Pa. Code § 33.203 (relating to advertising). § 33.203. Advertising is permitted to provide the public with a sufficient basis for making an informed
selection of a dentist. For purposes of this section, the term "advertising" includes signs, letterheads, business cards, and printed or broadcast announcements of services to the public. (b) Advertising is false, misleading or deceptive is prohibited under section 4.1(a)(10) of the act (63 P. S. § 123.1(a)(10)). Advertising is false, misleading or deceptive is prohibited under section 4.1(a)(10) of the act (63 P. S. § 123.1(a)(10)). Advertising is false, misleading or deceptive is prohibited under section 4.1(a)(10) of the act (63 P. S. § 123.1(a)(10)).
deceptive if it does one or more of the following: (1) Contains a material misrepresentation of fact, or omits a fact necessary to make the statement considered as a whole not materially misleading. (2) Is likely to create an unjustified expectation about results the dentist can achieve. (3) Compares the advertising dentist's services with the
services of other dentists unless the comparison can be factually substantiated. (c) A dental advertisement in any medium shall contain the name of at least one dentist whose services are being advertisement and shall use the name that appears on
the dentist's current biennial renewal certificate. A dentist who advertises under a fictitious name shall comply with § 33.202 (relating to fictitious names). (d) A dential advertisement in any medium may identify the dentistry or merely
designate the kinds of dental services available. In addition, the following shall be met: (1) An advertisement may not hold out or imply that the dentist is a specialist in cludes the use of the terms "specialist" and "limited to specialty of" or of
 words such as "endodontist" and "pediatric dentist," which denote a practitioner of the dental specialties listed in subparagraph (i). (i) The area must be recognized by the Board as a dental specialties: (A) Dental public
                                                 (C) Oral and maxillofacial surgery. (D) Oral pathology.
                                                                                                                                              (E) Orthodontics. (F) Pediatric dentistry. (G) Periodontics. (H) Prosthodontics. (ii) The dentist shall have successfully completed a specialty training program approved by the ADA's Commission on Dental Accreditation. (2) A
dentist who is a specialist in one area under paragraph (1) and advertises, in conjunction with the speciality area, or in a nonspecialty area (examples: a specialist in orthodontics announcing additional services
in placing dental implants) shall conspicuously disclose that specialist under paragraph (1) may not hold out or imply that general dentists associated with the practice are specialist under paragraph (1) may list the area in which
the dentist practices or to which the practice is limited. If the advertisement that designates a recognized specialty under paragraph (1)(i), the advertisement that announces services in prosthodontics or oral surgerystation and the designates are provided by a general dentist. For example, an advertisement that announces services in prosthodontics or oral surgerystation.
shall include the general dentist disclosure, whereas an advertisement that announces services such as crown and bridge work or extractions may omit the disclosure. (5) Neither general dentists may not state that they specialize in
or limit their practice to temporomandibular joint disorders or implantology but may announce services in, or a practice limited to diagnosing or treating temporomandibular joint disorders, or placing dental implants. (e) A dental advertisement in any medium may contain the fees charged by the advertising dentist for dental services, as defined in
subsection (k). If a minimum fee is advertised, the advertised fee is the minimum fee charged for the advertised service and that the advertised fee is the minimum fee charged for the advertised fee is the minimum fee charged for the advertised service and that the advertised fee is the minimum fee is advertised fee is the minimum fee charged for the advertised fee is the minimum fee is advertised fee is advertised fee is the minimum fee is advertised fee is ad
 advertisement as the fee information contained in the advertisement. If the fee information is verbal, the disclosure statement also shall be at least equal to the fee information in volume, quality and duration. If the fee information is in writing, the disclosure statement also shall be in writing and shall be at least equal to the fee
information in size, legibility and length. (f) A dental advertisement in any medium may state that dental services, as defined in subsection (k), will be rendered free of charge. (g) For at least 60 days following final publication or broadcast of an advertisement containing information about fees or free services, the advertising dentist shall neither
increase the advertised fees nor charge fees for services advertised as free unless the advertisement specifically and conspicuously stated that the advertised fees or free services would be available for a shorter period of time. When a dental patient agrees, within the 60-day period or the period of the advertisement, to accept a
treatment plan for services for which fees have been advertised, the advertised fee, even if the services are rendered beyond the 60-day period or the period otherwise stated in the
advertisement, to accept a treatment plan for services advertising dentist may not charge fees for services, even if the services are rendered beyond the 60-day period or the period otherwise stated in the advertisement. (h) A dental advertisement in any medium may state the dentist's office hours. (i) A recorded copy of an advertisement in any medium may state the dentist's office hours.
advertisement on radio or television shall be retained for 1 year following the final broadcast of the advertisement under subsection (c) shall furnish the Board with a copy of the advertisement on radio or
television is represented as a dentist, that person shall be the dentist so represented. (k) This subsection contains definitions of some but not all of the various types of dental services for which fees may be advertised under subsection contains definitions of some but not all of the various types of dental services for which fees may be advertised under subsection (e). Whenever a fee is advertised for one of the defined terms listed in paragraphs (1)—(10), the meaning of the
term, as used in the advertisement, is at least as inclusive as the definition set forth in this subsection. These definitions will help ensure that commonly used terms for dental services convey the same meanings in advertisements, thus providing consumers with a better opportunity to compare fees for equivalent services. (1) Examination. A study of
the structures of the oral cavity, including the recording of the condition of the structures and the appropriate history. At a minimum, the study shall include the chartist intends to render services in addition to the examination
and to charge a separate fee for the additional services, the dentist shall disclose this separate fee to the patient planning. A written statement of treatment recommendation and an
itemized fee statement. (3) Radiographs. X-rays of the hard and soft oral structures to be used as an aid to diagnosis. (4) Oral prophylaxis. Scaling and polishing of teeth by a licensed dentist or dental hygienist. (5) Restorative dentistry. Procedures involving restoration of tooth structure. The advertisement shall indicate type of restoration and
materials to be used. (6) Endodontics. Treatment of the dental pulp, its replacement with suitable material and associated surgery, if indicated. (7) Orthodontics. Treatment of the hard and soft tissue surrounding and supporting the oral dentition, including curettage
root planing, surgery, splinting, equilibration and hygiene control procedures. (9) Prosthodontics. Restoration and replacement of teeth and other oral structures by artificial devices, including: (i) Fixed prosthetics. Crowns and bridges. The advertisement shall indicate the type of prosthesis and materials to be used. (ii) Removable
prosthetics. Partial and full dentures. The advertisement of hard or soft tissues, extractions, and treatment of hard or soft tissues, extractions, and the hard or soft tissues, extractions, and t
of this § 33.203 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Cross References This section cited in 49 Pa. Code § 33.201 (relating to the fictitious names). § 33.204. Assignment of duties. Dental procedures shall be assigned to a competent person who the
dentist deems appropriate as defined by and consistent with the act. Source The provisions of this § 33.204 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. § 33.205. Practice as a dental hygienist. (a) Scope of professional practice. A dental hygienist may offer to perform or perform services that involve: (1) Placement of
subgingival agents. (2) Periodontal probing, scaling, root planning, polishing or another procedure required to remove calculus deposits, accretions, excess or flash restorative materials and stains from the exposed surfaces of the teeth and beneath the gingiva. (3) Evaluation of the patient to collect data to identify dental hygiene care needs
  (4) The application of fluorides and other recognized topical agents for the prevention of sealants. (5) Conditioning of teeth for athletic application of local anesthesia by regional injection in accordance with § 33.115 (relating to local anesthesia
 permit). (b) Prohibition against independent practice. A dental hygienist is prohibited from establishing or maintaining an office or other workplace in which the supervision of a dentist is provided. (c) Practice sites. A dental hygienist may engage
in professional practice at the following sites under the supervision of a dentist as required in subsection (d): (1) In dental facilities. (2) In public or private institutions under the
jurisdiction of Federal, State or local health agencies. (d) Supervision. (1) In subsection (c)(1) practice sites (dental hygienist may provide the professional services identified in subsection (a)(1) under the direct supervision of a dentist, except that these
services may be provided under general supervision if the dentist has reviewed the patient's dental hygienist. (ii) A dental hygienist may provide the professional services identified in subsection (a)(2) under the
general supervision of a dentist when the patient is free of systemic disease or suffers from mild systemic disease, as determined by the dentist with input from the patient is free of systemic disease, as determined by the dentist with input from the patient is free of systemic disease, as determined by the dentist with input from the patient is free of systemic disease, as determined by the dentist with input from the patient is free of systemic disease, as determined by the dentist with input from the dentist with input from the patient is free of systemic disease, as determined by the dentist with input from the dentities with the dentities with input from the dentities with the dent
 supervision of a dentist when the patient is suffering from systemic disease which is severe, incapacitating, or life threatening, as determined by the dentist with input from the dental hygienist may provide the professional services identified in subsection (a)(3)—(6) under the
general supervision of a dentist. (v) A dental hygienist may provide the professional services identified in subsection (a)(7) only under the direct supervision by a dentist. For purposes of this subparagraph, direct supervision by a dentist who has examined the patient and authorized the procedure to be performed, is physically
present in the dental facility and available during the performance of the procedure, and takes full professional responsibility for the completed procedure. (2) In subsection (c)(2) and (3) practice sites (public and private institutions and institutions under the jurisdiction of Federal, State or local health agencies), a dental hygienist shall provide
professional services as follows: (i) A dental hygienist may provide the professional services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist, except that these services may be provided under general supervision of a dentist has reviewed the patient's dential records and medical history and has written a prescription or given
 an order for the placement of subgingival agents by the dental hygienist. (ii) A dental hygienist may provide the professional services identified in subsection (a)(2)—(6) under the general supervision is defined as supervision by a dentist who authorizes and takes full professional
responsibility for the provision of the services. A single authorization may, when appropriate, apply to one or more classes or categories of students/patients. (iii) A dental hygienist may provide the professional service identified in subsection (a)(7) only under the direct supervision of a dentist. For purposes of this subparagraph, direct supervision
means supervision by a dentist who has examined the procedure, and takes full professional responsibility for the completed procedure, and takes full professional services not identified in subsection (a)(1)—(7) or § 33.302 (relating to be performance of the procedure, and takes full professional responsibility for the completed procedure.
requirements for personnel performing radiologic procedures), the dentist shall compare the listed services and the supervision requirements in
this subsection, a dental hygienist may provide oral health education and perform preliminary dental screenings in any setting without the supervisions of this § 33.205 amended under section 3(d), (j.2) and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.205 adopted
June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended December 11, 2009, 40 Pa.B. 1082. Immediately preceding text appears at serial pages (346659) to (346662). Cross References This section cited in 49 Pa. Code § 33.1 (relating to
definitions); 49 Pa. Code § 33.110 (relating to volunteer license); and 49 Pa. Code § 33.205a. Practice as a public health dental assistant. (a) Scope of professional practice. (1) An expanded function dental assistant may offer to perform or perform the following
services: (i) Placing and removing rubber dams. (ii) Placing and removing matrices. (iii) Placing and removing wedges. (iv) Applying cavity liners and bases. (v) Placing and removing matrices. (vi) Placing and removing wedges.
                                       (viii) Performing coronal polishing as defined in § 33.1 (relating to definitions). (ix) Performing fluoride treatments, including fluoride varnish. (x) Taking impressions of teeth for study models, diagnostic casts or athletic appliances. (2) Each of the professional services identified in paragraph (1) shall be
performed under the direct supervision of a dentist. (b) Prohibitions. An expanded function dental assistant may not perform the following procedures: (1) Complete or limited examination, diagnosis and treatment planning. (2) Surgical or cutting procedures of hard or soft tissue. (3) Prescribing drugs, medicaments or work authorizations
  (4) Final inspection and approval of restorative and other treatment which affects occlusion and necessary occlusion and intraoral adjustments of fixed and removable prosthetic appliances. (7) Administration of local anesthesia, parenteral or
 inhalational sedation, nitrous oxide analgesia or general anesthesia. (8) Take impressions other than for study models, diagnostic casts or athletic appliances. (c) Supervision means that a dentist is in the dental office or treatment
facility, personally diagnoses the condition to be treated, personally authorizes the procedure and remains in the dental assistant, and, before dismissal of the patient, personally evaluates the work performed by the expanded function dental assistant
Authority The provisions of this § 33.205a amended under sections 2—5.1, 10—11.5 and 11.7 of The Dental Law (63 P. S. § 121—124.1, 129—129.1, 130, 130e and 130h); and section 4 of the act of April 29, 2010 (P. L. 176, No. 19). Source The provisions of this § 33.205a adopted May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359; amended
September 7, 2012, effective September 8, 2012, 42 Pa.B. 5736. Immediately preceding text appears at serial pages (348144) and (360159). Cross References This section cited in 49 Pa. Code § 33.117 (relating to EFDA program approval).
public health dental hygiene practitioner may perform the dental hygiene services set forth in § 33.205(a)(2)—(6) (relating to practice as a dental hygiene practitioner may perform the dental hygiene
services set forth in § 33.205(a)(1) and (7) in accordance with § 33.205(d). (b) Requirement of referral must be maintained in the patient's dental record. The failure of the patient to see a dentist as referred will
not prevent the public health dental hygiene practitioner from continuing to provide dental hygiene services to the patient within the scope of professional practice set forth in subsection (a). (c) Practice settings. A public health dental hygiene practitioner may perform dental hygiene services without the supervision of a dentist in the following
practice settings: (1) Public and private educational institutions that provide elementary and secondary instruction to school aged children under the jurisdiction of the Public School Code of 1949 (24 P.S. § 1-101—27-2702), the regulations relating to the
 certification of professional personnel in 22 Pa. Code & 23.35 (relating to certification of professional personnel), and the regulations of the Department of Health in 28 Pa. Code § 23.35 (relating to dental hygienists). (2) Correctional facilities. For purposes of this section, correctional facilities include Federal prisons and other institutions under
the jurisdiction of the United States Department of Justice, Bureau of Prisons which are located within this Commonwealth; institutions, motivational boot camps and community corrections; and jails, prisons, detention facilities or contracted by the Department of States Department 
local, county or regional prison authorities within this Commonwealth. (3) Health care facilities, as defined in section 802.1 of the Health Care facilities act (35 P.S. § 448.802a), including a general, chronic disease or other type of hospital; a home health care agency; a home care agency (35 P.S. § 448.802a), including a general, chronic disease or other type of hospital; a home care agency; a home 
treatment center; an ambulatory surgical facility or a birth center. (4) Any other facility," as defined in section 1001 of the Human Services Code (62 P.S. § 1001), including an adult day care center; child day care center; family child care home; boarding
home for children; mental health establishment; personal care home; assisted living residence; nursing home, hospital or maternity home. (6) Any other facilities, as defined in section 2202-A of The Administrative Code of 1929 (71).
P.S. § 581-2). (8) Older adult daily living centers, as defined in section 2 of the Older Adult Daily Living Centers Licensing Act (62 P.S. § 1511.2). (9) Continuing-care provider Registration and Disclosure Act (40 P.S. § 3203). (10) Federally-qualified health centers, as defined in
section 1905(1)(2)(B) of the Social Security Act (42 U.S.C.A. § 1369(1)(2)(B)). For purposes of this section, the term includes Federally-qualified health Service Act (42 U.S.C.A. § 254b). (11) Public or private institutions under the jurisdiction of a Federal, State
or local agency. (12) Free and reduced-fee nonprofit health clinics. (13) An office or clinic of a physician who is licensed by the State Board of Medicine under the Osteopathic Medical Practice Act (63 P.S. § $ 271.1—271.18), that is
located in a dental health professional shortage area, as determined by the United States Department of Health and Human Services, Health Resources & Services Administration, and published on the Pennsylvania Department of Health's web site at www.health.pa.gov. For purposes of this paragraph, an office or clinic of a physician includes a
 (d) Recordkeeping. A public health dental hygiene practitioner shall maintain a dental record must be retained for at least 5 years from the date of the last treatment entry. The dental record must include, at a minimum, the
 following: (1) The name and address of the patient and, if the patient is a minor, the name of the patient's parents or legal guardian. (2) The date dental hygiene services are provided. (3) A description of the treatment or services rendered at each visit. (4) The date and type of radiographs taken, if any, and documentation demonstrating the
necessity or justification for taking radiographs, as well as the radiographs themselves. (5) Documentation of the annual referral to a dentist. Authority The provisions of this § 33.205b issued under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under sections 3(o) and 11.9(b)(10) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o)); and amended under section 3(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Dental Law (63 P.S. § 122(d), (j.2) and (o) of The Denta
P.S. §§ 122(o) and 130j(b)(10)). Source The provisions of this § 33.205b adopted December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982; amended January 15, 2021, effective January 16, 2021, 51 Pa.B. 304. Immediately preceding text appears at serial pages (371899) to (371900) and (363515). Cross References This section cited in 49
 Pa. Code § 33.1 (relating to definitions); and 49 Pa. Code § 33.302 (relating to requirements for personnel performing radiologic procedures). § 33.206. Identifying information on prescriptions for drugs, services or supplies.
 (b) Noncompliance with subsection (a) will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Source The provisions of this § 33.206 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. § 33.207. Prescribing,
 administering and dispensing controlled substances. (a) When prescribing, administering or dispensing controlled substances as defined in section 4 of The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. § 780-104), a dentist shall comply with, or cause compliance with, the following minimum standards: (1) Scope of authority. A
history. A dental examination shall be conducted and a medical history shall be conducted and a medical history shall be controlled substance to a patient. The examination and medical history shall be complete enough to justify the prescription, administration or dispensation of the controlled substance. The examination
shall focus on the patient's dental problems, and the resulting diagnosis shall relate to the patient's specific complaint. The patient's dental record shall contain written evidence of the examination and medical history. (3) Records.
shall be made in the patient's dental record containing the following information: (A) The name, quantity and strength of the controlled substance. (B) The directions for use. (C) The date of issuance.
records will be considered part of the patient's dental record. A patient's dental record that contains entries pertaining to the issuance of controlled substances shall be retained by the dentist for a minimum of 5 years following the date of the last entry of any kind in the record. (4) Emergency prescriptions. If an emergency requires the issuance of
a prescription, an appropriate short-term prescription may be telephoned to a pharmacist. An emergency prescription for a Schedule II controlled substance shall be covered by a written prescription may be telephoned to a pharmacist within 72 hours. A dentist may not order a renewal or a refill of an emergency prescription unless the order is in
writing and the dentist has given the patient a dental examination and has taken a medical history as required by paragraph (2). (5) Exception. This subsection, except for paragraph (2).
by the Department of Public Welfare. (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will subject the noncomplying dentist to disciplinary action as authorized in section will be considered unprofessional conduct and will be considered unprofessional
 Drug, Device and Cosmetic Act (35 P. S. § 780-101—780-144) or of another statute or regulation and does not relieve a dentist from complying with more stringent standards that may be imposed by another regulation or statute. Source The provisions of this § 33.207 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Cross
 References This section cited in 49 Pa. Code § 33.208 (relating to prescribing, administering and dispensing medications); 49 Pa. Code § 33.212 (relating to misleading, deceptive, untrue or fraudulent representations). § 33.208. Prescribing, administering
and dispensing medications. (a) When prescribing, administering or dispensing medications not included under § 33.207 (relating to prescribing, administering and dispensing medications. (1) Scope of authority. A dentist may prescribe, administering
or dispense medication only: (i) In good faith in the course of the dentist's professional practice. (ii) Within the scope of the dentist-patient relationship. (iii) In accordance with treatment principles accepted by a responsible segment of the profession. (2) Dental examination and medical history. A dental examination shall be conducted
and a medical history shall be taken before a dentist initially prescribes, administers or dispenses medication to a patient. The examination and medical history shall be complete enough to justify the prescription, administers or dispenses medication to a patient. The examination shall focus on the patient's dental problems, and the resulting diagnosis
shall relate to the patient's specific complaint. The patient's dental record shall contain written evidence of the examination and medical history. (3) Records. On each occasion when medication is prescribed, administered or dispensed to a patient, an entry shall be made in the patient's dental record containing the following information: (i) The
name, quantity and strength of the medication was issued. (ii) The directions for use. (iii) The date of issuance of a prescription, an appropriate short-term prescription may be telephoned to a pharmacist. A dentist may not
order a renewal or a refill of an emergency prescription unless the order is in writing and the dentist has given the patient a dental examination and has taken a medical history as required by paragraph (2). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying dentist to
disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Source The provisions of this § 33.208 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Cross References This section cited in 49 Pa. Code § 33.212
(relating to misleading, deceptive, untrue or fraudulent representations). § 33.209. Preparing, maintaining and retaining patient which accurately, legibly and completely reflects the evaluation and treatment of the patient. A patient dental record shall be prepared and maintained
regardless of whether treatment is actually rendered or whether a fee is charged. The patient is a minimum, the following: (1) The name and address of the patient is a minimum, the following: (2) The date of each patient visit. (3) A description of the patient's complaint,
symptoms and diagnosis. (4) A description of the treatment or service rendered at each visit and the identity of the person rendering it. (5) Information as required in § 33.208 (relating to prescribing, administering and dispensing medications) and this section with regard to controlled substances or other medications prescribed, administered or
 dispensed. (6) The date and type of radiographs taken and orthodontic models made, as well as the radiographs and models themselves. Notwithstanding this requirement, the dentist may release orthodontic models to the patient. The signed form shall become part of
the patient's record. (7) Information with regard to the administration of local anesthesia, nitrous oxide/oxygen analgesia, conscious sedation, medical history and anesthesia procedures utilized. (8) The date of each entry into the record and
the identity of the person providing the service if not the dentist of record-for example, dental assistant, and the like. (b) A patient dental entry. (c) Within 30 days of receipt of a written request from a
patient or a patient's parents or legal guardian if the patient is a minor, an exact copy of the patient's written dental record, along with copies of radiographs and orthodontic models, if requested, shall be furnished to the patient or to the p
reproduction. (d) The obligation to transfer records under subsection (c) exists irrespective of a patient's unpaid balance for the disposition of patient records in the event of the dentist's withdrawal from practice, incapacity or death in a manner that will ensure
their availability under subsection (c). (f) The components of a patient dental record that are prepared by a dentist or an agent and retained by 
otherwise be exempt from subsections (a)—(e). The components of a patient dental record shall contain information required by applicable Department of Public Welfare regulations—see, for example, 28 Pa. Code § 141.26 (relating to patient dental records)—and health care facility bylaws. (g) This section does not restrict
or limit the applicability of recordkeeping requirements in § § 33.207 and 33.208 (relating to prescribing, administering and dispensing medications). (h) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the noncomplying
dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Authority The provisions of this § 33.209 amended under sections 3(c) and 11.2(a) of the Dental Law (63 P. S. § 122(o) and 130c(a)). Source
May 12, 2000, effective May 13, 2000, 30 Pa.B. 2359; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (266034) to (266036). Notes of Decisions Patient's Complaint was
supported by substantial evidence, where, based on the expert testimony, the Board found that the dentist should have recorded the child's record, and where the Board stated that while the dentist recorded the child's cavities, such an activity
constituted a diagnosis, which is a separate recording requirement. Watkins v. State Board of Dentistry, 740 A.2d 760 (Pa. Cmwlth. 1999). Cross References This section cited in 49 Pa. Code § 33.340 (relating to duties of dentists who are restricted permit
I holders); and 49 Pa. Code § 33.340b (relating to duties of dentists who are restricted permit II holders). § 33.210. Storage area shall be maintained in a clean and orderly condition. (i) The storage area shall be dry, well
ventilated and well lighted. Provision shall be made for adequate dust, humidity and temperature controls to ensure drug stability. (ii) The storage area shall contain only drugs and related supplies and equipment which are necessary for the administration and dispensing of drugs to the dentist's own patients. (iii) Drugs in the storage area
shall be accurately labeled. Until a drug is administered or dispensed to a dental patient, it shall be kept in the manufacturer's original container showing the manufacturer's lot number and the expiration date. (iv) Drugs in the storage area shall be free from adulteration. Appropriate procedures shall be established to minimize the hazards of
cross contamination. (v) Outdated or deteriorated drugs shall be identified as such and shall be segregated in the storage area pending their return to the manufacturer or their appropriate disposal. The dentist shall maintain records reflecting the final disposition of these products. (2) Controlled substances shall be stored in a substantially
constructed, locked container such as a cabinet or safe. Access to the locked container where controlled substances are kept in order to clean, replenish supplies or perform other necessary functions shall be allowed only when a dentist is present and supervising. (3) The dentist shall provide for the safe, secure and sanitary disposal of drug-
containing refuse. (4) This section prescribes minimum standards for the storage of drugs in dental offices. It does not relieve a dentist from complying with more stringent standards that may be imposed by another regulation or by statute. (5) A dentist's failure to comply with this section will be considered unprofessional conduct and will
subject the noncomplying dentist to disciplinary action as authorized in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)). Source The provisions of this § 33.210 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. § 33.211. Unprofessional conduct. (a) Dentists. Unprofessional conduct, as defined in section 4.1(a)(8) of the act (63 P. S.
§ 123.1(a)(8)), includes the following conduct by a dentist: (1) Knowingly or negligently employing as a dentist, dental hygienist or expanded function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant a person whose license or certificate is not current or has been suspended function dental assistant and the person of the
 residents/interns. (3) Delegating to a person duties that the dentist knows, or has reason to know, the person is not competent to perform or not authorized to perform to perform. (4) Withdrawing dental services after a dentist-patient relationship has been established so that the patient is unable to obtain necessary dental care in a timely manner.
  (5) Physically, sexually or verbally abusing a patient. (6) Unnecessarily exposing a patient to ionizing radiation. (7) Failing to follow current infection-control er commendations issued by the Federal guidelines. (8) Failing to provide
necessary dental care to a patient in a timely manner or to apprise the patient to complete an insurance form. (b) Dental hygienists. Unprofessional conduct, as defined in section 4.1(a)(8) of the act includes the
following conduct by a dental hygienist: (1) Practicing as a dental hygienist without the supervision of a dentist. (2) Performing a service that the dental hygienist is not competent to perform. (3) Physically, sexually or verbally abusing a patient. (4) Failing to follow
current infection-control recommendations issued by the Federal Centers for Disease Control. (5) Unnecessarily exposing a patient to ionizing radiation. (c) Expanded function dental assistants. Unprofessional conduct, as defined in section 4.1(a)(8) of the act includes the following conduct by an expanded function dental assistant: (1) Practicing
as an expanded function dental assistant without the direct supervision of a dentist. (2) Performing a service that the expanded function dental assistant is not competent or not authorized to perform. (3) Physically, sexually or verbally abusing a patient.
Centers for Disease Control. (5) Providing ionizing radiation in violation of § 33.302 (relating to auxiliary personnel performing radiologic procedures). Authority The provisions of this § 33.211 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. § § 121—124.1, 129—129.1, 130, 130e and 130h). Source The provisions
of this § 33.211 adopted January 18, 1965; amended September 12, 1975, effective July 21, 1990, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1975, 5 Pa.B. 2397; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 1975, 5 Pa.B. 2397; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, effective June 24, 1995, 26 Pa.B. 2492; amended June 24, 1995, 26 Pa.B. 2492; amended May 12, 2000, effective May 13, 2000, effective June 24, 1995, 27 Pa.B. 2492; amended June 24, 1995, 26 Pa.B. 2492; amended June 28, 1995, effective June 28, 1995, effective June 28, 1995, effective June 29, 1996, effective June 29,
2000, 30 Pa.B. 2359. Immediately preceding text appears at serial pages (223044) to (233045). § 33.211a. Sexual misconduct. (a) Disciplinary action authorized. Unprofessional conduct, as defined in section 4.1(a)(8) of the act (63 P. S. § 123.1(a)(8)), includes sexual misconduct by a dentist, a dential hygienist, a public health dental hygiene
practitioner or an expanded function dental assistant (EFDA), and subjects the Board-regulated practitioner to disciplinary action under section 4.1(a)(8) and section 4.1(a)(8)
 into an impaired professional program in lieu of disciplinary action or correction. (c) Consent. Consent is not a defense to conduct practitioner and the Board-regulated practitioner's spouse or a person cohabitating with the Board-regulated
practitioner. Authority The provisions of this § 33.211a adopted under sections 4.1(a)(8) and 10.1 of the Dental Law (63 P. S. § $ 123.1 (a)(8) and 129.1). Source The provisions of this § 33.211a adopted November 14, 2008, effective November 15, 2008, as Pa.B. 6279. § 33.212. Misleading, deceptive, untrue or fraudulent representations. As
used in section 4.1(a)(2) of the act (63 P. S. § 123.1(a)(2)), the phrase "misleading, deceptive, untrue or fraudulent representations" includes the following conduct by dentists, dental hygienists and expanded function dental assistants: (1) Misrepresenting or concealing a material fact in obtaining, renewing or seeking reinstatement of a license or
certificate. (2) Misrepresenting or concealing a material fact in obtaining payment for dental services. (3) Writing a prescription for a controlled substance or other medication is intended under § $ 33.207 and 33.208 (relating to prescribing, administering
and dispensing controlled substances; and prescribing, administering and dispensing medications. (4) Falsifying a patient's record regarding treatment or the issuance of a controlled substance or other medication. Authority The provisions of this § 33.212 amended under sections 2—5.1, 10—11.5 and 11.7 of the Dental Law (63 P. S. §§ 121—
124.1, 129—129.1, 130, 130e and 130h). Source The provisions of this § 33.212 adopted January 18, 1965; amended September 12, 1975, effective April 29, 1989, 19 Pa.B. 1840; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective April 29, 1989, 19 Pa.B. 1840; amended June 23, 1975, effective September 13, 1975, effective April 29, 1989, 19 Pa.B. 1840; amended June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective April 29, 1989, 19 Pa.B. 1840; amended June 23, 1989, effective April 29, 1989, effective April 29, 1989, 19 Pa.B. 1840; amended June 24, 1995, 25 Pa.B. 2492; amended May 12, 2000, effective April 29, 1989, effective April 29, effective Ap
May 13, 2000, 30 Pa.B. 2359. Immediately preceding text appears at serial page (223045). Cross References This section cited in 49 Pa. Code § 33.404 (relating to reporting continuing education credit hours). § 33.213. Use and replacement of dental amalgams—statement of policy.
harm in patients. The Board is not aware, however, of conclusive evidence that the use of alternative restorative materials or removal of amalgams will prevent, cure or ameliorate disorders other than those associated with confirmed allergic reactions to mercury. Nonetheless, nonallergic patients may request the use of alternative restorative
materials or replacement of amalgam restorations in the belief, or merely the hope, that a medical condition will thereby disappear or improve. Dentists receiving these requests must make ethical and professional decisions compatible with the best interests of their patients. (b) Purpose. Section 4.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9) of the act
(9)) authorizes the Board to take disciplinary action against licensees who engage in unprofessional conduct or commit acts of negligence, incompetence or malpractice. The replacement of amalgams may implicate both provisions by, for example, generating complaints of unnecessary or even harmful treatment. The Board therefore provides the
following guidelines to assist its licensees in conforming their behavior to the requirements of the act. In a disciplinary action brought against a dentist for treatment associated with replacing amalgams, the Board will consider whether these guidelines were followed. (c) Guidelines. (1) The Board recommends that, before replacing amalgams in a
nonallergic patient, the dentist: (i) Explain to the patient with information on contraindications and costs associated with removal/replacement of amalgam restorations. (ii) Advise a patient relying on third-party payment to ascertain whether the
insurer will cover removal/replacement procedures. (iv) Encourage a patient seeking amelioration of a medical condition to consult with a physician and, as appropriate, secure from the physician documentation of recommendations made to the patient. (v) Memorialize in writing the disclosures made to the patient and the patient's informed
              (2) The Board recognizes the right and duty of dentists to refuse to replace amalgam restorations when, in their professional judgment, this procedure would not be in the best interests of the patient. Source The provisions of this § 33.213 adopted January 18, 1965; amended September 12, 1975, effective September 13, 1975, 5 Pa.B.
2397; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended October 25, 2013, effective October 26, 2013, 43 Pa.B. 6385. Immediately preceding text appears at serial pages (311481) to (311482). § 33.214. Disclosure of financial or ownership interest—statement of policy. (a) Purpose. This section provides guidelines for
compliance with the act of May 26, 1988 (P. L. 403, No. 66) (35 P. S. § $ 449.21—449.23), which requires practitioners of the healing arts, before referring a patient to a facility or entity engaged in providing health-related services, tests, pharmaceuticals, appliances or devices, to disclose to the patient any financial or ownership interest of the
practitioner in the facility or entity. (b) Definitions. The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise: Appliances or devices—The term includes therapeutic equipment, instruments and prosthetic appliances. Disclose to the patient—The practitioner of the
 healing arts makes known to the patient at the time a referred. The practitioner has a financial or ownership interest in the facility or entity or entity or entity.—The term includes another practitioner of the
healing arts, licensed health care practitioner, partnership, association, group practice, business corporation and professional cor
held by the practitioner, the practitioner's spouse or the practitioner's minor children. Health-related services. Pharmaceutical—Pertaining to a drug or pharmacy. Practitioner of the healing arts—A dentist or dental hygienist. Referral—The act of
prescribing, ordering, directing, directing or recommending to a patient a specific facility or entity which provides a health-related service, either by means of prescription, recommended course of treatment, or direction concerning diagnostic or therapeutic treatment or services. Test—The term includes
a test necessary for dental diagnosis or treatment. (c) Use of patient disclosure forms. (1) It is the practitioner's responsibility to disclosure shall be given to each patient at the time a referral is made. The disclosure may be made orally or
in writing. In either event, the Board recommends that the disclosure be memorialized, dated and signed at the time of referral by the practitioner and the practitioner and the practitioner maintain written evidence of the disclosure to another person in the practitioner maintain written evidence of the disclosure be memorialized, dated and signed at the time of referral by the practitioner and the practitioner and the practitioner maintain written evidence of the disclosure be memorialized.
                                                                                   person making the disclosure and the patient. (2) The memorialization of the disclosure shall be substantially in the following form: I ACKNOWLEDGE THAT I HAVE BEEN ADVISED BY MY DENTIST/DENTAL HYGIENIST THAT HE/SHE HAS A FINANCIAL OR OWNERSHIP INTEREST IN
THE FACILITY OR ENTITY TO WHICH HE/SHE HAS REFERRED ME, AND THAT HE/SHE HAS ADVISED ME THAT I AM FREE TO CHOOSE ANOTHER FACILITY OR ENTITY TO PROVIDE THE SERVICE, DRUG, DEVICE OR EQUIPMENT. (3) In an enforcement proceeding before the Board, the memorialization referred to in paragraphs (1) and (2)
shall constitute presumptive evidence that the practitioner made the required disclosure to the patient is not, however, the act of the patient of the patie
 (d) Guidelines for disclosure. With regard to patients who are minors, unconscious, of unsound mind or otherwise incompetent to understand their freedom of choice in selection of a facility or entity, disclosure shall be made to the guardian, spouse or closest adult next of kin. Disclosure of a practitioner's interest cannot be accomplished unless
patients are competent to understand their freedom of choice. A practitioner will not be disciplined for failure to disclose in the event of an emergency which prevents consulting the patient or the pa
effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (151838) to (151839). § 33.215. Use of lasers in experimental and institutional settings has raised questions with regard to using this technology in the dental office. In
addressing this issue, the Board has been mindful of its principal mandate: protection of the public. Section 4.1(a)(8) and (9) of the act (63 P. S. § 123.1(a)(8) and (9)) authorizes the Board to take disciplinary action against licensees who engage in unprofessional conduct or who commit acts of negligence, incompetence or malpractice. The use of
lasers may implicate both provisions by, for example, generating complaints of incompetent treatment or treatment or treatment involving a dentist for treatment involving a den
laser, the Board will consider whether these guidelines were followed. (b) Guidelines were followed. (b) Guidelines were followed. (c) Possess clinical competency in the use of lasers. The Board recommends a minimum of 6 hours
of instruction given by an accredited institution or by a manufacturer of lasers sponsored by such an institution. The instruction should include hands-on training and should cover all known risks to patients, staff and the practitioner. Source The provisions of this § 33.215 adopted June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. § § 33.221—
33.223. [Reserved]. Source The provisions of these § 33.221—33.223 adopted January 18, 1965; amended September 12, 1975, effective Surgery 1975, effective September 13, 1975, feature 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (151839). § 33.224—33.226. [Reserved]. Source The
provisions of these §§ 33.224—33.226 adopted January 18, 1965; reserved September 12, 1975, effective September 12, 1975, effective September 13, 1975, 5 Pa.B. 2397. Immediately preceding text appears at serial pages (9789) to (9790). § 33.231. [Reserved]. Source The provisions of this § 33.231 adopted January 18, 1965; amended September 12, 1975, effective September 12, 1975, effective September 13, 1975, effective September 13, 1975, effective September 14, 1975, effective September 15, 1975, effective September 16, 1975, effective September 17, 1975, effective September 18, 1975, effective September 19, 1975, effective Septem
September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (151840). § § 33.232—33.234 adopted September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (151840).
September 13, 1975, 5 Pa.B. 2397; reserved June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (151840) and (135711). § 33.241. [Reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (151840) and (135711). § 33.241. [Reserved June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial pages (151840) and (135711).
June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135711). § 33.242. [Reserved]. Source The provisions of this § 33.242 adopted September 12, 1975, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1995, effective September 13, 1975, 5 Pa.B. 2397; amended April 28, 1989, effective April 29, 1989, 19 Pa.B. 1840; reserved June 23, 1989, effective April 29, effective Apri
June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135712). § 33.250. Suspected child abuse—mandated reporters. A mandated
reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances: (1) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the
profession or through a regularly scheduled program, activity or service. (2) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the
care, supervision, guidance or training of the child. (3) A person makes a specific disclosure to the mandated reporter that an identifiable child abuse. (4) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse. (b) Staff members of public or
private agencies, institutions and facilities. Whenever a Board regulated practitioner is required to make a report under subsection (a) in the capacity as a member of the staff of a medical, dental or other public or private institution, school, facility or agency, that Board regulated practitioner shall report immediately in accordance with subsection (c)
and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. (c) Reporting procedure. A mandated report of suspected
child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted electronically.
  (2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (related to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation self-service portal at www.compass.state.pa.u
suspected child abuse submitted electronic reports. A written or electronic reports of suspected child abuse, shall include the following information, if known: (1) The names and addresses of the child's parents and any
other person responsible for the child's welfare. (2) Where the suspected child abuse occurred. (3) The nature and extent of the suspected child abuse of the suspected child abuse occurred. (4) The nature and extent of the suspected child abuse occurred.
responsible for causing the suspected abuse and any evidence of prior abuse by those persons. (6) Family composition. (7) The source of the report. (8) The name, telephone number and e-mail address of the person making the report. (9) The actions taken by the person making the report. (9) The source of the report. (10) The source of the report. (11) The source of the report. (12) The actions taken by the person making the report. (13) The source of the report. (14) The source of the report. (15) The source of the report. 
6317. (10) Other information required by Federal law or regulation. (11) Other information that the Department of Human Services may require by regulation. Authority The provisions of this § 33.250 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of The Dental Law (63 P. S. § 122(o)); amended
under section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.250 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial pages
(311485) to (311487). Cross References This section cited in 49 Pa. Code § 33.251 (relating to photographs, medical tests and X-rays of child subject to report); 49 Pa. Code § 33.253 (relating to immunity from liability); 49 Pa. Code § 33.254 (relating to confidentiality—waived); and 49 Pa. Code § 33.255 (relating to noncompliance).
§ 33.251. Photographs, medical tests and X-rays of child subject to report. A Board regulated practitioner may take or cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the
photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent, or within 48 hours after an electronic report is made under § 33.250(c)(2) (relating to suspected child abuse—mandated reporting requirements), or as soon thereafter as possible. The county
children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. Authority The provisions of this § 33.251 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of The Dental Law (63 P. S. § 122(o)); amended under
section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.251 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial page
(311487). Cross References This section cited in 49 Pa. Code § 33.253 (relating to immunity from liability); 49 Pa. Code § 33.255 (relating to confidentiality—waived); and 49 Pa. Code § 33.255 (relating to immunity from liability); 49 Pa. Code § 33.255 (relating to munity from liability); 49 Pa. Code § 33.256 (relating to immunity from liability); 49 Pa. Code § 33.257 (relating to immunity from liability); 49 Pa. Code § 33.258 (relating to immunity from liability); 49 Pa. Code § 33.259 (relating to immunity from liability); 49 Pa. Code § 33.259 (relating to immunity from liability); 49 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33.259 (relating to immunity from liability); 40 Pa. Code § 33
has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the county where the injuries were sustained.
Authority The provisions of this § 33.252 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.252 adopted
November 8, 1996, effective November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial pages (311487) to (311488). Cross References This section cited in 49 Pa. Code § 33.254 (relating to immunity from liability); 49 Pa. Code § 33.254 (relating to confidentiality)
-waived); and 49 Pa. Code § 33.255 (relating to moncompliance). § 33.255 (relating to immunity from liability) a Board regulated practitioner who participates in good faith in the making of a report of suspected child abuse, making a referral for general protective services, cooperating or consulting
with an investigation including providing information to a child fatality or near fatality review team, testifying in any action authorized under 23 Pa.C.S. § 6314—6317, shall have immunity from civil and criminal liability that might
otherwise result by reason of the Board regulated practitioner's actions. For the purpose of any civil or criminal proceeding, the good faith presumption in any disciplinary proceeding that might result by reason of a Board regulated practitioner's actions.
under §§ 33.250—33.252 (relating to suspected child abuse—mandatory reporting requirements; photographs, medical tests and x-rays of child subject to report; and suspected death as a result of child abuse—mandatory reporting requirements; photographs, medical tests and x-rays of child subject to report; and suspected death as a result of child abuse—mandatory reporting requirements; photographs, medical tests and x-rays of child subject to report; and suspected death as a result of child abuse—mandatory reporting requirements.
§ 6383(b)(2); and section 3(o) of The Dental Law (63 P.S. § 122(o)); amended under section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective
August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial page (311488). § 33.254. Confidentiality—waived. To protect children from abuse, the reporting requirements; photographs, medical tests and X-rays of child subject to report; and
suspected death as a result of child abuse—mandated reporting requirement) take precedence over the provisions of any client confidentiality, ethical principle or professional standard that might otherwise apply. In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter
and a patient does not apply to a situation involving child abuse and does not relieve the mandated reporter of the duty to make a report of suspected child abuse. Authority The provisions of this § 33.254 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of The Dental Law (63 P. S. § 122(o)); amended under
section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.254 adopted November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial page
(311488). § 33.255. Noncompliance. (a) Disciplinary action. A Board regulated practitioner who willfully fails to comply with the reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child
abuse—mandated reporting requirement) will be subject to disciplinary action under section 4.1 of the act (63 P.S. § 123.1). (b) Criminal penalties. Under 23 Pa.C.S. § 6319 (relating to penalties), a Board regulated practitioner who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities and who
willfully fails to do so commits a criminal offense, as follows: (1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree. (2) An offense is a felony of the third degree if all of the following apply:
first degree or higher. (iii) The mandated reporter knows or has reasonable cause to suspect a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to
suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the second degree.
  (4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under § 6319, commits a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree
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Authority The provisions of this § 33.255 issued under the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2); and section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.255 adopted
November 8, 1996, effective November 9, 1996, 26 Pa.B. 5410; amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Immediately preceding text appears at serial page (371903). § 33.256. Child abuse recognition and reporting—mandatory training requirement. (a) Except as provided in subsection (c), individuals applying to the Board for
an initial license or certificate shall submit proof of completion of 3 hours of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services. (b) Except as provided in subsection (c), licensees and certificate holders seeking renewal of a license or certificate issued by the Board shall
complete, as a condition of biennial renewal of the license or certificate, 2 hours of approved continuing education in child abuse recognition and reporting requirements, as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau,
in consultation with the Department of Human Services, as set forth in § 33.257 (relating to child abuse recognition and reporting course approval process). (c) An applicant, licensee or certificate holder may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the
applicant, licensee or certificate holder meets one of the following: (1) The applicant, licensee or certificate holder has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-
              (ii) The training was approved by the Department of Education in consultation with the Department of Human Services. (iii) The amount of training or continuing education required under subsection (a) or (b), as applicable. (2) The applicant, licensee or certificate holder submits.
documentation demonstrating all of the following: (i) The applicant, licensee or certificate holder has already completed child abuse recognition training was approved by the Department of Human Services. (iii) The amount of training received
equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicant, licensee or certificate holder should not be subject to the training or continuing education requirement. Each request for an
exemption under this paragraph will be considered on a case-by-case basis. Authority The provisions of this § 33.256 issued under section 3(0) of the Dental Law (63 P.S. § 122(0)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.256 adopted July 31, 2020, effective August 1, 2020, 50 Pa.B. 3485
Cross Reference This section cited in 49 Pa. Code § 33.401 (relating to credit-hour requirements). § 33.257. Child abuse recognition and reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and
training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services (DHS), Office of Children, Youth and Families, and to the Bureau at the following addresses: (1) Department of Human Services (DHS), Office of Children, Youth and Families, and to the Bureau at the following addresses:
Harrisburg, PA 17120 or electronically at RA-PWOCYFCPSL@pa.gov. (2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649 or electronically at RA-stcpsl[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]course[lowbar]cours
address, e-mail address and telephone number) for the agency/course administrator. (2) General description of the training and course delivery method. (3) Title of the course related materials, including as applicable:
                         (ii) Narrated script or talking points. (iii) Interactive activities or exercises. (iv) Videos and audio/visual content. (v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material. (vi) For online courses, a transcript or recording of audio training. (8) Citation of sources
 including written permission to use copyrighted material, if applicable. (9) Anticipated credentials or experience of the presenter, or biography of presenter, if known. (10) Printed materials used to market the training. (11) Evaluation used to assess participants' satisfaction with the training. (12) Sample certificate of
attendance/participation, which shall include: (i) Name of participant. (ii) Title of training. (iii) Date of training (2 or 3 hours). (v) Name and signature of the provider. The signature may be an electronic signature. (vi) Statement affirming the participant attended the
entire course. (13) Verification of ability to report participation/attendance electronically to the Bureau in a format prescribed by the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau will notify the applicant in writing upon approval of the course and will post a list of approved cou
§ 33.257 issued under section 3(o) of the Dental Law (63 P.S. § 122(o)); and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of this § 33.257 adopted July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Cross References This section cited in 49 Pa. Code § 33.256 (relating to child abuse recognition and
 reporting—mandatory training requirement). § 33.291. [Reserved]. Source The provisions of this § 33.291 adopted September 12, 1975, effective June 24, 1995, 25 Pa.B. 2492. Immediately preceding text appears at serial page (135712). Subchapter D. PERFORMANCE OF
RADIOLOGIC PROCEDURESBY AUXILIARY PERSONNEL Sec. 33.301. Definitions. 33.302. Requirements for personnel performing radiologic procedure examination fees. 33.305. Effective date. § 33.301. Definitions. The following words and terms, when used in this
subchapter, have the following meanings, unless the context clearly indicates otherwise: Ionizing radiation— (i) Gamma rays and X-rays; alpha and beta particles, high-speed electrons, neutrons, protons and other nuclear particles.
  Premises of the dentist—A location at which a dentist practices dentistry, other than a health care facility regulated by the Department of Public Welfare or the Federal government. Radiologic procedure—A dental diagnostic procedure that utilizes ionizing radiation. Radiologic procedure examination—The Radiation
Health and Safety examination administered by The Dental Assisting National Board, Inc. (DANB). Authority The provisions of this § 33.301 issued under section 11.4 of The Dental Law (63 P. S. § 122(d), (j.2) and (o)). Source The provisions of this § 33.301 issued under section 3(d), (j.2) and (o) of The Dental Law (63 P. S. § 122(d), (j.2) and (o)).
August 21, 1987, effective August 22, 1987, 17 Pa.B. 3477; amended June 23, 1995, effective December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982. Immediately preceding text appears at serial pages (311489) to (311490). § 33.302. Requirements for personnel performing radiologic procedures.
 (a) Public health dental hygiene practitioners may perform radiologic procedures in those settings set forth in § 33.205b(c) (relating to practitioners shall take radiographs under this section in accordance with the following:
  (1) Within 30 days of taking a radiograph, the public health dental hygiene practitioner shall provide to the patient a copy of the radiograph and a referral to a dentist indicating the reason the radiograph was taken and any observations noted by the public health dental hygiene practitioner. (2) The public health dental hygiene practitioner shall
 instruct the patient to consult with the dentist as indicated on the referral form. (3) Upon presentation by the patient, the dentist shall perform an examina-tion of the patient. (b) Dental hygienists may perform radiologic procedures in
any setting under the general supervision of a licensed dentist. For the purpose of this subsection, "general supervision" means supervision by a dentist who examines the patient, develops a dentist who examines the patient of the 
responsibility for performance of the dental hygienist. (c) Auxiliary personnel who have passed the radiologic procedure examination adopted by the Board may perform radiologic procedure is performed, but is not
required to personally observe performance of the provisions of this § 33.302 issued under section 3(d), (j.2) and (o)). Source The provisions of this § 33.302 adopted August 21, 1987, effective August 22,
1987, 17 Pa.B. 3477; amended June 23, 1995, effective June 24, 1995, 25 Pa.B. 2492; amended December 11, 2009, effective December 12, 2009, 39 Pa.B. 6982. Immediately preceding text appears at serial page (311490). Notes of Decisions Ripeness Petition for review of these regulations was dismissed as the association of dental hygienists'
 allegations of direct and immediate harm did not establish the justiciability of a pre-enforcement challenge to this regulation. The association's allegations of change in their work schedule, reduced availability of dental hygiene services, reduced income, possible unemployment and the uncertainty of the ongoing day-to-day operations of dental
hygiene care are merely anticipatory, speculative and too remote to support a claim of direct and immediate harm. Pennsylvania Dental Hygienists' Association v. State Board of Dentistry, 672 A.2d 414 (Pa. Cmwlth. 1996). Cross References This section cited in 49 Pa. Code § 33.205 (relating to practice as a dental hygienist); and 49 Pa. Code
§ 33.211 (relating to unprofessional conduct). § 33.303. Applications for examination will provide examination materials to licensed dentists in this Commonwealth and to educational institutions and professional associations designated by the
 Bureau for distribution to auxiliary personnel who wish to apply to take the examination. Authority The provisions of this § 33.303 adopted August 21, 1987, effective August 22, 1987, 17 Pa.B. 3477. § 33.304. Radiologic procedure examination
fees. Examination candidates shall pay fees directly to the testing organization charged with administering the radiologic procedure examination. Authority The provisions of this § 33.304 adopted August 21, 1987, effective August 22, 1987, 17
Pa.B. 3477. § 33.305. Effective date. The testing organization charged with administering the radiologic procedure examination will begin accepting applications to take the examination will be application accepting application accepting application will be application acceptance.
subchapter. Authority The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The provisions of this § 33.305 issued under section 11.4 of The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S. § 130e). Source The Dental Law (63 P. S
NITROUSOXIDE/OXYGEN ANALGESIA Sec. 33.331. Definitions. 33.332. Requirement of permit. 33.333. Types of permits. 33.334. Application for permit. 33.335. Requirements for unrestricted permit. 33.336. Requirements for restricted permit.
permit I. 33.336a. Requirements for unrestricted permit and restricted permit I. 33.336b. Approved peer evaluations and clinical evaluations and clinical evaluations of peer evaluations of peer evaluations for administering clinical evaluations and clinical evaluations.
evaluations, 33.336e. Confidentiality of peer evaluation reports, 33.337. Requirements for restricted permit, 33.338. Expiration and renewal of permits, 33.338. Expiration and renewal of permits, 33.339. The second restricted permit is a second r
restricted permit I holders. 33.340b. Duties of dentists who are restricted permit II holders. 33.341. Suspension, revocation, limitation of permit; refusal to issue or renew. 33.344. Requirement of anesthesia permit for nonparenteral premedication of
dental patients—statement of policy. § 33.331. Definitions. The following words and phrases, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise: AAOMS—American Association of Oral and Maxillofacial Surgeons. AAOMS Guidelines—AAOMS Parameters and Pathways 2000 Clinical Practice
Guidelines for Oral and Maxillofacial Surgery, Anesthesia in Outpatient Facilities (AAOMS Par Path 2000), 4/15/99. AAOMS Manual—AAOMS Office Anesthesia Manual, 6th Edition, 2000. AAPD—American Academy of Pediatric Dentistry.
Anesthesia in Pediatric Dental Patients (May, 1998). ACLS—Advanced Cardiac Life Support. ADA—American Dental Association. ADA Guidelines—ADA 
organization or individual that the Board has officially authorized to act as the Board of Dentistry. CRNA—A registered nurse certified as a Registered Nurse Anesthetist by the Council on Certification or Recertification of Dentistry.
Nurse Anesthetists of the American Association of Nurse Anesthesia under § 21.17 (relating to the administration of anesthesia by a registered nurse.) Clinical evaluation—A determination of the dentist's current technical competency to safely administer general anesthesia, deep sedation or conscious sedation
and to effectively respond to anesthesia related emergencies, in accordance with the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAPD Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the ADA Guidelines (for pediatric patients) and the AAOMS Manual for OMSs or the AA
electronic data transmission, such as a telephone, video link, intercom, two-way radio or other similar device. Conscious sedation—A minimally depressed level of consciousness that is produced by a pharmacologic method, or a combination of both, in which the patient retains the ability to maintain an airway
independently and continuously and to respond appropriately to physical stimulation or verbal command. Deep sedation—A controlled, pharmacologically induced state of depressed consciousness from which the patient is not easily aroused and which may be accompanied by a partial loss of protective reflexes, including the ability to maintain a
patent airway independently or respond purposefully to physical stimulation or verbal command, or both. General anesthesia—A controlled state of unconsciousness that is accompanied by a complete or partial loss of protective reflexes that
include the patient's inability to maintain an airway independently and to respond purposefully to physical stimulation or elimination of pain in the conscious patient through the use of nitrous oxide/oxygen. Nitrous oxide/oxygen analgesia—The diminution or elimination of pain in the conscious patient through the use of nitrous oxide/oxygen.
  OMS—Oral and Maxillofacial Surgeon who is a current member of the PSOMS or AAOMS. Office inspection—A determination as to whether the offices where the dentist administers anesthesia is properly equipped as prescribed in § 33.340a(a)(2) or § 33.340b(a)(2) or §
duties of dentists who are restricted permit I holders; and duties of dentists who are restricted permit I holders), as appropriate to the type of permit, and in accordance with the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAPD Guidelines (for pediatric patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guidelines (for adult patients) and the AAOMS Manual for OMSs, or the ADA Guide
Support. PSOMS—Pennsylvania Society of Oral and Maxillofacial Surgeons. Patient physical evaluation—An assessment of the patient's physical and mental condition relevant to the surgery to be performed and anesthesia or anesthetic to be utilized. Pediatric patient—A patient under 18 years of age. Peer evaluation organization—An entity
approved by the Board for administering a program whereby licensed dentists conduct office inspections and clinical evaluations for dentists seeking initial or renewal unrestricted or restricted or 
  Peer evaluator—A licensed dentist with a current unrestricted permit I who conducts an office inspection or clinical evaluation under the auspices of an approved peer evaluation organization. Physician—A Pennsylvania licensed medical or osteopathic physician who is currently certified by the American Board of
Anesthesiology or the American Osteopathic Board of Anesthesiology, or is credentialed to administer anesthesia in a hospital or ambulatory surgical facility licensed by the Department of Health. Authority The provisions of this § 33.331 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § § 130c and 130d); amended under sections
3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.331 adopted July 8, 1988, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238326). Cross References This section cited in 49 Pa. Code
§ 33.341 (relating to duties of dentists who are not permit to administration of anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (a) Permit required for administration of anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia.
this subchapter before administering, or supervising the administration of, general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia in a dental office. (b) Permit not required to possess a permit under this subchapter before
administering, or supervising the administration of, general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia in a State- or Federally-regulated facility other than a dental office. (c) Failure to comply with subsection (a) will be considered unprofessional conduct and will subject the dentist
to disciplinary action under section 4.1 of the act (63 P. S. § 123.1). Authority The provisions of this § 33.332 issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.332 adopted July 8,
1988, effective July 9, 1988, 18 Pa.B. 3045; amended July 7, 1989, effective July 8, 1989, 19 Pa.B. 2953; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (238326) to (238327). Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license). § 33.333. Types
of permits. The Board will issue the following permits to licensees qualified under this subchapter: (1) Unrestricted permit. A permit which authorizes the holder to administer general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (2) Restricted permit I. A permit which authorizes the holder to administer
conscious sedation or nitrous oxide/oxygen analgesia. (3) Restricted permit II. A permit to administer the appropriate type of anesthesia
relevant to the applicant's qualifications. Authority The provisions of this § 33.333 issued under sections 3(0) and 11.2(a) of The Dental Law (63 P. S. § $ 122(o) and 130c(a)). Source The provisions of this § 33.333 adopted July 8, 1988, effective July 9, 1988, 18
Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238327). Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license).
sedation, conscious sedation or nitrous oxide/oxygen analgesia, or a temporary permit, shall submit an application on a form provided by the Board, pay the permit fee prescribed in \$ 33.339 (relating to fees for issuance of permits) and meet the requirements for the permit applied for as prescribed in this subchapter. (b) Application forms may be
obtained from the State Board of Dentistry, Post Office Box 2649, Harrisburg, Pennsylvania 17105-2649. Authority The provisions of this § 33.334 issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § § 120(o) and 130c(a)). Source The provisions of this § 33.334 issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § § 120(o) and 130c(a)).
of this § 33.334 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (238327) to (238328). § 33.335. Requirements for unrestricted permit. (a) To secure an unrestricted permit, a dentist shall have done one of the following:
  (1) Successfully completed at least 2 years in a postgraduate program for advanced training in anesthesiology and related academic subjects that conforms to Part II of the American Dentistry. (2) Possess current certification as a Diplomate of the
 American Board of Oral and Maxillofacial Surgeons, a Fellow of the American Association of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of the American Board of Oral and Maxillofacial Surgery or a Fellow of Ora
11.3 of The Dental Law (63 P. S. § $ 130c and 130d); amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § $ 122(o) and 130c(a)). Source The provisions of this § 33.335 adopted July 8, 1989, effective July 8, 1989, effective July 9, 1988, 18 Pa.B. 3045; amended July 7, 1989, effective July 8, 1989, 19 Pa.B. 2953; amended May 13, 2005, effective May 14,
2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238328). Cross References This section cited in 49 Pa. Code § 33.336. Requirements for restricted permit I. To secure a restricted permit I, a dentist shall have
successfully completed a course on conscious sedation comprising at least 60 hours of undergraduate or postgraduate program) or Part II (for a postgraduate program) of the ADA's Guidelines for Teaching the Comprehensive Control of Pain and
Anxiety in Dentistry. Authority The provisions of this § 33.336 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.336 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045;
amended July 7, 1989, effective July 8, 1989, 19 Pa.B. 2953; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238329). Cross References This section cited in 49 Pa. Code § 33.110 (relating to fees for issuance of permits)
§ 33.336a. Requirements for unrestricted permit and restricted permit I. (a) Office inspections and clinical evaluations. (1) Initial permits. Initial unrestricted and restricted permit applicants shall satisfactorily complete an office inspection and clinical evaluation conducted by an approved peer evaluation organization under § 33.336b (relating to
 approved peer evaluation organizations for administering clinical evaluations and office inspections). (2) First renewal permit applicants shall satisfactorily complete an office inspection and clinical evaluation as a condition for permit renewal. Completion
April 1, 2005, unrestricted and restricted and restricted and clinical evaluation once every 6 years. (4) Report of office inspection and clinical evaluation that conducted the
 office inspection and clinical evaluation that evidences the applicant's satisfactory completion of an office inspection and clinical evaluation. (b) Standards for anesthesia administration. (1) An OMS applicant for an unrestricted or restricted I permit shall attest that
the administration of anesthesia to adult and pediatric patients will be conducted in conformance with the standards outlined in the AAOMS Manual. (2) A general dentist applicant for an unrestricted or restricted or restricted or restricted in conformance
with the standards outlined in the ADA Guidelines and that the administration of anesthesia to pediatric patients will be conducted in conformance with the standards outlined in the AAPD Guidelines. (c) ACLS/PALS certification. (1) Adult patients. An applicant for an unrestricted or restricted or restricted in conformance with the standards outlined in the AAPD Guidelines.
education. (1) Beginning April 1, 2005, and for all subsequent renewal periods, the following hours of continuing education are required as a condition of permit shall have completed 15 hours of Board approved courses related to general anesthesia and deep sedation.
    (ii) Restricted permit I. An applicant for a restricted permit I shall have completed 15 hours of Board approved courses related to conscious sedation. (2) Continuing anesthesia education will be credit-hour requirements). Authority The
 provisions of this § 33.336a issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.336a adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.110 (relating to volunteer license); and 49 Pa. Code § 33.338
(relating to expiration and renewal of permits). § 33.336b. Approved peer evaluations and office inspections and office inspections.
Oral and Maxillofacial Surgeons (AAOMS). (2) The Pennsylvania Society of Oral and Maxillofacial Surgeons (PSOMS). (b) An organization to conduct clinical evaluations and office inspections under subsection (a) may
apply to the Board for approval to serve as an organization to conduct clinical evaluations and office inspections. In determining whether to grant approval, the Board will consider the following factors: (i) A minimum 5 years experience administering
general anesthesia and deep sedation (for unrestricted permit I holders) or conscious sedation (for restricted permit I. (iii) Completion of a minimum 7-hour course in conducting office inspections and clinical evaluations. (2) Whether the organization has
 sufficient peer evaluators that meet the criteria listed in § 33.336d (relating to qualifications of peer evaluations) to conduct office inspections and clinical evaluations to applicants
for initial and renewal permits. (4) Whether the organization has standards for satisfactory completion of an office inspection and clinical evaluation. (6) Whether the organization has an internal appeal procedure to contest the
office inspection or clinical evaluation. (7) Whether the organization has a peer review oversight committee whose members meet the following criteria: (i) A minimum 5 years experience administering general anesthesia and deep sedation.
unbiased and equitable office inspections and clinical evaluations and clinical evaluations and clinical evaluations are sto make records for at least 5 years. (10) Whether the organization agrees to make records of all office inspection or
 clinical evaluation within a reasonable time if the results of the initial office inspection or clinical evaluation are unsatisfactory. (11) Whether the organization agrees to conduct office inspections and clinical evaluations in conformance with the standards outlined in the AAOMS Manual and AAOMS Guidelines (for OMSs) and the ADA Guidelines or
AAPD Guidelines (for general dentists), and in accordance with § § 33.340 and 33.340a (relating to duties of dentists who are unrestricted permit I holders). (12) Whether the organization agrees to utilize peer evaluator teams consisting of at least two permitholders as follows: (i) For
office inspections and clinical evaluations of unrestricted permitholders, at eam consisting of at least two unrestricted permitholders, or a team consisting of at least one unrestricted permitholders. (ii) For office inspections and clinical evaluations of restricted permitholders.
permitholder and one restricted permit I holder. (c) An approved peer evaluation and office inspection for the applicant. Authority The provisions of this § 33.336b issued under sections
3(o) and 11.2(a) of The Dental Law (63 P. S. § § 122(a) and 130c(a)). Source The provisions of this § 33.336b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336a (relating to requirements for unrestricted permit and restricted
permit I); and 49 Pa. Code § 33.340 (relating to duties of dentists who are unrestricted permitholders). § 33.336c. Standards for office inspections and clinical evaluations. Office inspections and clinical evaluations.
Guidelines for general dentists. Authority The provisions of this § 33.336c issued under section 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.336c adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336e (relating to
confidentiality of peer evaluation reports). § 33.336d. Qualifications of peer evaluators conducting office inspections and clinical evaluations of unrestricted permit. (b) A peer evaluator
conducting office inspections and clinical evaluations of restricted permit I holders and applicants shall be a licensed dentist holding either a current unrestricted permit I may only conduct office inspections and clinical evaluations when part of a team
consisting of at least one unrestricted permitholder. (c) A peer evaluator shall be independent from, and have no conflict of interest with, the dentist or dental practice being reviewed. (d) The administering approved peer evaluators are qualified under this section. Authority The provisions of this
§ 33.336d issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.336d adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.336d (relating to approved peer evaluation organizations for administering clinical
evaluations and office inspections). § 33.336e. Confidentiality of peer evaluation reports. (a) Office inspection and clinical evaluation reports and related information shall remain confidential except as provided in § 33.336e. Confidential except as provided in § 33.336e. Confidential evaluation reports and related information shall remain confidential except as provided in § 33.336e. Confidential evaluation reports.
(65 P. S. § 66.1—66.4), known as the Right-to-Know Law. (b) An administering approved peer evaluation within 30 days from the date the office inspection and clinical evaluation was conducted that documents whether the applicant
has successfully completed the office inspection and clinical evaluation or office inspection reveals that the noncompliance of a dentist or dental office presents an immediate and clear danger to the public health and safety, the administering approved peer evaluation organization shall immediately notify the Commissioner
of the Bureau. Authority The provisions of this § 33.336e issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.336e issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)).
shall have successfully completed a course in nitrous oxide/oxygen analgesia comprising at least 14 hours of undergraduate program) or Part III (for an postgraduate program) of the ADA's Guidelines for Teaching the Comprehensive
Control of Pain and Anxiety in Dentistry. (b) Initial restricted II permit applicants shall provide the following: (1) The make, model and serial number of any nitrous oxide/oxygen analgesia equipment utilized by the applicant.
order. (3) An attestation that the applicant has written office procedures for administering nitrous oxide/oxygen analgesia and handling emergencies related to the administration of nitrous oxide/oxygen analgesia. (c) Subsequent renewal permits. Following the applicant's initial permit renewal after April 1, 2004, for each subsequent renewal
period, an applicant shall provide an attestation to the Board, in accordance with § 33.338(b)(4) (relating to expiration and renewal of permits), that the applicant uses is properly calibrated and maintained and contains a fail-safe system. Authority The provisions of this § 33.337 issued under
 sections 11.2 and 11.3 of The Dental Law (63 P. S. § 130c and 130d); amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.337 adopted July 8, 1988, effective July 8, 1989, 19 Pa.B. 2953; amended May 13, 2005,
effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (238329) to (238330). Cross References This section cited in 49 Pa. Code § 33.339 (relating to fees for issuance of permits). § 33.337a. Requirements for temporary permit. (a) To secure a temporary
unrestricted permit, restricted permit I or restricted permit II, an applicant shall include with the application proof that the applicant possesses the qualifications required for the type of permit requested. (b) Temporary permits expire 1 year following the effective date and may not be renewed. Authority The provisions of this § 33.337a issued
under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(a) and 130c(a)). Source The provisions of this § 33.337a adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. § 33.338. Expiration and renewal of permits.
license but may be renewed biennially at the same time the dental license is renewed. (b) A dentist who desires to renew a permit shall submit the following: (1) A renewal application on a form provided by the Board. (2) The permit renewal fee prescribed in § 33.339 (relating to fees for issuance of permits). (3) Proof of current certification
in ACLS (adult patients) or PALS (pediatric patients), or both (for unrestricted permits and restricted I permits). (4) An attestation, on the renewal application, that any equipment used to administer general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia has been installed, properly calibrated and maintained
according to the equipment manufacturer's guidelines and contains a fail-safe system (for all permits). (5) Proof of compliance with the continuing anesthesia education requirement under § 33.336a(d) (relating to requirements for unrestricted permit and restricted permit).
evaluation requirements under § 33.336a(a). Authority The provisions of this § 33.336 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § § 122(o) and 130c(a)). Source The provisions of this § 33.338 adopted July 8, 1988, effective July 9,
1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial page (238330). Cross References This section cited in 49 Pa. Code § 33.339. Fees for issuance of permits. The following fees are charged for the issuance of permits.
permits under this subchapter: (1) Unrestricted permit I. (i) Initial ...$10 (ii) Renewal ...$210 (iii) Temporary ...$15 (iv) Temporary ...$10 (iv) Te
provisions of this § 33.339 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 122(o), 123(a) and (b) and 130c(a)). Source The provisions of this § 33.339 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May
 13, 2005, effective May 14, 2005, 35 Pa.B. 2899 and 2880; amended December 20, 2013, effective December 21, 2013, 43 Pa. Code § 33.3 (relating to fees); 49 Pa. Code § 33.34 (relating to application for permit); and 49 Pa. Code
§ 33.338 (relating to expiration and renewal of permits). § 33.340. Duties of dentists who are unrestricted permit issued under this subchapter shall ensure that: (1) Prior to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia, the
permitholder takes or updates a patient medical history and gives the patient a physical evaluation or nitrous oxide/oxygen analgesia. (2) The dental office in which the permitholder administers general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia.
conscious sedation or nitrous oxide/oxygen analgesia on an outpatient basis contains the following: (i) An operating room. (ii) An operating table or chair. (iii) A lighting system. (iv) Oxygen and supplemental gas delivery systems, including primary
and back-up sources and a fail-safe control mechanism. (vi) A sterilization area. (vii) A gas storage area and scavenger system. (ix) Emergency airway equipment. (xi) Patient transport equipment.
    (xii) Monitoring equipment, procedures and documentation to conform to the age, size and condition of the patients (GMS); the ADA Guidelines for adult patients (general dentists); and the AAPD Guidelines for pediatric patients (general dentists).
    (xiii) Capnograph for intubated patients and pulse oximeter. (xiv) Blood pressure monitoring device. (xvi) Defibrillator. (xvii) Results of patient medical history and identification of anesthesia procedures to be utilized, prior to the administration of general anesthesia, deep sedation.
 conscious sedation or nitrous oxide/oxygen analgesia. (xviii) Signed, written, informed patient consent, prior to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (xviii) Signed, written, informed patient shall
be obtained from the minor's parent or guardian. (xix) Stethoscope. (3) Auxiliary personnel who assist the permitholder in the administration of general anesthesia, deep sedation or conscious sedation: (i) Are trained to perform the duties that the permitholder delegates to them, if the duties do not require the professional judgment and
skill of the permitholder and do not involve the actual administration of general anesthesia, deep sedation or conscious sedation. (ii) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the permitholder and do not involve the actual administration of general anesthesia, deep sedation or conscious sedation.
the scope of the permitholder's authority. (iv) Are currently certified in BLS. (4) CRNAs who are delegated the duties of administering general anesthesia, deep sedation or conscious sedation: (i) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the performance of the
duties. (ii) Do not perform duties that are beyond the scope of the permitholder's authority. (iii) Are currently certification in ACLS for adult patients and PALS for pediatric patients. (6) The Board receives a complete report of a death or incident requiring medical care and resulting in
physical or mental injury that directly resulted from the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia by the permitholder or by a CRNA working under the supervision of the permitholder. The permitholder shall submit the report within 30 days of the death or incident. (7) The Board
receives prior notice of the first time that a dental office of the permitholder will be used for the administration of general anesthesia or deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (8) General anesthesia or deep sedation of a general dentist is administered by a
person dedicated solely to the administration and monitoring of anesthesia, and the dental procedures are performed by a dental licensee who is not involved in the administration of the general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen
analgesia is installed, maintained and calibrated according to the equipment manufacturer's guidelines; is in proper working condition prior to the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia; and monitoring equipment is being used during the administration of general anesthesia.
 (10) If the permitholder travels to the offices of non-permitholders for the purpose of administering general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia, the permitholder shall satisfactorily complete a clinical evaluation and the equipment transported to the nonpermitholder dentist's office for the administration
of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia by a permitholder shall satisfactorily complete an inspection conducted by an approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation organization under § 33.336b(a) (relating to approved peer evaluation u
required by paragraph (2) and that the staff is properly trained to handle anesthesia related emergencies. (11) General anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia is administered to adult patients in
accordance with the ADA Guidelines (general dentists) or to pediatric patients in accordance with the AAPD Guidelines, the AAOMS Manual, the ADA Guidelines and this subchapter shall be resolved in favor of this subchapter. (12) Patient records are prepared
maintained and retained in accordance with § 33.209 (relating to preparing, maintaining and retaining patient records). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action under section 4.1 of the act (63 P. S. § 123.1). Authority The provisions of this
§ 33.340 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § 120(o) and 130d); amended under sections 3(o) and 130c(a)). Source The provisions of this § 33.340 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended May 13, 2005, effective May 14, 2005, 35 Pa.B.
2880. Immediately preceding text appears at serial pages (266043) to (266045). Notes of Decisions Appropriate monitoring equipment The term "appropriate monitoring equipment to act; the
lack of clear guidance as to what constitutes "appropriate" monitoring equipment lends itself to a situation in which the standards are left to be defined by the personal or professional views of individual members of the State Board of Dentistry, Watkins v. State Board of Dentistry, 740 A.2d 760 (Pa. Cmwlth. 1999). Cross References This section
cited in 49 Pa. Code § 33.331 (relating to definitions); 49 Pa. Code § 33.336b (relating to approved peer evaluation organizations for administering clinical evaluations and office inspections); 49 Pa. Code § 33.342 (relating to approved peer evaluation organizations for administering clinical evaluation organization organizations for administering clinical evaluation organization organizatio
§ 33.340a. Duties of dentists who are restricted permit I holders. (a) A dentist who possesses a restricted permit I issued under this subchapter shall ensure that: (1) Prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia, the permitholder takes or updates a patient medical history and gives the patient a physical
 evaluation sufficient to determine the patient's suitability to receive conscious sedation or nitrous oxide/oxygen analgesia on an outpatient basis contains the following: (i) An operating room. (ii) An operating table or chair
                                   (iv) Suction equipment commensurate with the patient's age, size and condition. (v) Oxygen and supplemental gas delivery systems, including primary and back-up sources and a fail-safe control mechanism. (vi) A sterilization area. (vii) A recovery area.
    adult and pediatric patients (OMS); the ADA Guidelines for adult patients (general dentists); and the AAPD Guidelines for pediatric patients (general dentists.) (xvii) Results of patient medical history and patient physical evaluation, and
identification of anesthesia procedures to be utilized, prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia, which includes a description of the procedure, its risks and possible
alternative treatments. Consent for a minor patient shall be obtained from the minor's parent or guardian. (xix) Stethoscope. (3) Auxiliary personnel who assist the permitholder in the administration of conscious sedation:
professional judgment and skill of the permitholder and do not involve the actual administration of conscious sedation. (ii) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the permitholder and do not involve the actual administration of conscious sedation.
 the permitholder's authority. (iv) Are currently certified in BLS. (4) CRNAs who are delegated the duties of administering conscious sedation: (i) Perform their duties under the direct on-premises supervision of the permitholder, who shall assume full responsibility for the performance of the duties. (ii) Do not perform duties that are
                                                                   (iii) Are currently certified in ACLS. (5) The dentist possesses a current certification in ACLS for adult patients. (6) The Board receives a complete report of a death or incident requiring medical care and resulting in physical or mental injury that directly
resulted from the administration of conscious sedation or nitrous oxide/oxygen analgesia by the permitholder or by a CRNA working under the supervision of the permitholder. The permitholder or by a CRNA working under the supervision of the permitholder or by a CRNA working under the supervision of the permitholder.
will be used for the administration of conscious sedation or nitrous oxide/oxygen analgesia is installed, maintained and calibrated according to the equipment manufacturer's quidelines, contains a fail-safe system and is in proper
working condition prior to the administration of conscious sedation or nitrous oxide/oxygen analgesia, the permitholder shall satisfactorily complete a clinical evaluation and the equipment
transported to a non-permitholder dentist's office for the administration of conscious sedation or nitrous/oxide oxygen analgesia by a permitholder must satisfactorily complete an inspection conducted by an approved peer evaluation organization for administering clinical
evaluations and office inspections) in accordance with the requirements of the AAOMS Manual and AAOMS Guidelines, the ADA Guidelines or the AAPD Guidelines or t
administered has the equipment required by paragraph (2) and that the staff is properly trained to handle anesthesia-related emergencies. (10) Conscious sedation and nitrous oxide/oxygen analgesia is administered to adult patients in
accordance with the ADA Guidelines (general dentists) or to pediatric patients in accordance with the AAPD Guidelines, or the AAPD Guidelines and this subchapter shall be resolved in favor of this subchapter. (11) Patient records are prepared,
maintained and retained in accordance with § 33.209 (relating to preparing, maintaining and retaining patient records). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action under section 4.1 of the act (63 P. S. § 123.1). Authority The provisions of this
§ 33.340a issued under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.340a adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.331 (relating to definitions); 49 Pa. Code § 33.336b (relating to approved peer
evaluation organizations for administering clinical evaluations and office inspections); 49 Pa. Code § 33.340 (relating to inspection of dentists who are restricted permit II holders. (a) A dentist who possesses a restricted permit II
issued under this subchapter shall ensure that: (1) Prior to the administration of nitrous oxide/oxygen analgesia, the permitholder takes or updates a patient medical history and gives the patient's suitability to receive nitrous oxide/oxygen analgesia. (2) The dental office in which the
permitholder administers nitrous oxide/oxygen analgesia on an outpatient basis contains the following: (i) An operating room. (ii) An operating room. (iii) A lighting system, including primary and back-up sources and a fail-safe control
mechanism. (vi) A sterilization area. (vii) A gas storage area and scavenger system. (viii) Communications equipment, procedures and documentation to conform to the age, size and condition of the patient and the AAOMS Manual and AAOMS Guidelines for adult and pediatric patients (OMS), the ADA
Guidelines for adult patients (general dentists) and the AAPD Guidelines for pediatric patients (general dentists). (x) Results of patient medical history, patient physical evaluation and identification of the nitrous oxide/oxygen analgesia. (xi) Signed, written,
informed patient consent, prior to the administration of nitrous oxide/oxygen analgesia, which includes a description of the procedure, its risks and possible alternative treatments. Consent for a minor patient shall be obtained from the minor's parent or guardian. (xii) Stethoscope. (3) Nitrous oxide/oxygen analgesia is administered to adult and
pediatric patients in accordance with the AAOMS Guidelines and AAOMS Manual (OMS) or to adult patients in accordance with the AAPD Guidelines (general dentists). Conflicts between the AAOMS Guidelines, the AAOMS Manual, the ADA Guidelines or the AAPD
Guidelines and this subchapter shall be resolved in favor of this subchapter. (4) Monitoring equipment and equipment used to administer nitrous oxide/oxygen analgesia is installed, maintained and calibrated according to the
administration of nitrous oxide/oxygen analgesia. (5) Patient records are prepared, maintaining and retaining patient records). (b) A dentist's failure to comply with this section will be considered unprofessional conduct and will subject the dentist to disciplinary action
under section 4.1 of the act (63 P. S. § 123.1). Authority The provisions of this § 33.340b adopted May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Cross References This section cited in 49 Pa. Code § 33.331
(relating to definitions); 49 Pa. Code § 33.341 (relating to duties of dentists who are not permitholders); and 49 Pa. Code § 33.341 (relating to inspection of dentists who are not permitholders).
conscious sedation or nitrous oxide/oxygen analgesia to be administered on an outpatient basis in his dental office will be used for the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen
analgesia. (2) The dental office meets the appropriate equipment and facility requirements prescribed in § 33.340a(a)(2) or § 33.340b(a)(2) (relating to duties of dentists who are restricted permit I holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders.
Board receives a written certification from the dentist to that effect. (3) The general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia, are administered by one of the following: (i) The holder of a permit under this subchapter or CRNA delegatee. (ii) A physician as defined in § 33.331 (relating to definitions).
 (4) Either the dentist who performs the dentist who performs the dential procedure or the CRNA, physician or permitholder who administers the general anesthesia, deep sedation or conscious sedation possesses a current certification in ACLS.
equipment used to administer general anesthesia, deep sedation, conscious sedation and nitrous oxide/oxygen analgesia is present in the nonpermitholder's office, is properly installed, maintained and calibrated according to the equipment manufacturer's quidelines, contains a fail-safe system and is in proper working condition prior to the
 administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia, and that monitoring equipment is being used during the administration of general anesthesia. (6) The nonpermitholder receives a written certification from the permitholder that the permitholder has satisfactorily completed a clinical
evaluation and the equipment transported to the nonpermitholder dentist's office for the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia by a permitholder has satisfactorily completed an inspection conducted by an approved peer evaluation organization under § 33.336b(a) (relating to
approved peer evaluation organizations for administering clinical evaluations and office inspection), in accordance with the requirements of the AAOMS Manual and AAOMS Guidelines (OMS), ADA Guidelines or AAPD Guidelines or AAPD Guidelines, as applicable. (b) A dentist shall submit to the Board a complete written report on a death or an incident requiring
medical care and resulting in physical or mental injury that directly resulted from the administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia in his dentist's failure to comply with this section will be considered
unprofessional conduct and will subject the dentist to disciplinary action under section 4.1 of the act (63 P. S. § 123.1). (d) Beginning April 1, 2005, and for all subsequent renewal periods, non-permitholder licensees who maintain offices in which general anesthesia, deep sedation or conscious sedation is administered, shall have completed 5 hours
of Board-approved courses related to anesthesia. These 5 hours shall be credited toward the nonpermitholder licensee's continuing education requirements). Authority The provisions of this § 33.341 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § § 130c and 130d);
amended under sections 3(o) and 11.2(a) of The Dental Law (63 P. S. § 122(o) and 130c(a)). Source The provisions of this § 33.341 adopted July 8, 1989, 19 Pa.B. 2953; amended May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text
appears at serial pages (266045) to (266046). Notes of Decisions Notice In the absence of a clause exempting from the notice requirements those who administered anesthesia prior to the effective date of the regulation or a clause stating that the
regulation applies to all dentists upon becoming effective is a reasonable interpretation of that regulation; the dentist was required to give notice the first time he used general anesthesia in his office after the effective date of the regulation. Watkins v. State Board of Dentistry, 740 A.2d 760 (Pa. Cmwlth. 1999). Cross References This section cited in
49 Pa. Code § 33.342 (relating to inspection of dental offices). § 33.342. Inspections of a dental office with or without prior notice, for the purpose of determining whether the office is in compliance with the equipment and facility requirements
prescribed in § 33.340(a)(2), § 33.340a(a)(2), § 33.340b(a)(2), (relating to duties of dentists who are restricted permit I holders; and duties of dentists who are restricted permit I holders; and duties of dentists who are restricted permit I holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists who are restricted permit II holders; and duties of dentists w
sedation, conscious sedation or nitrous oxide/oxygen analgesia in the office or the dentist who operates the office is not in compliance with this subchapter. (2) Upon a reasonable belief that conditions exist in the office that pose a danger to the health or safety of the public. (b) Notice of inspection. Prior to
the start of an inspection of a dental office, the Board's authorized agents will advise the dentist whose office is being inspection. (c) Access during inspection is being made under this section and is limited in scope by this section and is limited in scope by this section.
general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia are administration of general anesthesia, deep sedation, conscious sedation or nitrous oxide/oxygen analgesia. (3) Interviews with auxiliary personnel. (d) Guideline for inspection.
An inspection will be conducted under provisions pertaining to office facilities and equipment in § 33.340(a)(2), § 33.340b(a)(2), § 33.340b(a
facility requirements prescribed in §§ 3.340(a)(2), 33.340a.(a)(2), 33.340a.(a)(2), 33.340b.(a)(2), or 33.341(2), the Board will give the deficiencies and of the deficiencies. A reinspection shall take place within 30 days, and, if noncompliance is still shown, formal administrative charges
may be initiated. Authority The provisions of this § 33.342 issued under sections 11.2 and 11.3 of The Dental Law (63 P. S. § $ 120(o) and 130c(a)). Source The provisions of this § 33.342 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045; amended
May 13, 2005, effective May 14, 2005, 35 Pa.B. 2880. Immediately preceding text appears at serial pages (266046) and (266047). § 33.343. Suspension, revocation, limitation of permit; refusal to issue or renew. The Board may, following notice and a hearing under section 4.1(c) of the act (63 P. S. § 123.1(c)), refuse to issue or renew a permit, or may
suspend, revoke or limit a permit, for any of the following reasons: (1) Noncompliance with the requirements of the act or this subchapter. (2) Fraud or deceit in obtaining or attempting to obtain a permit. (3) Knowingly aiding or attempting to obtain a permit.
authorized by a permit. (5) Having a dental license suspended or revoked under section 4.1 of the act. Authority The provisions of this § 33.343 adopted July 8, 1988, effective July 9, 1988, 18 Pa.B. 3045.
§ 33.344. Requirement of anesthesia permit for nonparenteral premedication of dental patients—statement of policy. (a) Background. Section 11.2 of the act (63 P. S. § 130c) directs the Board to establish minimal training and education for the issuance of permits to dentists to administer general anesthesia, conscious sedation and analgesia on an
outpatient basis. Definitions of these three terms appear in section 2 of the act (63 P. S. § 121). The definition of conscious sedation as "a minimally depressed level of conscious sedation as "a minimal sedat
constitutes conscious sedation and thus triggers the permit requirement. (b) Purpose. The Board regards section 11.2 of the act as expressing the legislative purpose of reducing the risk of death or injury to dental patients who receive anesthetic modalities on an outpatient basis. In view of that purpose, and of the encompassing definition of
conscious sedation adopted by the legislature, the Board believes that the protection afforded by the act extends to patients who, owing to a depressed level of consciousness produced by premedication, are at greater risk during the dental procedure and the recovery period thereafter. The Board believes further that such an increase in patient risk
as a result of premedication requires the dentist to have training in preventing, recognizing and managing complications and emergencies associated with conscious sedation. It is this training which the conscious sedation permit requirement is designed to ensure. (c) Implementation. The Board recognizes that many variables—such as dosage, time
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of administration and the patient's physical and medical condition—bear on the effects of premedication during and after the dentist. It is for the dentist therefore to determine whether premedication produces conscious sedation creating an increased

concluded, based on this section, the act and this chapter, that a permit was require the protection afforded by the permit requirement: (1) The Board repatients from these groups are advised to consider most carefully whether the permit requirement in the permit requirement. (1) The Board requirement in the permit requirement in the permit requirement in the permit requirement. (2) The Board requirement is patient of the permit requirement. (3) The Board requirement is patient to require ment in the permit requirement. (4) The Board requirement is patient to require ment in the permit requirement. (5) The Board requirement is patient to require ment in the permit requirement. (6) The Board requirement is patient to require ment in the permit requirement. (6) The Board requirement is patient to require ment in the permit requirement. (1) The Board requirement is patient to require ment in the permit requirement. (1) The Board requirement is patient to require ment in the permit requirement. (1) The Board requirement is patient to require ment in the permit requirement. (1) The Board requirement is patient to require ment in the permit requirement in the permit requirement is patient. (1) The Board requirement is patient to require ment in the permit requirement in the per		s required to possess a permit before premedicating patients. The Board offers, hower ients who are medically compromised as principal candidates for nonparenteral premise in paragraph (1), for whom nonparenteral premedications are used solely to reduce a for purposes of the permit requirement. Source The provisions of this § 33.344 are porting continuing education credit hours. Authority The provisions of this Subchapterences This subchapter cited in 49 Pa. Code § 33.105 (relating to biennial renew and function dental assistants—10 hours. (b) Except as provided in subsection (h), the	mild situational anxiety, or for whom analgesics are prescribed preoperatively to relieve dopted December 8, 1989, effective December 9, 1989, 19 Pa.B. 5223. Subchapter pter F issued under section 3(j.1) and (j.2) of The Dental Law (63 P. S. § 122(j.1) and (j.2)), val of licenses and certificates). § 33.401. Credit-hour requirements. (a) An applicant shall e required hours shall be taken in subject areas listed in § 33.402 (relating to continuing
book, article or continuing education program. (1) Instructors will be awarded required hours for articles published in a peer-reviewed professional journal. (experiments in subsection (a). (g) Exceptions are as follows: (1) An applicant emergency or hardship may apply to the Board in writing for a waiver. The requires as set forth in § 33.256 (relating to child abuse recognition and reporting—man of this § 33.401 amended under section 3(o) of the Dental Law (63 P.S. § 122(of section cited in 49 Pa. Code § 33.336a (relating to requirements for unrestricted which contribute directly to the maintenance of clinical competence of a dentist	d two additional credit hours as preparation time for each credit hour of instruction, and for credit will not be awarded for repeating a program in the same renewal period unless the number of the continuing education requirement in subsection (a) for only the biend the example of the continuing education requirement in subsection (a) for only the biend the example of the continuing education requirement in subsection (a) for only the biend that the example of the continuing requirement is impossible. Waiver requests will be evaluated on a case addatory training requirement). The Board will not renew a license or certificate unless the body; and the Child Protective Services Law, 23 Pa.C.S. § 6383(b)(2). Source The provisions of permit and restricted permit I); and 49 Pa. Code § 33.341 (relating to duties of dentists we to dentify the continuing the continuing education dentities of dentists we can be added to the continuing education that the continuing education the continuing education requirement in subsection (a) for only the biend dentities of the continuing education requirement in subsection (a) for only the biend dentities of dentitie	r actual instruction, up to 50% of the required hours. Additional credit hours for instruction are subject matter has substantially changed during that period. (f) A licensee or certifical period during which the applicant passed the licensure or certification examination by case basis. (h) All licensees and certificate holders shall complete 2 of the requireau has received an electronic report from an approved course provider document of this § 33.401 amended July 31, 2020, effective August 1, 2020, 50 Pa.B. 3854. Impulse are not permitholders). § 33.402. Continuing education subject areas. (a) Exceptisistant. Examples of acceptable subjects include: (1) Diagnosis and treatment of or	ructors are subject to the limitations of subsection (e). (2) Authors will be awarded 50% of the ificate holder suspended for disciplinary reasons is not exempt from the continuing education on. (2) An applicant who cannot meet the continuing education requirement due to illness, ired hours of continuing education in approved courses on child abuse recognition and reporting ing the attendance/participation by the licensee or certificateholder. Authority The provisions mediately preceding text appears at serial pages (363517) to (363518). Cross References This tas provided in subsections (c)—(e), the required credit hours shall be completed in subjects ral pathosis. (2) Clinical and technological subjects. (3) Emergency procedures excluding assistants. (b) Credit hours will not be awarded in nonclinical subjects, including: (1) Billing.
(2) Office management. (3) Practice building. (4) Insurance reimbursemes shall complete five of the required 20 hours of continuing education in public he School Code of 1949 (24 P. S. § 12-1205.2) may submit evidence of the complet to the administration of local anesthesia, including pharmacology or other relate follows: (i) Unless an exemption applies, an expanded function dental assist dental assistant certified by the Board after March 31, 2011, shall complete the of continuing education in coronal polishing in paragraph (1): (i) Expanded at any time after June 28, 2010. (iii) Expanded function dental assistants where the continuing education is considered as a second continuing education.	ent. (5) Communication skills, except as provided in subsection (c). (c) A dental hygienist ealth-related courses. (e) A school dental hygienist who is certified as a public health dentation of education courses approved for certification by the school district to meet the 20-housed courses. (g) Expanded function dental assistants shall comply with the following: (1) tant certified by the Board by March 31, 2011, shall complete the 3 hours of continuing education in the area of coronal polishing as a condition of renewal function dental assistants who are also licensed as dental hygienists. (ii) Expanded fun	It may complete no more than three of the required 20 hours of continuing educational hygiene practitioner and who, as a certified educational specialist is required to obtain continuing education requirement. (f) A dental hygienist who holds a local anesth Except as provided in paragraph (2), expanded function dental assistants shall complete or the area of coronal polishing as a condition of renewal for the biennial period or the first complete biennial renewal period after initial certification. (2) The folloction dental assistants who can document that they have completed coursework including the property of the first paragraph (3). (3) The refered by an approved program sponsor at any time after June 28, 2010. (3)	in courses relating to communication skills. (d) A public health dental hygiene practitioner stain continuing professional education under the act and under section 1205.2 of the Public esia permit shall complete 3 of the required 20 hours of continuing education in courses related lete 3 of the 10 required hours of continuing education in the area of coronal polishing as od which begins on April 1, 2013. (ii) Unless an exemption applies, an expanded function owing expanded function dental assistants are exempt from the requirement to complete 3 hours adding coronal polishing as part of their education at a Board-approved EFDA education program requirements of this subsection may not be met through video, online or distance education, but
provisions of this § 33.402 amended December 11, 2009, effective December 12 § 33.403. Program sponsors. (a) The Board has approved the following as program of State Board of Nursing. (3) The American Dental Association Dental Hygienists Association. (5) The American Medical Association United States military services. (10) The National Institutes of Health. (11) credits involved in the program. (2) Conduct programs in subjects which cont (4) Provide sufficient and adequate physical facilities for the number and type participants with a continuing education certificate after assuring satisfactory of	2, 2009, 39 Pa.B. 6982; amended September 7, 2012, effective September 8, 2012, 42 Pa.B. gram sponsors: (1) An accredited dental, dental hygiene or expanded function dental assist sociation Continuing Education Review Program, the American Dental Association's special n, American Osteopathic Medical Association and the American Nursing Association. (6) The United States Public Health Services. (b) Program sponsors shall: (1) Disclose in a tribute directly to the maintenance of clinical competence of a dentist, dental hygienist or ele of participants and the teaching methods to be utilized. (5) Evaluate the program, throughput the program of the program. (c) The Board may, following notice and hearing	5736. Immediately preceding text appears at serial pages (346674) to (346675). Crosting school or program. (2) The medical or osteopathic medical school or college at the associations, the American Dental Hygienists Association and the American Dental The Pennsylvania Academy of Dental Hygiene Studies. (7) The Academy of General dvance to prospective participants the objectives, prerequisites, experience level, contained function dental assistant. (3) Provide program materials which are accurately questionnaires of the participants and instructors, to determine its effectiveness. In gunder 2 Pa.C.S. § \$ 501—508 (relating to practice and procedure of Commonwealth)	oss References The provisions of this § 33.401 (relating to credit-hour requirements). Inccredited by an accrediting body recognized by the State Board of Medicine, State Board of I Assistants Association. (4) The National Dental Association and its specialty societies and the I Dentistry National Sponsor Approval Program. (8) The Veterans' Administration. (9) The Intent, required advanced preparation, teaching method and number of continuing education at and consistent with currently accepted standards relating to the program's subject matter. (6) Retain accurate attendance records and written outlines for a 4-year period. (7) Provide h agencies), withdraw the approval of a program sponsor for cause and amend subsection (a)
§ 33.404. Reporting continuing education credit hours. (a) The applicant shall proceed (c) Acceptable documentation consists of any one of the following: (1) A continuity publication for published articles, books or continuing education programs. (4 completion of the program. (e) Falsification of information required under substitution of the program.	a written petition with the Board outlining the party's qualifications and experience. Upon provide the requested information concerning the required hours on an application for bientinuing education certificate or sponsor-generated printouts. (2) A certified transcript of Evidence obtained from the program sponsor of having been an instructor, including an a section (a) constitutes a violation of § 33.212(1) (relating to misleading, deceptive, untrue of material has been drawn directly from the official Pennsylvania Code full text database. Du	nial renewal. (b) The applicant shall provide a copy of the documentation supporting courses taken for credit in an accredited university or college. For noncredit courses agenda. (d) The responsibility for documenting the continuing education requirement fraudulent representations) and section 4.1 of the act (63 P. S. § 123.1(a)(2)). (f)	g the completion of the required credit hours when requested to do so by the Board. taken, a statement of hours of attendance, signed by the instructor. (3) Evidence of its rests with the applicant. The documentation shall be maintained for 4 years after the Failure to comply with subsection (b) may result in disciplinary or corrective action. No part of

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