BOARD REGULATION NUMBER 61--MOBILE AND PORTABLE DENTAL FACILITIES

Purpose: To establish requirements for licensees operating mobile dental facilities or portable dental operations within the State of Mississippi, all pursuant to Miss. Code Ann. § 73-9-13.

1. Applicability

   This regulation applies to the Operator of a mobile dental facility or portable dental operation who:

   a. provides dental services; and

   b. does not have a physically stationary office in the city or county where the services are provided.

2. Exemptions

   Mobile dental offices and portable dental operations operated by agencies of the State of Mississippi which do not charge or collect any fees whatsoever for services provided are exempt from the requirements of this regulation.

3. Definitions

   As used herein, the following terms shall have the meanings specified:

   a. "Mobile dental facility or portable dental operation" means any self-contained facility in which dentistry will be practiced, which may be moved, towed, or transported from one location to another.

   b. "Operator" means the person licensed to practice dentistry in the State of Mississippi and who has registered a mobile dental facility or portable dental operation with the Board pursuant to the registration requirements of this regulation.

4. Registration

   a. In order to operate a mobile dental facility or portable dental operation, the Operator must be an individual who is authorized to practice dentistry under the laws and regulations of this State, and must possess a current mobile dental office registration issued by the Board.

   b. To become registered, the Operator must:

(1) Complete an application in the form and manner required by the Board.

(2) Provide the Board with evidence of compliance with the requirements of this regulation.

(3) With the registrant's initial application to the Board, submit proof from the Mississippi State Board of Health that licensee's radiographic equipment has been approved.

5. Office Physical Address and Telephone Number

a. The Operator of a mobile dental facility or portable dental operation shall maintain an official business or mailing address of record (hereinafter "official office address"), which shall not be a post office box and which shall be filed with the Board.

b. The Operator of a mobile dental facility or portable dental operation shall maintain an official telephone number of record, which shall be filed with the Board. Furthermore, the telephone number for the mobile dental facility or portable dental operation must have 911 capability.

c. The Board shall be notified within thirty (30) days of any change in the address or telephone number of record.

d. All written or printed documents available from or issued by the mobile dental facility or portable dental operation shall contain the official office address and telephone number of record for the mobile dental facility or portable dental operation.

e. When not in transit, all dental and official records shall be maintained at the official office address.

6. Written Procedures, Communication Facilities, Conformity with Requirements, and Driver Requirements

The Operator of a mobile dental facility or portable dental operation shall ensure the following:

a. There is a written procedure for emergency follow-up care for patients treated in the mobile dental facility or portable dental operation, and such procedure includes arrangements for treatment in a dental facility that is permanently established in the area where services were provided.

b. With the registrant's initial application, the Board must be provided a list of names of dentists to whom the Operator of the mobile dental facility or

portable dental operation will refer patients for follow-up care, subject to the patient's right to choose another dental care provider. This list shall contain the dentist's full name, physical office address, telephone number, and an attached statement from each dentist so listed indicating that the dentist will be responsible for follow-up care. The list shall be updated when changes are made insofar as follow-up care dentists are concerned.

c. The mobile dental facility or portable dental operation has communication facilities that will enable the Operator thereof to contact necessary parties in the event of a medical or dental emergency. The communication facilities must enable the patient or the parent or guardian of the patient treated to contact the Operator for emergency care, follow-up care, or information about treatment received. The provider who renders follow-up care must also be able to contact the Operator and receive treatment information, including radiographs.

d. The mobile dental facility or portable dental operation and the dental procedures performed comply with the laws and regulations of the State.

e. The driver of the mobile dental facility or portable dental operation possesses a valid Mississippi driver's license appropriate for the operation of the vehicle. A copy of the driver's licenses of all drivers of the mobile dental facility or portable dental operation must be submitted with the Operator's initial application to the Board.

f. No services are performed on minors without a signed consent form from the parent or guardian, which indicates:

(1) if the minor already has a dentist, the parent or guardian should continue to arrange dental care through that provider; and

(2) the treatment of the child by the mobile dental facility or portable dental operation may affect the future benefits that the child may receive under private insurance, Medicaid; or the Children's Health Insurance Program (CHIP).

g. A mobile dental facility or portable dental operation that accepts a patient and provides preventive treatment, including prophylaxis, radiographs, and fluoride, but does not follow-up with treatment when such treatment is clearly indicated, is considered to be abandoning the patient. Arrangements must be made for treatment services by either the Operator or other licensee who agrees to provide follow-up care. If such arrangements are not made, the Operator will be construed to have committed unprofessional conduct pursuant to Miss. Code Ann. § 73-9-61 and shall be subject to disciplinary action by this Board.

7. Physical Requirements and Inspection for Mobile Dental Facility or Portable Dental Operation

   a. The Operator shall ensure that the mobile dental facility or portable dental operation has the following:

      (1) Ready access to a ramp or lift;

      (2) A properly functioning sterilization system;

      (3) Ready access to an adequate supply of potable water, including hot water;

      (4) Ready access to toilet facilities; and

      (5) A covered galvanized, stainless steel, or other noncorrosive container for deposit of refuse and waste materials.

   b. All procedures must be in compliance with the current Recommended Infection-Control Practices for Dentistry as published by the federal Centers for Disease Control and Prevention (CDC).

   c. The mobile dental facility or portable dental operation shall be inspected by a Board member or a staff evaluator prior to receiving approval to operate by the Board.

   d. Once approved the mobile dental facility or portable dental operation shall be subject to periodic, unannounced audits by any Board member or a staff evaluator.

8. Identification of Personnel, Notification of Changes in Written Procedures, and Display of Licenses

   a. The Operator of a mobile dental facility or portable dental operation shall identify and advise the Board in writing within thirty (30) days of any personnel change relative to all licensed dentists and licensed dental hygienists associated with the mobile dental facility or portable dental operation by providing the full name, address, telephone numbers, and license numbers, where applicable.

   b. The Operator shall advise the Board in writing within thirty (30) days of any change in the written procedure for emergency follow-up care for patients treated in the mobile dental facility or portable dental operation, including arrangements for treatment in a dental facility which is permanently established in the area. The permanent dental facility shall be identified in the written procedure.

c. Each dentist and dental hygienist providing dental services in the mobile dental facility or portable dental operation shall prominently display his or her Mississippi dental or dental hygienist license in plain view of patients.

9. Identification of Location of Services

a. Each Operator of a mobile dental facility or portable dental operation shall maintain a written or electronic record detailing for each location where services are provided:

(1) the street address of the service location;

(2) the dates of each session;

(3) the number of patients served; and

(4) the types of dental services provided and quantity of each service provided.

b. The written or electronic record shall be made available to the Board or its representative within ten (10) days of a request.

c. Each mobile dental facility or portable dental operation must possess all applicable county and city licenses or permits to operate at each location.

10. Licensed Dentist in Charge

A mobile dental facility or portable dental operation shall at all times be in the charge of a dentist currently licensed to practice dentistry in the State of Mississippi. A dentist currently licensed to practice dentistry in the State of Mississippi shall be present at all times when clinical services are rendered.

11. Information for Patients

a. During or at the conclusion of each patient's visit to the mobile dental facility or portable dental operation, the patient shall be provided with an information sheet. If the patient has provided consent to an institutional facility to access the patient's dental health records, the institution shall also be provided with a copy of the information sheet. An institutional facility includes, but is not limited to, a long-term care facility or school.

b. The information sheet as required herein shall include the following:

(1) Pertinent contact information as required by this regulation;

(2) The name of the dentist and other dental staff who provided services;

(3) A description of the treatment rendered, including billed service codes and fees associated with treatment, and tooth numbers when appropriate; and

(4) If necessary, referral information to another dentist as required by this regulation.

12. Cessation of Operation

a. Upon cessation of operation by the mobile dental facility or portable dental operation, the Operator shall notify the Board within thirty (30) days of the last day of operation in writing of the final disposition of patient records and charts.

b. If the mobile dental facility or portable dental operation is sold, a new registration application must be filed with the Board.

c. Upon choosing to discontinue practice or services in a community, the Operator of a mobile dental facility or portable dental operation shall notify all patients and dispose of all records in compliance with the requirements set forth in the Principles of Ethics and Code of Professional Conduct published by the American Dental Association (ADA) and Board regulations.

d. The Operator shall make reasonable arrangements with the active patients of the mobile dental facility or portable dental operation for the transfer of the patient's records, including radiographs or copies thereof, to the succeeding practitioner or, at the written request of the patient, to the patient.

e. As used in this section, "active patient" applies and refers to a person whom the mobile dental facility or portable dental operation has examined, treated, cared for, or otherwise consulted with during the two-year (2) year period prior to discontinuation of practice, or moving from or leaving the community.

Regulation Sixty-One adopted by the Mississippi State Board of Dental Examiners on February 25, 2005; amended May 6, 2005.