

BOARD REGULATION NUMBER 13–SUPERVISION AND DELEGATION OF DUTIES TO DENTAL AUXILIARY PERSONNEL

Purpose: Pursuant to the provisions of Miss. Code Ann. §§ 73-9-3(i), 73-9-5(2), and 73-9-13, to define the type of supervision required for dental auxiliaries and to further determine procedures which require the professional judgement and skill of a dentist and which, as such, may not be delegated to auxiliary personnel.

Supervision of Dental Auxiliaries

Miss. Code Ann. §§ 73-9-3(i) and 73-9-5(2) address areas of supervision of dental auxiliaries, and the following definitions apply to the supervision of dental auxiliaries:

1. **Direct Supervision:** Miss. Code Ann. §§ 73-9-3(i) and 73-9-5(2) state that the work of dental auxiliaries shall at all times be under the direct supervision of a licensed Mississippi dentist. This level of supervision requires that a dentist be physically present in the dental office or treatment facility, personally diagnose the condition to be treated, authorize the procedures to be performed, remain in the dental office or treatment facility while the procedures are being performed by the auxiliary, and evaluate the performance of the dental auxiliary.
2. **General Supervision:** Miss. Code Ann. § 73-9-5(2) provides for a limited scope of practice for dental hygienists employed by the Mississippi State Board of Health or public school boards or who may be making public demonstrations for educational purposes, all while under the general supervision of a licensed Mississippi dentist. For this level of supervision and for the limits imposed by Miss. Code Ann. § 73-9-5(2), a dentist is not required to be in the dental office or treatment facility when procedures are being performed, and the dentist may or may not have personally diagnosed the condition to be treated, may or may not have personally authorized the procedures, and may or may not evaluate the performance of the dental hygienist.

Delegation of Duties to Dental Auxiliaries

The Board has determined that the following procedures may not be delegated to dental auxiliary personnel.

1. Periodontal screening and probing, or subgingival exploration for hard and soft deposits and sulcular irrigations to dental assistants and/or dental hygienists not licensed by the State of Mississippi; may be performed by licensed Mississippi dental hygienists.
2. The use of ultrasonic and/or sonic instruments to dental assistants and/or dental hygienists not licensed by the State of Mississippi; may be performed by licensed Mississippi dental hygienists.
3. Pursuant to Miss. Code Ann. § 73-9-3, the removal of calcareous deposits with an instrument by anyone other than a licensed Mississippi dental hygienist.

NOTICE OF PROPOSED RULE ADOPTION
STATE OF MISSISSIPPI
MS STATE BOARD OF DENTAL EXAMINERS

Mississippi State Board of Dental Examiners
c/o Leah Diane Howell
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Jackson, MS 39201-2801
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Specific Legal Authority authorizing the promulgation of
Rule: Miss. Code Ann. §73-9-13.

Reference to Rules repealed, amended or suspended by the
Proposed Rule : Board Regulation 13.

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: To amend item #3 regarding the use of hand scalers. Move the definition of "direct supervision" to a new definitions section, minor grammatical changes, and adding the definition of "general supervision."

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

An oral proceeding is scheduled on this rule on Date: _____ Time: _____
Place: _____

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least _____ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

- The agency has determined that an economic impact statement is not required for this rule, or
 The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: 11/03/2006

Proposed Effective Date of Rule: 11/03/2006



Signature and Title of Person Submitting Rule for Filing Executive Director

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MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS



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November 14, 2006

Honorable Eric Clark
Mississippi Secretary of State
Heber Ladner Building
401 Mississippi Street
Post Office Box 136
Jackson, MS 39205

HAND MAIL

RE: Notice of Proposed Rule Adoption--Board Regulations 13

Dear Secretary Clark:

In accordance with your agency's policies, enclosed for an initial filing are an original and one copy of the Notice of Proposed Rule Adoption and Board Regulations 13. Also, enclosed is a self-addressed envelope for your use in returning a "filed" copy of the Notice and attached Regulation to this office. An Economic Impact Statement is not attached, as this amendment does not necessitate such.

If you require anything further, please do not hesitate to call.

Sincerely,



Debbie K. Burton
Secretary Admin. Confidential

Enclosures