

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

DENTISTRY - GENERAL RULES

Filed with the secretary of state on April 26, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16145, 16148, 16174, 16178, 16182, 16186, 16201, 16204, 16205, 16215, 16608, 16611, 16625, 11626, 16631, 16644, 16651, 16652, 16653, 16654, 16655, 16656, 16657, and 16658 of the public health code, 1978 PA 368, MCL 333.16145, 333.16148, 333.16174, 333.16178, 333.16182, 333.16186, 333.16201, 333.16204, 333.16205, 333.16215, 333.16608, 333.16611, 333.16625, 333.16626, 333.16631, 333.16644, 333.16651, 333.16652, 333.16653, 333.16654, 333.16655, 333.16656, 333.16657, and 333.16658, and Executive Reorganization Order Nos. 1991-9, 1996-2, 2003-1, and 2011-4, MCL 338.3501, 445.2001, 445.2011, and 445.2030)

R 338.11101, R 338.11103, R 338.11120, R 338.11121, R 338.11201, R 338.11202, R 338.11203, R 338.11221, R 338.11223, R 338.11233, R 338.11235, R 338.11239, R 338.11247, R 338.11253, R 338.11255, R 338.11259, R 338.11261, R 338.11267, R 338.11301, R 338.11303, R 338.11307, R 338.11401, R 338.11501, R 338.11512, R 338.11513, R 338.11515, R 338.11517, R 338.11519, R 338.11521, R 338.11523, R 338.11525, R 338.11527, R 338.11601, R 338.11602, R 338.11603, R 338.11605, R 338.11701, R 338.11703, R 338.11704, R 338.11704a, R 338.11705, R 338.11801, R 338.11811, R 338.11813, R 338.11815, R 338.11817, R 338.11819, and R 338.11821 of the Michigan Administrative Code are amended, R 338.11209, R 338.11213, R 338.11218, R 338.11257, R 338.11263, R 338.11265, R 338.11269, R 338.11271, R 338.11302, R 338.11302a, R 338.11411, R 338.11415, R 338.11417, and R 338.11419 are added, and R 338.11107, R 338.11117, R 338.11123, R 338.11222, R 338.11241, R 338.11245, R 338.11402, R 338.11403, R 338.11404, R 338.11404a, R 338.11405, R 338.11405a, R 338.11405b, R 338.11405c, R 338.11406, R 338.11408, R 338.11409, R 338.11410, R 338.11505, R 338.11604, R 338.11704b, and R 338.11704c are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 338.11101 Definitions.

Rule 1101. (1) As used in these rules:

November 24, 2020

- (a) “Allied dental personnel” means the supporting team who receives appropriate delegation from a dentist or dental therapist to participate in dental treatment.
- (b) “Analgesia” means the diminution or elimination of pain in the conscious patient as a result of the administration of an agent including, but not limited to, local anesthetic, nitrous oxide, and pharmacological and non-pharmacological methods.
- (c) “Approved course” means a course offered by either a dental, dental therapy, dental hygiene, or dental assistant program accredited by the Commission on Dental Accreditation (CODA) of the American Dental Association (ADA) that meets the requirements in section 16611 of the code, MCL 333.16611.
- (d) “Assistant” means a nonlicensed person who may perform basic supportive procedures under the supervision of a dentist as provided in these rules.
- (e) “Board” means the Michigan board of dentistry.
- (f) “Conscious sedation” means a minimally depressed level of consciousness that retains a patient’s ability to independently and continuously maintain an airway and respond appropriately to physical stimulation or verbal command and that is produced by a pharmacological or a non-pharmacological method or a combination of both.
- (g) “Code” means the public health code, 1978 PA 368, MCL 333.1101 to 333.25211.
- (h) “Dental therapist” means a person licensed under part 166 of the code, MCL 333.16601 to 333.16659, to provide the care and services and perform any of the duties described in section 16656 of the code, MCL 333.16656.
- (i) “Dentist” means, except as otherwise provided in R 338.11801, a person licensed by the board under the code and these rules to engage in the practice of dentistry.
- (j) “Department” means the department of licensing and regulatory affairs.
- (k) “Enteral” means any technique of administration in which the agent is absorbed through the gastrointestinal or oral mucosa.
- (l) “General anesthesia” means the elimination of all sensations accompanied by a state of unconsciousness and loss of reflexes necessary to maintain a patent airway.
- (m) “Licensed” means the possession of a full license to practice, unless otherwise stated by the code or these rules.
- (n) “Local anesthesia” means the elimination of sensation, especially pain, in 1 part of the body by the topical application or regional injection of a drug.
- (o) “Office” means the building or suite in which dental treatment is performed.
- (p) “Parenteral” means a technique of administration in which the drug bypasses the gastrointestinal (gi) tract, including intramuscular (im), intravenous (iv), intranasal (in), submucosal (sm), subcutaneous (sc), and intraocular (io).
- (q) “Registered dental assistant” (RDA) means a person licensed as a registered dental assistant by the board under the code and these rules. A dental hygienist may perform the functions of a registered dental assistant if he or she is licensed by the board as a registered dental assistant.
- (r) “Registered dental hygienist” (RDH) means a person licensed as ~~such~~ a registered dental hygienist by the board under the code and these rules.
- (s) “Second pair of hands” means acts, tasks, functions, and procedures performed by a dental assistant, registered dental assistant, or registered dental hygienist at the direction of a dentist, dental therapist, or registered dental hygienist who is in the process of rendering dental services and treatment to a patient. The acts, tasks, functions, and procedures performed by a dental assistant, registered dental assistant, or registered

dental hygienist are ancillary to the procedures performed by the dentist, dental therapist, or registered dental hygienist and intended to provide help and assistance at the time the procedures are performed. This definition does not expand the duties of the dental assistant, registered dental assistant, or registered dental hygienist as provided by the code and rules promulgated by the board.

(t) "Sedation" means the calming of a nervous, apprehensive individual, without inducing loss of consciousness, through the use of systemic drugs. Agents may be given orally, parenterally, or by inhalation.

(2) Unless otherwise defined in these rules, the terms defined in the code have the same meaning when used in these rules.

R 338.11103 Identification, written consent.

Rule 1103. At the inception of care for a patient, both of the following must occur:

(a) Each dentist, dental therapist, dental assistant, registered dental assistant, and registered dental hygienist shall identify himself or herself to the patient as a dentist, dental therapist, dental assistant, registered dental assistant, or registered dental hygienist.

(b) The patient shall be provided with a written consent for treatment.

R 338.11107 Rescinded.

R 338.11117 Rescinded.

R 338.11120 Dental treatment records; requirements.

Rule 1120. (1) A dentist or dental therapist shall make and maintain a dental treatment record on each patient.

(2) A dental treatment record must include all of the following information:

(a) Medical and dental history.

(b) The patient's existing oral health care status and the results of any diagnostic aids used.

(c) Diagnosis and treatment plan.

(d) Dental procedures performed upon the patient, including both of the following:

(i) The date the procedure was performed.

(ii) Identity of the dentist, dental therapist, or allied dental personnel performing each procedure.

(e) Progress notes that include a chronology of the patient's progress throughout the course of all treatment.

(f) The date, dosage, and amount of any drug prescribed, dispensed, or administered to the patient.

(g) Radiographic images taken in the course of treatment. If radiographic images are transferred to another dentist, the name and address of that dentist must be entered in the treatment record.

(3) All dental treatment records must be maintained for not less than 10 years from the date of the last treatment.

R 338.11121 Scheduled controlled substances; inventory record requirements.

Rule 1121. (1) When a controlled substance, as described in article 7 of the code, MCL 333.7101 to 333.7545, is stocked in a dental office for dispensing or administering to a patient, the dentist shall maintain an accurate inventory record of the drug that includes all of the following information:

- (a) The date and quantity of the drug purchased.
  - (b) The amount of the drug, dosage of the drug, and the date the drug was dispensed or administered.
  - (c) The name of the patient to whom the drug was dispensed or administered.
- (2) The inventory record must be available for inspection for not less than 10 years.
- (3) The dentist shall keep an inventory record in addition to the dental treatment records required by R 338.11120.

R 338.11123 Rescinded.

## PART 2. LICENSURE

R 338.11201 Licensure by examination to practice dentistry; graduates of programs in compliance with board standards.

Rule 1201. In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for dentist licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee and shall meet all of the following requirements:

- (a) Graduate from a dental educational program that complies with the standards in R 338.11301, in which he or she has obtained a doctor of dental surgery (DDS) degree or doctor of dental medicine (DMD) degree.
- (b) Pass all parts of the national board examination that is conducted and scored by the Joint Commission on National Dental Examinations (JCNDE), to qualify for the licensing examination in subdivision (c) or (d) of this rule.
- (c) Subject to subdivision (d) of this rule, pass a dental simulated clinical written examination that is conducted the Commission on Dental Competency Assessments (CDCA), previously known as North East Regional Board (NERB), or a successor organization, and 1 of the following:
  - (i) Pass all parts of a clinical examination that is conducted and scored by the CDCA or a successor organization, or pass all parts of a clinical examination that is conducted by a regional testing agency if the examination is substantially equivalent, as provided in R 338.11255(5) and (6), to the dental simulated clinical written examination conducted by the CDCA, or a successor organization.
  - (ii) Pass all parts of a clinical examination developed and scored by a state or other entity that is substantially equivalent, as provided in R 338.11255(5) and (6), to the clinical examination of the CDCA or a successor organization.
- (d) Pass all parts, written and clinical, of the American Board of Dental Examiners, Inc (ADEX) clinical examination that is conducted by the CDCA, a successor organization, or by another regional testing agency. Beginning 1 year after the effective date of this

subdivision, an applicant shall meet the requirements of this subdivision instead of the requirements under subdivision (c) of this rule.

(e) Beginning January 6, 2022, complete a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

(f) Complete a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.

R 338.11202 Licensure to practice dentistry; graduates of programs not meeting board standards; requirements.

Rule 1202. An applicant for dentist licensure by examination who graduated from a dental educational program that does not comply with the standards provided in R 338.11301 shall submit a completed application, on a form provided by the department, together with the requisite fee and meet all of the following requirements:

(a) Comply with section 16174 of the code, MCL 333.16174.

(b) Submit to the department a final, official transcript establishing graduation from a program in which he or she has obtained a dental degree. If the transcript is issued in a language other than English, an original, official translation must also be submitted.

(c) Meet 1 of the following requirements:

(i) Graduate from a program in dentistry that complies with the standards in R 338.11301, in which he or she has obtained a DDS degree or DMD degree. The completion of the program must be confirmed by official transcripts from the school.

(ii) Graduate from a minimum 2-year master's degree or certificate program in dentistry that complies with the standards in R 338.11301, in which he or she has obtained a degree or certificate in a specialty branch of dentistry recognized in R 338.11501, with proof as required in part 5 of these rules.

(d) Pass all parts of the national board examination that is conducted and scored by the JCNDE.

(e) Subject to subdivision (f) of this subrule, pass the dental clinical written examination and a clinical examination, as described in R 338.11201(c).

(f) Pass all parts, written and clinical, of the ADEX clinical examination that is conducted by the CDCA, a successor organization, or by another regional testing agency. Beginning 1 year after the effective date of this subdivision, an applicant shall meet the requirements of this subdivision instead of the requirements under subdivision (e).

(g) Beginning January 6, 2022, complete a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

(h) Complete a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.

R 338.11203 Dental examinations; required passing scores.

Rule 1203. (1) The board approves and adopts the examinations developed and scored by the JCNDE. An applicant shall provide evidence to the department of passing each component of the examination with a converted score of not less than 75.

(2) The board approves and adopts all parts of the ADEX clinical examination. A passing score on the clinical examination is the score recommended by the CDCA or its successor organization. An applicant shall provide evidence to the department of a converted score of 75 or higher on each component of the examination.

R 338.11209 Licensure by examination to practice dental therapy.

Rule 1209. In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for dental therapist licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee and shall meet all of the following requirements:

(a) Graduate from a dental therapy educational program that meets the standards in R 338.11302.

(b) Pass the comprehensive, competency-based clinical examination developed and scored by the CDCA with a passing converted score of not less than 75 on each component of the examination.

(c) Complete at least 500 hours of clinical practice as required under R 338.11218.

(d) Beginning January 6, 2022, complete a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

(e) Complete a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.

R 338.11213 Dental therapy examinations; required passing scores.

Rule 1213. The board approves and adopts the comprehensive, competency-based dental therapy clinical examination developed and scored by the CDCA. An applicant shall provide evidence to the department of passing each component of the examination with a converted score of not less than 75.

R 338.11218 Dental therapy clinical practice in board approved program; requirements.

Rule 1218. (1) The dental therapy clinical practice required for licensure must comply with all of the following:

(a) The clinical practice must be included in a dental therapy education program that meets the standards in R 338.11302.

(b) A dental therapy student shall complete at least 500 clinical practice hours within the educational program, including practice hours in extractions and restorations as determined by the educational program.

(c) A dental therapy student shall be under the direct supervision of a dentist who is currently licensed in this state and is in good standing.

(d) A dentist under disciplinary review or action shall not provide direct supervision of a dental therapy student in a clinical practice. If a dentist is notified by the department that he or she is under disciplinary review or action by any state, within 7 days of notification, he or she shall notify the dental therapist program and discontinue directly supervising the dental therapy student in his or her clinical practice.

(2) As used in this rule, "direct supervision" means that the supervising dentist complies with all of the following:

(a) Designates a patient of record upon whom the procedures are to be performed by the dental therapy student.

(b) Describes the procedures to be performed to the dental therapy student.

(c) Examines the patient before prescribing the procedures to be performed by the dental therapy student.

(d) Examines the patient upon completion of the procedures that were performed by the dental therapy student.

(e) Is physically present in the office at the time the procedures are being performed by the dental therapy student.

R 338.11221 Licensure by examination to practice dental hygiene.

Rule 1221. In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for dental hygienist licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee shall meet all of the following requirements:

(a) Graduate from a dental hygiene educational program in compliance with the standards in R 338.11303.

(b) Pass all parts of the dental hygiene national board examination that is conducted and scored by the JCNDE to qualify for the licensing examination provided for in subdivision (c) or (d) of this rule. The requirement does not apply to an applicant who graduated from a dental hygiene program before 1962.

(c) Subject to subdivision (d) of this rule, pass a dental hygiene simulated clinical written examination conducted by the CDCA or a successor organization, and 1 of the following:

(i) Pass all parts of a clinical examination that is conducted and scored by the CDCA or a successor organization or pass all parts of a clinical examination that is conducted by a regional testing agency if the examination is substantially equivalent, as provided in R 338.11255(5) and (6), to the dental hygiene simulated clinical written examination conducted by CDCA or a successor organization.

(ii) Pass all parts of a clinical examination developed and scored by a state or other entity that is substantially equivalent as provided in R 338.11255(5) and (6), to the clinical examination of the CDCA or a successor organization.

(d) Pass all parts written and clinical, of the ADEX clinical examination that is conducted and scored by the CDCA, a successor organization, or by another regional testing agency. Beginning 1 year after the effective date of this subdivision, an applicant shall meet the requirements of this subdivision instead of the requirements under subdivision (c) of this rule.

(e) Beginning January 6, 2022, complete a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

R 338.11222 Rescinded.

R 338.11223 Registered dental hygienist examinations; passing scores.

Rule 1223. (1) The board approves and adopts the dental hygiene examination developed and scored by the JCNDE. An applicant shall provide evidence to the department of passing each component of the examination with a converted score of not less than 75.

(2) The board approves and adopts all parts of the ADEX clinical examination. A passing score on the clinical examination is the score recommended by the CDCA or its successor organization. An applicant shall provide evidence to the department of a converted score of 75 or greater on each component of the examination.

R 338.11233 Registered dental hygienist; use of letters "R.D.H."; registered dental assistant; use of letters "R.D.A."

Rule 1233. (1) Pursuant to section 16264 of the code, MCL 333.16264, the registered dental hygienist who has received a bona fide degree or certificate of dental hygiene from a duly recognized and accredited program of dental hygiene and who has completed all requirements for licensure may use the letters "R.D.H." after his or her name in connection with the practice of dental hygiene.

(2) Pursuant to section 16264 of the code, MCL 333.16264, a registered dental assistant who has received a bona fide degree or certificate of dental assisting from a duly recognized and accredited program of dental assisting and who has completed all requirements for licensure may use the letters "R.D.A." after his or her name in connection with the practice of dental assisting.

R 338.11235 Licensure to practice as a registered dental assistant; requirements.

Rule 1235. In addition to meeting the requirements of section 16174 of the code, MCL 333.16174, an applicant for registered dental assistant licensure by examination shall submit a completed application, on a form provided by the department, together with the requisite fee and shall meet both of the following requirements:

- (a) Graduate or receive a certificate from an educational program that meets the standards in R 338.11307.
- (b) Provide evidence to the department of passing both a board-approved written examination and board-approved clinical examination that meets the requirements in R 338.11239, with a score of not less than 75, on all sections of both examinations.
- (c) Beginning January 6, 2022, complete a 1-time training identifying victims of human trafficking as required in R 338.11271 and section 16148 of the code, MCL 333.16148.

R 338.11239 Registered dental assistant examination; content; time; place; passing score.

Rule 1239. (1) Upon a written request, the board shall review a written and clinical examination for compliance with the criteria in subrule (2) of this rule.

(2) An examination for licensure as a registered dental assistant must be both written and clinical and include all of the following:

- (a) Oral anatomy.
- (b) Law and rules governing allied dental personnel.
- (c) Instrumentation and use of dental materials.
- (d) Mouth mirror inspection.
- (e) Dental dam application.
- (f) Application of anticariogenics, which includes sealants, fluoride varnish, and fluoride applications.
- (g) Placement and removal of temporary crowns and bands.
- (h) Radiography.
- (i) Application and removal of post extraction and periodontal dressings.
- (j) Removal of sutures.
- (k) Fabrication of temporary crowns.
- (l) Placing, condensing, and carving amalgam restorations.
- (m) Taking final impressions for indirect restorations.



- (n) Assisting and monitoring the administration of nitrous oxide analgesia.
- (o) Placing, condensing, and carving intracoronal temporaries.
- (p) Infection control, safety, and occupational safety and health administration.
- (q) Orthodontic procedures.
- (r) Placing resin bonded restorations, occlusal adjustment, and finishing and polishing with a non-tissue cutting slow-speed handpiece.
- (s) Selective coronal polishing before orthodontic or restorative procedures only.
- (t) Charting the oral cavity.
- (u) Classifying occlusion.
- (v) Nutritional counseling.
- (w) Medical emergency procedures.
- (x) Pulp vitality testing.
- (y) Placement and removal of gingival retraction materials or agents.
- (z) Drying endodontic canals.
- (aa) Taking impressions for study and opposing models.
- (bb) Instructing in the use and care of dental appliances.
- (cc) Applying topical anesthetic solution.
- (dd) Etching, placing, contouring, and polishing of sealants with a slow-speed rotary handpiece for occlusal adjustment.
- (ee) Placing and removing matrices and wedges.
- (ff) Applying cavity liners and bases.
- (gg) Applying and dispensing in-office bleaching products.
- (hh) Adjusting and polishing contacts and occlusion of indirect restorations.
- (3) The passing score for an examination is a converted score of 75 on each section.

R 338.11241 Rescinded.

R 338.11245 Rescinded.

R 338.11247 Limited licenses; issuance; requirements.

Rule 1247. (1) The board may issue an educational limited license for postgraduate education, under section 16182(2)(a) of the code, MCL 333.16182, to an applicant who is a graduate of a dental, dental therapy, dental hygiene, or dental assistant program, and who is engaged in CODA accredited postgraduate dental education. An educational limited license is renewable only 7 times. A 1-time extension may be granted by the board. All of the following apply to an educational limited license:

- (a) An applicant for an educational limited license shall comply with all of the following:
  - (i) Submit the required fee and a completed application on a form provided by the department.
  - (ii) Meet the requirements of section 16174 of the code, MCL 333.16174.
  - (iii) Submit proof of graduation from a dental, dental therapy, dental hygiene, or dental assistant program in the form of a certified copy of a diploma and transcript. If the transcript is issued in a language other than English, an applicant shall submit an original, official translation.

(iv) Submit documentation verifying that he or she has been accepted into a CODA accredited postgraduate dental education program.

(b) An educational limited license holder shall not hold himself or herself out to the public as being engaged in the practice of dentistry, dental therapy, dental hygiene, or as a dental assistant, or provide dental services outside his or her postgraduate dental education program.

(c) An educational limited licensed dentist, dental therapist, or dental hygienist may perform dental procedures upon patients as directed by his or her postgraduate dental education program if the procedures are performed under the general supervision, as defined in R 338.11401(d), of a fully licensed dentist.

(d) An educational limited licensed dental assistant may perform dental procedures upon patients as directed by his or her postgraduate dental education program if he or she complies with all of the following:

(i) The procedures are performed under the direct supervision, as defined in R 338.11401(c), of a fully licensed dentist.

(ii) The limited licensed dental assistant has satisfied the 35 hours of additional education in an approved course as required under sections 16611(7) and (11) to (13) of the code, MCL 333.16611.

(iii) The limited licensed dental assistant has successfully completed a course in dental radiography that is substantially equivalent to a course taught in a program approved by the board under R 338.11302, R 338.11303, or R 338.11307.

(2) The board may issue a limited license, under section 16182(2)(b) of the code, MCL 333.16182, for nonclinical services, to an applicant of a dental, dental therapy, dental hygiene, or dental assistant program who functions only in a nonclinical academic research or administrative setting. All of the following apply to a nonclinical limited license:

(a) An applicant for a nonclinical limited license shall comply with all of the following:

(i) Submit the required fee and a completed application on a form provided by the department.

(ii) Meet the requirements of section 16174 of the code, MCL 333.16174.

(iii) Submit proof of graduation from a dental, dental therapy, dental hygiene, or dental assistant program in the form of a certified copy of a diploma and transcript. If the transcript is issued in a language other than English, the applicant shall submit an original, official translation.

(iv) Submit documentation verifying that the applicant has been placed in a nonclinical academic, research, or administrative setting.

(b) A nonclinical license holder shall not hold himself or herself out to the public as being engaged in the practice of dentistry, dental therapy, dental hygiene, or as a dental assistant other than in their nonclinical academic, research, or administrative setting, or provide dental services outside of his or her nonclinical academic, research, or administrative setting.

(3) The board may issue a limited license, under section 16182(2)(c) of the code, MCL 333.16182, for clinical academic services, to an applicant who is a graduate of a dental, dental therapy, dental hygiene, or dental assistant program, who practices the health profession only in connection with his or her employment or other contractual

relationship with that academic institution. All of the following apply to a clinical limited license:

(a) An applicant for a clinical limited license shall comply with all of the following:

(i) Submit the required fee and a completed application on a form provided by the department.

(ii) Meet the requirements of section 16174 of the code, MCL 333.16174.

(iii) Submit proof of graduation from a dental, dental therapy, dental hygiene, or dental assistant program in the form of a certified copy of a diploma and transcript. If the transcript is issued in a language other than English, the applicant shall submit an original, official translation.

(iv) Submit documentation verifying that the applicant has been offered and accepted employment in an academic institution.

(b) A clinical limited license holder shall not hold himself or herself out to the public as being engaged in the practice of dentistry, dental therapy, dental hygiene, or as a dental assistant other than in connection with his or her employment or other contractual relationship with an academic institution, or provide dental services outside his or her employment or other contractual relationship with an academic institution.

(c) A clinical academic limited licensed dentist, dental therapist, or dental hygienist may perform dental procedures upon patients in connection with his or her employment or contractual relationship with an academic institution if the procedures are performed under the general supervision, as defined in R 338.11401(d), of a fully licensed dentist.

(d) A clinical academic limited licensed dental assistant may perform dental procedures upon patients in connection with his or her employment or contractual relationship with an academic institution if he or she complies with all of the following:

(i) The procedures are performed under the direct supervision, as defined in R 338.11401(c), of a fully licensed dentist.

(ii) The limited licensed dental assistant has satisfied the 35 hours of additional education in an approved course as required under section 16611(7), and (11) to (13) of the code, MCL 333.16611.

(iii) The limited licensed dental assistant has successfully completed a course in dental radiography that is substantially equivalent to a course taught in a program approved by the board pursuant to R 338.11303 or R 338.11307.

(4) Limited licenses must be renewed annually and are issued at the discretion of the department.

R 338.11253 Certification of renewal; display.

Rule 1253. A licensee shall display a current certificate of licensure in his or her principal place of practice. A licensee whose practice involves more than 1 office shall have a copy of his or her current certificate of licensure on display at all additional locations.

R 338.11255 Licensure by endorsement of dentist; requirements.

Rule 1255. (1) An applicant who has never held a dental license in this state and who is not applying for licensure by examination may apply for licensure by endorsement by submitting a completed application on a form provided by the department, together with the requisite fee.

(2) An applicant who is licensed in another state as a dentist is presumed to have met the requirements of section 16186 of the code, MCL 333.16186, if he or she meets all of the following requirements in subdivisions (a) to (e), subject to subdivisions (f) and (g):

(a) Has graduated from a dental educational program that meets the standards in R 338.11301 and provides the department with the original, official transcripts of professional education and documentation of graduation.

(b) Has passed all phases of the national board examination for dentists, in sequence.

(c) Verifies his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license as a dentist, including the record of any disciplinary action taken or pending against the applicant.

(d) Has held a license as a dentist in good standing in another state for 30 days before filing an application in this state.

(e) Submits proof of successful completion of 1 of the regional examinations described in subrule (4) of this rule. This requirement is waived for individuals who were licensed initially in another state before 2002 and who were not required to complete a regional examination as part of the initial licensing process as confirmed by the state in which the initial license was awarded.

(f) If an applicant was licensed as a dentist in another state that required the successful completion of a regional examination and the applicant has been practicing for a minimum of 5 years in the United States immediately preceding the application for licensure in this state, it is presumed that the applicant meets the requirements of subdivisions (a), (b), and (d) of this subrule.

(g) If an applicant is licensed as a dentist in another state that does not require the successful completion of a regional examination and the applicant has been practicing for a minimum of 5 years in the United States immediately preceding the application for licensure in this state, it is presumed that the applicant meets the requirements of subdivisions (a) and (b) of this subrule.

(3) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state for a violation related to applicable provisions of section 16221 of the code, MCL 333.16221, or upon determining that the applicant does not fulfill the requirements of section 16186 of the code, MCL 333.16186.

(4) For purposes of this rule, subject to subrules (5) and (6) of this rule, the board approves and adopts the clinical examinations of other regional testing agencies or state boards if the examinations are substantially equivalent to all parts, written and clinical, of the ADEX clinical examination that is conducted and scored by the CDCA, a successor organization, or another regional testing agency. A passing score on the clinical examination is the score recommended by the sponsoring organization. An applicant shall present evidence to the department of a converted score of 75 or higher on each component of the examination.

(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider at least the following factors:

(a) Subject areas included.

(b) Detail of material.

(c) Comprehensiveness.

(d) Length of an examination.

(e) Degree of difficulty.

(6) To demonstrate substantial equivalency as specified in subrule (4) of this rule, an applicant may be required to submit materials, including the following:

(a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.

(b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards that were in effect at the time of the examination.

(c) An affidavit from a state licensing board or examination agency that describes the examination.

R 338.11257 Licensure by endorsement of dentist therapist; requirements.

Rule 1257. (1) An applicant who has never held a dental therapy license in this state and who is not applying by examination may apply for licensure by endorsement by submitting a completed application on a form provided by the department, together with the requisite fee.

(2) An applicant who is licensed as a dental therapist in another state is presumed to have met the requirements of section 16186 of the code, MCL 333.16186, if he or she meets all of the following requirements:

(a) Has graduated from a dental therapy educational program that meets the standards in R 338.11302 and provides the department with the original, official transcripts of professional education and documentation of graduation for board evaluation.

(b) Has passed the comprehensive, competency-based clinical examination developed and scored by the CDCA with a converted passing score of not less than 75 on each component of the examination.

(c) Verifies completion of at least 500 hours of clinical practice in dental therapy, that substantially meets the requirements of R 338.11218, in a dental therapy educational program that meets the standards in R 338.11302.

(d) Verifies his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license as a dental therapist, including the record of any disciplinary action taken or pending against the applicant.

(e) Has held a license as a dental therapist in good standing in another state 30 days before filing an application in this state.

(3) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state for a violation related to applicable provisions of section 16221 of the code, MCL 333.16221, or upon determining that the applicant does not fulfill the requirements of section 16186 of the code, MCL 333.16186.

(4) For purposes of this rule, subject to subrules (5) and (6) of this rule, the board may approve a dental therapist clinical examination of another state board if the examination is substantially equivalent to all parts of the comprehensive, competency-based clinical examination developed and scored by the CDCA or a successor organization. A passing score on a substantially equivalent examination is the score recommended by the sponsoring organization. An applicant shall present evidence to the department of a converted score of 75 or higher on each component of the examination.

(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider at least the following factors:

- (a) Subject areas included.
- (b) Detail of material.
- (c) Comprehensiveness.
- (d) Length of an examination.
- (e) Degree of difficulty.

(6) To demonstrate substantial equivalency as specified in subrules (4) and (5) of this rule, an applicant may be required to submit materials, including the following:

(a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.

(b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards that were in effect at the time of the examination.

(c) An affidavit from a state licensing board or examination agency that describes the examination.

R 338.11259 Licensure by endorsement of dental hygienists; requirements.

Rule 1259. (1) An applicant who has never held a registered dental hygienist license in this state and who is not applying by examination may apply for licensure by endorsement by submitting a completed application, on a form provided by the department, together with the requisite fee.

(2) An applicant who is licensed in another state as a dental hygienist is presumed to have met the requirements of section 16186 of the code, MCL 333.16186, if he or she meets all of the following requirements in subdivisions (a) to (e), subject to subdivisions (f) and (g):

(a) Has graduated from a dental hygiene educational program that meets the standards provided in R 338.11303 and provides the department with the original, official transcripts of professional education and documentation of graduation for board evaluation.

(b) Has passed all phases of the national board examination for dental hygienists. This requirement is waived for persons who graduated from an accredited school before 1962.

(c) Verifies his or her license, on a form supplied by the department, by the licensing agency of any state of the United States in which the applicant holds a current license or ever held a dental hygienist license including the record of any disciplinary action taken or pending against the applicant.

(d) Submits proof of successful completion of a written and clinical examination that is substantially equivalent to the examinations required in R 338.11223. This requirement is waived for individuals who were licensed initially in another state of the United States before 2002 and who were not required to complete a regional examination as part of the initial licensing process as confirmed by the state of the United States in which the initial license was awarded.

(e) Has held a license as a dental hygienist in good standing in another state 30 days before filing an application in this state.

(f) If an applicant was licensed as a dental hygienist in another state that requires the successful completion of a regional examination and the applicant has been practicing in

the United States for a minimum of 3 years immediately preceding the application for licensure in this state, it is presumed that the applicant meets the requirements of subdivisions (a), (b), and (d) of this subrule.

(g) If an applicant is licensed as a dental hygienist in another state that does not require the successful completion of a regional examination and the applicant has been practicing in the United States for a minimum of 3 years immediately preceding the application for licensure in this state, it is presumed that the applicant meets the requirement of subdivisions (a) and (b) of this subrule.

(3) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state of the United States for a violation related to applicable provisions of section 16221 of the code, MCL 333.16221, or upon determining that the applicant does not fulfill the requirements of section 16186 of the code, MCL 333.16186.

(4) For purposes of this rule, subject to subrules (5) and (6) of this rule, the board approves and adopts the clinical examinations of other regional testing agencies or state boards if the examinations are considered to be substantially equivalent to all parts, written and clinical, of the ADEX clinical examination that is conducted and scored by the CDCA, a successor organization, or another regional testing agency. A passing score on the clinical examination is the score recommended by the sponsoring organization. An applicant shall present evidence to the department of a converted score of 75 or higher on each component of the examination.

(5) To determine substantial equivalency as specified in subrule (4) of this rule, the board shall consider at least the following factors:

- (a) Subject areas included.
- (b) Detail of material.
- (c) Comprehensiveness.
- (d) Length of an examination.
- (e) Degree of difficulty.

(6) To demonstrate substantial equivalency as specified in subrule (4) of this rule, an applicant may be required to submit materials, including the following:

(a) A copy of the examination booklet or description of the examination content and examination scores issued by the testing agency.

(b) An affidavit from the appropriate state licensing agency that describes the examination and sets forth the legal standards that were in effect at the time of the examination.

(c) An affidavit from a state licensing board or examination agency that describes the examination.

#### R 338.11261 Licensure by endorsement of registered dental assistants; requirements.

Rule 1261. (1) An applicant who has never held a registered dental assistant license in this state and who is not applying for licensure by examination may apply for licensure by endorsement by submitting a completed application, on a form provided by the department, together with the requisite fee.

(2) An applicant who is licensed or registered in another state is presumed to have met the requirements of section 16186 of the code, MCL 333.16186, if he or she meets all of the following requirements:

(a) Has graduated from a dental assistant educational program that meets the standards in R 338.11307 and provides the department with the original, official transcripts of professional education and documentation of graduation for board evaluation.

(b) Submits proof of successful completion of both a written and clinical examination, approved by the board under R 338.11239, with a score of not less than 75, on each section of both the written and clinical examinations.

(c) Verifies his or her license, on a form supplied by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license including the record of any disciplinary action taken or pending against the applicant.

(d) Has held a license as a dental assistant in good standing in another state 30 days before filing an application in this state.

(3) A dental assistant who does not fulfill the requirements of subrule (2) of this rule is not eligible for licensure by endorsement in this state and shall comply with the provisions of R 338.11235.

(4) The board may deny an application for licensure by endorsement upon finding the existence of a board action in any other state of the United States for a violation related to applicable provisions of section 16221 of the code, MCL 333.16221, or upon determining that the applicant does not fulfill the requirements of section 16186 of the code, MCL 333.16186.

R 338.11263 Relicensure requirements; dentists.

Rule 1263. An applicant whose dentist license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements:

For a dentist who has let his or her license in this state lapse:	Lapsed 0-3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Submits a completed application, on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establishes that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(d) Submits proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards equivalent to those established by the American Heart Association (AHA), earned within the 2-year period before receiving the license.	√	√	√



<p>(e) Submits proof of having completed 60 hours of continuing education in courses and programs approved by the board as required under R 338.11701, all of which were earned within the 3-year period immediately preceding the application for licensure. If the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The department shall hold the application and shall not issue the license until the applicant has completed the continuing education requirements. The 60 hours of continuing education must include all of the following:</p> <ul style="list-style-type: none"> <li>(i) At least 3 hours in pain and symptom management.</li> <li>(ii) One hour in dental ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel.</li> <li>(iii) One hour in infection control, which must include sterilization of hand pieces, personal protective equipment, and the Centers for Disease Control and Prevention's infection control guidelines.</li> </ul>		√	√
<p>(f) Completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.</p>	√	√	√
<p>(g) Completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.</p>	√	√	√
<p>(h) A dentist who is subject to part 8 of these rules, R 338.11801 to R 338.11821, shall verify with his or her application for relicensure, that he or she complies with part 8 of these rules, R 338.11801 to R 338.11821, and specify the make of the amalgam separator in his or her office and the year that each separator was installed.</p>	√	√	√
<p>(i) An applicant's license must be verified by the licensing agency of all other states of the United States in which he or she ever held a license as a dentist. Verification must include the record of any disciplinary action taken or pending against the applicant.</p>	√	√	√
<p>(j) If an applicant's license is lapsed for more than 3 years but less than 5 years, he or she shall meet either of the following:</p>		√	

<p>(i) Within the 2-year period immediately preceding the application for relicensure, retakes and passes the ADEX simulated clinical written examination for dentists developed and scored by the CDCA or another testing agency with a passing score of not less than 75.</p> <p>(ii) Provides the department documentation that he or she holds or held a valid and unrestricted dentist’s license in another state in the United States within 3 years immediately preceding the application for relicensure.</p>			
<p>(k) If an applicant’s license is lapsed 5 or more years, he or she shall provide the department with documentation that proves he or she holds or held a valid and unrestricted dentist license in another state in the United States within 3 years immediately preceding the application for relicensure and meets all of the requirements in subrules (a) to (i) of this rule or complies with all of the following:</p> <p>(i) Meets the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules.</p> <p>(ii) Provides proof of graduation from a dental educational program that meets the standards in R 338.11301 in which he or she obtained a DDS or DMD degree.</p> <p>(iii) Provides proof of having passed all parts of the national board examination conducted and scored by the JCNDE to qualify for the dental simulated clinical written examination.</p> <p>(iv) Provides proof of having passed the ADEX dental simulated clinical written examination conducted and scored by the CDCA or another regional agency within the 2-year period immediately preceding the application for relicensure.</p> <p>(v) Provides proof of having passed the ADEX dental clinical examination conducted and scored by the CDCA or another regional testing agency.</p>			√

R 338.11265 Relicensure requirements; dental therapists.

Rule 1265. An applicant whose dental therapist license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements:

For a dental therapist who has let his or her license in this state lapse:	Lapsed 0-3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Submits a completed application, on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establishes that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(d) Submits proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards equivalent to those established by the AHA, earned within the 2-year period before receiving the license.	√	√	√
(e) Submits proof of having completed 35 hours of continuing education in courses and programs approved by the board as required under R 338.11701, all of which were earned within the 2-year period immediately preceding the application for licensure. If the continuing education hours submitted with the application are deficient, an applicant has 2 years from the date of the application to complete the deficient hours. The department shall hold the application and shall not issue the license until the applicant has completed the continuing education requirements. The 35 hours of continuing education must include all of the following: (i) At least 2 hours in pain and symptom management. (ii) One hour in dental ethics and jurisprudence. (iii) One hour in infection control, which must include sterilization of hand pieces, personal protective equipment, and the Centers for Disease Control and Prevention's infection control guidelines.		√	√

(f) Submits proof of having completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.	√	√	√
(g) Submits proof of having completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.	√	√	√
(h) An applicant's license must be verified by the licensing agency of all other states of the United States in which he or she ever held a license as a dental therapist. Verification must include the record of any disciplinary action taken or pending against the applicant.	√	√	√
(i) If an applicant's license is lapsed for more than 3 years but less than 5 years, he or she shall meet either of the following: (i) Within the 2-year period immediately preceding the application for relicensure, retakes and passes a comprehensive, competency-based clinical examination approved by the department with a converted passing score of not less than 75. (ii) Provides the department documentation that he or she holds or held a valid and unrestricted dental therapist's license in another state in the United States within 3 years immediately preceding the application for relicensure.		√	
(j) If an applicant's license is lapsed for 5 years or more, he or she shall provide the department with documentation that proves he or she holds or held a valid and unrestricted dental therapist license in another state in the United States within 3 years immediately preceding the application for relicensure and meets all of the requirements in subrules (a) to (h) of this rule or complies with all of the following: (i) Meets the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules. (ii) Provides proof of graduation from a dental therapy program that meets the standards in R 338.11302.			√

(iii) Provides proof of having passed a comprehensive, competency-based dental therapy clinical examination as required in R 338.11213, within the 2-year period immediately preceding the application for relicensure.			
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R 338.11267 Relicensure requirements; registered dental hygienists.

Rule 1267. An applicant whose registered dental hygienist license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements:

For a registered dental hygienist who has let his or her license in this state lapse:	Lapsed 0-3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Submits a completed application, on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establishes that he or she is of good moral character as defined under sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(d) Submits proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards equivalent to those established by the AHA, earned within the 2-year period before receiving the license.	√	√	√
(e) Submits proof of having completed 36 hours of continuing education in courses and programs approved by the board as required under R 338.11704, all of which were earned within the 3-year period preceding the date of application for relicensure. If the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The department shall hold the application and shall not issue the license until the applicant has completed the continuing education requirements. The 36 hours of continuing education must include all of the following:		√	√

<p>(i) At least 2 hours in pain and symptom management.</p> <p>(ii) One hour in dental ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel.</p> <p>(iii) One hour in infection control, which must include sterilization of hand pieces, personal protective equipment, and the Centers for Disease Control and Prevention's infection control guidelines.</p>			
<p>(f) Submits proof of having completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.</p>	√	√	√
<p>(g) An applicant's license must be verified by the licensing agency of all other states of the United States in which he or she ever held a license as a dental hygienist. Verification must include the record of any disciplinary action taken or pending against the applicant.</p>	√	√	√
<p>(h) If an applicant's license is lapsed for more than 3 years but less than 5 years, he or she shall meet 1 of the following:</p> <p>(i) Provide proof of having passed the ADEX hygiene simulated clinical written examination conducted and scored by the CDCA or another regional agency, within the 2-year period immediately preceding the application for relicensure.</p> <p>(ii) Provide the department documentation that the applicant holds or has held a valid and unrestricted license in another state within 3 years immediately preceding the application for licensure.</p>		√	
<p>(i) If an applicant's license is lapsed for 5 years or more, he or she shall provide the department with documentation that proves he or she holds or held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meets all of the requirements in subrules (a) through (g) of this rule or complies with all of the following:</p> <p>(i) Meets the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules.</p> <p>(ii) Provides proof of graduation from a dental hygiene educational program that meets the</p>			√

standards in R 338.11303. (iii) Provides proof of having passed all parts of the dental hygiene national board examination conducted and scored by the JCNDE to qualify for the dental hygiene simulated clinical written examination. This paragraph does not apply to an applicant who graduated from a dental hygiene program before 1962. (iv) Provides proof of having passed the ADEX hygiene simulated clinical written examination conducted and scored by the CDCA or another regional testing agency, within the 2-year period immediately preceding the application for relicensure. (v) Provides proof of having passed the ADEX hygiene clinical examination conducted and scored by the CDCA or another regional testing agency.			
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R 338.11269 Relicensure requirements; registered dental assistants.

Rule 1269. An applicant whose registered dental assistant license in this state has lapsed, under the provisions of section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements:

For a registered dental assistant who has let his or her license in this state lapse:	Lapsed 0-3 years	Lapsed more than 3 years, but less than 5 years	Lapsed 5 or more years
(a) Submits a completed application, on a form provided by the department, together with the requisite fee.	√	√	√
(b) Establishes that he or she is of good moral character as defined under sections 1 to section 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√	√
(c) Submits fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√	√
(d) Submits proof of current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards equivalent to those established by the AHA, earned within the 2-year period before receiving the license.	√	√	√
(e) Submits proof of having completed 36 hours of			

<p>continuing education in courses and programs approved by the board as required under R 338.11704, all of which were earned within the 3-year period immediately preceding the date of the application for relicensure. If the continuing education hours submitted with the application are deficient, the applicant has 2 years from the date of the application to complete the deficient hours. The department shall hold the application and shall not issue the license until the applicant has completed the continuing education requirements. The 36 hours of continuing education must include all of the following:</p> <ul style="list-style-type: none"> <li>(i) At least 2 hours in pain and symptom management.</li> <li>(ii) One hour in dental ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel.</li> <li>(iii) One hour in infection control, which must include sterilization of hand pieces, personal protective equipment, and the Centers for Disease Control and Prevention's infection control guidelines.</li> </ul>		√	√
(f) Completed a 1-time training in identifying victims of human trafficking that meets the standards in R 338.11271.	√	√	√
(g) An applicant's license must be verified by the licensing agency of all other states of the United States in which he or she ever held a license as a dental assistant. Verification must include the record of any disciplinary action taken or pending against the applicant.	√	√	√
<p>(h) If an applicant's license is lapsed more than 3 years but less than 5 years, he or she shall meet either of the following:</p> <ul style="list-style-type: none"> <li>(i) Pass a board-approved written and clinical examination that meets the requirements of R 338.11239, within the 2-year period immediately preceding the application for relicensure.</li> <li>(ii) Provide the department documentation that he or she holds or held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure.</li> </ul>		√	
(i) If an applicant's license is lapsed 5 years or			



<p>more, he or she shall provide the department with documentation that proves he or she holds or held a valid and unrestricted license in another state within 3 years immediately preceding the application for relicensure and meets all of the requirements in subrules (a) through (g) of this rule or complies with all of the following:</p> <ul style="list-style-type: none"> <li>(i) Meets the requirements of section 16174 of the code, MCL 333.16174, and the administrative rules.</li> <li>(ii) Provides proof of graduation or certification from an educational program that meets the standards in R 338.11307.</li> <li>(iii) Provides proof of having passed a board-approved clinical examination that meets the requirements of R 338.11239.</li> <li>(iv) Provides proof of having passed a board-approved written examination that meets the requirements of R 338.11239, within the 2-year period immediately preceding the application for relicensure.</li> </ul>			√
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R 338.11271 Training standards for identifying victims of human trafficking; requirements.

Rule 1271. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual seeking licensure, registration, or who is licensed or registered shall complete training in identifying victims of human trafficking that meets the following standards:

(a) Training content covers all of the following:

(i) Understanding the types and venues of human trafficking in this state or the United States.

(ii) Identifying victims of human trafficking in health care settings.

(iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.

(iv) Specifying resources for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally recognized or state-recognized health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by an individual. The certification statement must include the individual's name and either of the following:

(i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license or registration renewals beginning with the first renewal cycle after January 6, 2017, and for initial licenses or registrations issued after January 6, 2022.

### PART 3. EDUCATION

R 338.11301 Approval of dental educational programs; accreditation standards; adoption by reference.

Rule 1301. (1) The board adopts by reference in these rules the standards of CODA of the ADA, as set forth in the following publications:

(a) "Accreditation Standards for Dental Education Programs," copyright 2019.

(b) "Accreditation Standards for Advanced Dental Education Programs in Oral and Maxillofacial Surgery", copyright 2018.

(c) "Accreditation Standards for Advanced Dental Education Programs in Endodontics", copyright 2019.

(d) "Accreditation Standards for Advanced Dental Education Programs in Orthodontics and Dentofacial Orthopedics", copyright 2018.

(e) "Accreditation Standards for Advanced Dental Education Programs in Prosthodontics", copyright 2018.

(f) "Accreditation Standards for Advanced Dental Education Programs in Periodontics", copyright 2018.

(g) "Accreditation Standards for Advanced Dental Education Programs in Pediatric Dentistry", copyright 2018.

(h) "Accreditation Standards for Advanced Dental Education Programs in Oral and Maxillofacial Pathology", copyright 2018.

(2) A dental educational program accredited by CODA, or a successor organization, is considered board approved. CODA is the only accreditation accepted by the board.

(3) These standards may be obtained at no cost from CODA of the ADA, 211 East Chicago Avenue, Chicago, Illinois, 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available at 10 cents per page for inspection and distribution, from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P. O. Box 30670, Lansing, Michigan, 48909.

R 338.11302 Approval of dental therapy educational programs; accreditation standards; adoption by reference.

Rule 1302. (1) The board adopts by reference in these rules the standards of CODA of the ADA, as set forth in the publication titled "Accreditation Standards for Dental Therapy Education Programs," effective February 6, 2015, copyright 2019.

(2) A dental therapy educational program that is accredited by CODA or a successor organization is considered board approved.

(3) For an applicant applying for a dental therapy license, upon application for licensure on a department form, the board shall review and may approve an applicant's dental therapy education program if the program substantially conforms to the dental therapy education program CODA standards at the time of graduation of the dental therapy applicant.

(4) A dental therapy educational program must be taught at a postsecondary education institution that meets the standards in R 338.11302a.

(5) CODA standards may be obtained at no cost from CODA of the ADA, 211 East Chicago Avenue, Chicago, Illinois, 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution at 10 cents per page from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P. O. Box 30670, Lansing, Michigan, 48909.

R 338.11302a Higher education institutions; accreditation standards; adoption by reference.

Rule 1302a. (1) A higher education institution meets the requirements of R 338.11302(4) if it is accredited by the accrediting body of the region in which the institution is located and the accrediting body meets either the recognition policy and procedures of the Council for Higher Education Accreditation (CHEA) or the recognition procedures and criteria of the United States Department of Education.

(2) The board adopts by reference the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, 34 CFR part 602 (2009), and the CHEA Recognition of Accrediting Organizations Policy and Procedures, September 24, 2018. Copies of the procedures and criteria of the United States Department of Education and the policy and procedures of CHEA are available for inspection and distribution at no cost from the website for the United States Department of Education at the Office of Postsecondary Education, <http://www.ed.gov/about/offices/list/OPE/index.html> and the CHEA website at [www.chea.org/revised-cha-recognition-policy-and-procedures-0](http://www.chea.org/revised-cha-recognition-policy-and-procedures-0) . Copies are also available for inspection and distribution at 10 cents per page from the Michigan Board of

Dentistry, Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

R 338.11303 Approval of dental hygiene educational programs; accreditation standards; adoption by reference.

Rule 1303. (1) The board adopts by reference the standards of CODA of the ADA, as set forth in the publication titled "Accreditation Standards for Dental Hygiene Education Programs," effective January 1, 2013, copyright 2018. A dental hygiene educational program accredited by CODA is considered board approved. CODA is the only accreditation accepted by the board.

(2) These standards may be obtained at no cost from CODA of the ADA, 211 East Chicago Avenue, Chicago, Illinois, 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution, at 10 cents per page from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

R 338.11307 Approval of dental assisting schools educational programs; standards; adoption by reference.

Rule 1307. (1) The board adopts by reference the standards of CODA of the ADA, as set forth in the publication titled "Accreditation Standards for Dental Assisting Education Programs," copyright 2019. A dental education program accredited by CODA is approved by the board. CODA is the only accreditation accepted by the board.

(2) These standards may be obtained at no cost from CODA of the ADA, 211 East Chicago Avenue, Chicago, Illinois, 60611-2678 or at no cost from the association's website at <http://www.ada.org>. Copies of these standards are available for inspection and distribution, at 10 cents per page from the Board of Dentistry, Bureau of Professional Licensing, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

#### PART 4A. DELEGATION, SUPERVISION, ASSIGNMENT OF DENTAL ASSISTANTS, REGISTERED DENTAL ASSISTANTS, AND REGISTERED DENTAL HYGIENISTS

R 338.11401 Definitions.

Rule 1401. As used in this part:

(a) "Assignment" means a dentist designates a patient of record upon whom services are to be performed and describes the procedures to be performed. Unless assignment is designated in these rules under general or direct supervision, the dentist need not be physically present in the office at the time the procedures are being performed.

(b) "Delegation" means an authorization granted by a licensee to a licensed or unlicensed individual to perform selected acts, tasks, or functions that fall within the scope of practice of the delegator and that are not within the scope of practice of the delegatee and that, in the absence of the authorization, would constitute illegal practice of a licensed profession.

- (c) “Direct supervision” means that a dentist complies with all of the following:
- (i) Designates a patient of record upon whom the procedures are to be performed and describes the procedures to be performed.
  - (ii) Examines the patient before prescribing the procedures to be performed and upon completion of the procedures.
  - (iii) Is physically present in the office at the time the procedures are being performed.
- (d) “General supervision” means that a dentist complies with both of the following:
- (i) Designates a patient of record upon whom services are to be performed.
  - (ii) Is physically present in the office at the time the procedures are being performed.
- (e) “Patient of record” means a patient who has been examined and diagnosed by a dentist and whose treatment has been planned by a dentist or a patient who has been examined, evaluated, assessed, and treatment planned by a dental therapist to the extent authorized by the supervising dentist. A patient of record includes a patient getting radiographic images by allied dental personnel with training pursuant to R 338.11411(a) after receiving approval from the assigning dentist or dental therapist.

R 338.11402 Rescinded.

R 338.11403 Rescinded.

R 338.11404 Rescinded.

R 338.11404a Rescinded.

R 338.11405 Rescinded.

R 338.11405a Rescinded.

R 338.11405b Rescinded.

R 338.11405c Rescinded.

R 338.11406 Rescinded.

R 338.11408 Rescinded.

R 338.11409 Rescinded.

R 338.11410 Rescinded.

R 338.11411 Delegated and assigned dental procedures for allied dental personnel.

Rule. 1411. A dentist may assign or delegate procedures to an unlicensed dental assistant, registered dental assistant, or registered dental hygienist under the provisions of section 16611 of the code, MCL 333.16611, as provided in Table 1:

Table 1 - Delegated and Assigned Dental Procedures for Allied Dental Personnel

	DA	RDA	RDH	Procedure
(a)	G	A	A	Operating of dental radiographic equipment. A DA shall have successfully completed a course in dental radiography that is substantially equivalent to a course taught in a program approved by the board pursuant to R 338.11302, R 338.11303, or R 338.11307. A dentist may delegate necessary radiographs for a new patient to an RDA or RDH.
(b)	G	A	A	Instructing in the use and care of dental appliances.
(c)	G	A	A	Taking impressions for study and opposing models.
(d)	G	A	A	Applying nonprescription topical anesthetic solution.
(e)	G	A	A	Trial sizing of orthodontic bands.
(f)	D	A	A	Placing, removing, and replacing orthodontic elastic or wire separators, arch wires, elastics, and ligatures.
(g)	D	A	A	Dispensing orthodontic aligners.
(h)		D	A	Removing orthodontic bands, brackets, and adhesives with non-tissue cutting instruments.
(i)		A	A	Polishing specific teeth with a slow-speed rotary hand piece immediately before a procedure that requires acid etching before placement of sealants, resin-bonded orthodontic appliances, and direct restorations.
(j)		G*	G*	Etching and placing adhesives before placement of orthodontic brackets and attachment for aligners.
(k)		D	D	Cementing orthodontic bands or initial placement of orthodontic brackets and attachments for aligners.
(l)		A	A	Removing excess cement from supragingival surfaces of a tooth with a non-tissue cutting instrument.
(m)		A	A	Providing nutritional counseling for oral health and maintenance.
(n)	A	A	A	Applying commonly accepted medical emergency procedures.
(o)		A	A	Inspecting and charting the oral cavity using a mouth mirror and radiographs.
(p)		A	A	Preliminary examination including classifying occlusion.
(q)		A	A	Placing and removing dental dam.
(r)		A	A	Applying anticariogenic agents including, but not limited to, sealants, fluoride varnish, and fluoride applications.

(s)		A	A	Polishing and contouring of sealants with a slow-speed rotary hand piece immediately following a procedure for occlusal adjustment.
(t)		A		Fabricating temporary restorations and temporary crowns and temporary bridges.
(u)		A	A	Placing and removing a nonmetallic temporary or sedative restoration with non-tissue cutting instruments.
(v)		A	A	Sizing of temporary crowns and bands.
(w)		A	A	Temporarily cementing and removing temporary crowns and bands.
(x)		G*	A	Preliminary examination including performing pulp vitality testing.
(y)		G*	A	Applying desensitizing agents.
(z)		G*	A	Taking impressions for intraoral appliances including bite registrations.
(aa)		G*		Placing and removing matrices and wedges.
(bb)		G*		Applying cavity liners and bases.
(cc)		G*		Drying endodontic canals with absorbent points.
(dd)		G*		Placing and removing nonepinephrine retraction cords or materials.
(ee)		A	A	Placing and removing post extraction and periodontal dressings.
(ff)		D	A	Removing sutures.
(gg)		D	A	Applying and dispensing in-office bleaching products.
(hh)		G	G	Prior to cementation by the dentist, adjusting and polishing contacts and occlusion of indirect restorations. After cementation, removing excess cement from around restorations.
(ii)		D**		Placing, condensing, and carving amalgam restorations.
(jj)		D**		Placing Class I resin bonded restorations, occlusal adjustment, finishing and polishing with non-tissue cutting slow-speed rotary hand pieces.
(kk)		D**		Taking final impressions for direct and indirect restorations and prosthesis including bite registration.
(ll)		D	D	Assisting and monitoring the administration of nitrous oxide analgesia by a dentist or the RDH. A dentist shall assign these procedures only if the RDA or RDH has successfully completed an approved course that meets the requirements of section 16611(7) of the code, MCL 333.16611, with a minimum of 5 hours of didactic instruction. The levels must be preset by the dentist or RDH and must not be adjusted by the RDA except in case of an emergency, in which case the RDA may turn off the nitrous oxide and administer 100% oxygen. As used in this subdivision, "assisting" means setting up equipment and placing the face mask. Assisting does not include

				titrating and turning the equipment on or off, except in the case of an emergency in which circumstances the RDA may turn off the nitrous oxide and administer 100% oxygen.
(mm)			A	Removing accretions and stains from the surfaces of the teeth and applying topical agents essential to complete prophylaxis.
(nn)			A	Root planing, debridement, deep scaling, and removal of calcareous deposits.
(oo)			A	Polishing and contouring restorations.
(pp)			A	Charting of the oral cavity, including all the following: periodontal charting, intra oral and extra oral examining of the soft tissue, charting of radiolucencies or radiopacities, existing restorations, and missing teeth.
(qq)			A	Applying topical anesthetic agents by prescription of the dentist.
(rr)		A	A	Placing and removing surgical temporary sedative dressings.
(ss)			A	Removing excess cement from tooth surfaces.
(tt)			A	Placing subgingival medicaments.
(uu)			A	Micro abrasion of tooth surfaces to remove defects, pitting, or deep staining.
(vv)			D	Performing soft tissue curettage with or without a dental laser.
(ww)	D	G	G	Taking digital scans for final restorations or intra-oral appliances.
(xx)			D***	<p>Administering intra oral block and infiltration anesthesia, or no more than 50% nitrous oxide analgesia, or both, to a patient who is 18 years of age or older if the RDH has met all of the following requirements:</p> <p>(i) Successfully completed an approved course that meets the requirements in section 16611(4) of the code, MCL 333.16611, in the administration of local anesthesia, with a minimum of 15 hours didactic instruction and 14 hours clinical experience.</p> <p>(ii) Successfully completed a state or regional board administered written examination in local anesthesia within 18 months of completion of the approved course in paragraph (i) of this subdivision.</p> <p>(iii) Successfully completed an approved course that meets the requirements in section 16611(4) of the code, MCL 333.16611, in the administration of nitrous oxide analgesia, with a minimum of 4 hours didactic instruction and 4 hours clinical experience.</p> <p>(iv) Successfully completed a state or regional board administered written examination in nitrous oxide analgesia, within 18 months of completion of the approved course in paragraph (iii) of this subdivision.</p> <p>(v) Maintains and provides evidence of current certification in basic or advanced cardiac life</p>



				support that meets the standards contained in R 338.11705.
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A = Assignment as defined in R 338.11401.

G = General supervision as defined in R 338.11401.

D = Direct supervision as defined in R 338.11401.

DA = Dental assistant.

RDA = Registered dental assistant as defined in R 338.11101.

\* A dentist shall assign these procedures to an RDA and RDH only if the RDA has successfully completed an approved course that meets the requirements in section 16611(12) and (13) of the code, MCL 333.16611, and contains a minimum of 10 hours of didactic and clinical instruction.

\*\* A dentist shall assign these procedures to an RDA only if the RDA has successfully completed an approved course that meets the requirements in section 16611(11) of the code, MCL 333.16611, and contains a minimum of 20 hours of didactic instruction followed by a comprehensive clinical experience of sufficient duration that validates clinical competence through a criterion based assessment instrument.

RDH = Registered dental hygienist as defined in R 338.11101.

\*\*\* The department fee for certification of completion of the requirements is \$10.

## PART 4B. SUPERVISION OF DENTAL THERAPISTS

## R 338.11415 Definitions

R 1415. As used in this part, "supervise" or "supervision" means overseeing or participating in the work of another individual by a health professional licensed under article 15 of the code, MCL 333.16101 to 333.18838, in circumstances where at least all of the following conditions exist:

(a) Continuous availability of direct communication in person or by radio, telephone, or telecommunication between the supervised individual and a health professional licensed in this state.

(b) Availability of a health professional licensed in this state on a regularly scheduled basis to review the practice of the supervised individual, to provide consultation to the supervised individual, to review records, and to further educate the supervised individual in the performance of his or her functions.

(c) The provision by the supervising health professional licensed in this state of predetermined procedures and drug protocol.

## R 338.11417 Practice agreement; care or services.

Rule 1417. (1) A dental therapist may practice only under the supervision of a dentist licensed and practicing in this state through a written practice agreement that is signed by the dental therapist and dentist licensed and practicing in this state and that meets all the requirements in section 16655 of the code, MCL 333.16655.

(2) A dentist may supervise no more than 4 dental therapists pursuant to section 16655(5) of the code, MCL 333.16655.

(3) A dental therapist may supervise no more than 3 dental assistants or registered dental assistants and 2 registered dental hygienists in any 1 health setting as allowed in a written practice agreement. The practice agreement must define the type of supervision required by the dental therapist.

(4) A dentist may not authorize a dental therapist to do either of the following:

(a) Prescribe controlled substances.

(b) Administer phentolamine mesylate.

(5) A dentist may authorize a dental therapist to provide care or services described in sections 16656(1)(a) to (w) of the code, MCL 333.16656.

(6) A dental therapist may perform other services and functions agreed to by the supervising dentist for which the dental therapist is trained that are ancillary to those care and services described in sections 16656(1)(a) to (w) of the code, MCL 333.16656.

(7) Subject to section 16657 of the code, MCL 333.16657, and the dental therapist's written practice agreement, if the patient requires treatment that exceeds the dental therapist's capabilities or the scope of practice as a dental therapist, the dentist or dental therapist shall refer the patient to an appropriate provider within a reasonable distance.

(8) Subject to section 16655 and 16656(2) of the code, MCL 333.16655 and 333.16656, and the dental therapist's written practice agreement, a dental therapist's authority to delegate to allied dental personnel may not exceed a dentist's authority to delegate to allied dental personnel under R 338.11411.

R 338.11419 Health settings.

Rule 1419. (1) A dental therapist may provide care and services in any health setting included in section 16654 of the code, MCL 333.16654.

(2) The health setting in section 16654(f) of the code, MCL 333.16654, includes a geographic area that is designated as a dental shortage area by the United States Department of Health and Human Services in geographic health professional shortage areas based on geographic area and population groups.

(3) The computation to determine 50% of the annual total patient base of the dental therapist in section 16654(i) of the code, MCL 333.16654, includes any patient who has been seen at least once by the dental therapist.

## PART 5. SPECIALTIES

R 338.11501 Specialties; recognition by the board.

Rule 1501. (1) The department on behalf of the board may issue a health profession specialty license in all of the following branches of dentistry as specialties:

- (a) Oral and maxillofacial surgery.
- (b) Orthodontics and dentofacial orthopedics.
- (c) Prosthodontics.
- (d) Periodontics.
- (e) Pediatric dentistry.
- (f) Endodontics.
- (g) Oral pathology or oral and maxillofacial pathology.

(2) Each branch of a dental specialty that is licensed by the board is defined in these rules, and by the standards set forth by CODA under R 338.11301.

R 338.11505 Rescinded.

R 338.11512 Oral and maxillofacial pathology explained; licensure requirements.

Rule 1512. (1) The practice of oral and maxillofacial pathology deals with the nature, identification, and management of diseases affecting the oral and maxillofacial regions. It is a science that investigates the causes, processes, and effects of these diseases. The term "oral and maxillofacial pathology" means the same as the term "oral pathology."

(2) The specialty of oral and maxillofacial pathology includes, but is not limited to, the research and diagnosis of diseases using clinical, radiographic, microscopic, biochemical, or other examinations.

(3) An applicant for licensure as an oral and maxillofacial pathologist shall meet all of the following requirements:

- (a) Hold a current license to practice dentistry in this state.
- (b) Have graduated from a program of oral and maxillofacial pathology approved by the board under R 338.11301.
- (c) Provide verification of a passing score on the specialty certification examination that is conducted and scored by the American Board of Oral and Maxillofacial Pathology.

R 338.11513 Oral and maxillofacial surgery explained; licensure requirements; examination content.

Rule 1513. (1) The practice of oral and maxillofacial surgery includes the diagnosis, surgical, and adjunctive treatment of diseases, injuries, and defects involving both the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial region.

(2) The specialty of oral and maxillofacial surgery includes, but is not limited to, the care, treatment, and procedures associated with an office and hospital-based practice under R 338.11301.

(3) A dentist who applies for licensure as an oral and maxillofacial surgeon shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have completed a residency in oral and maxillofacial surgery approved by the board under R 338.11301.

(c) Satisfy either of the following:

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status with the American Board of Oral and Maxillofacial Surgery (ABOMS) through completion of the ABOMS specialty examinations.

R 338.11515 Orthodontics and dentofacial orthopedics explained; licensure requirements; examination content.

Rule 1515. (1) The practice of orthodontics includes the diagnosis, prevention, interception, and correction of malocclusion, as well as the neuromuscular and skeletal abnormalities of the developing or mature orofacial structures. The term "orthodontics and dentofacial orthopedics" means the same as the term "orthodontics."

(2) The specialty of orthodontics includes, but is not limited to, all of the following:

(a) The diagnosis, prevention, interception, and comprehensive treatment of all forms of malocclusion of the teeth and associated alterations in their surrounding structures.

(b) The design, application, and control of functional and corrective appliances.

(c) The growth guidance of the dentition and its supporting structures to attain and maintain optimum occlusal relations in physiologic and esthetic harmony among facial and cranial structures.

(3) A dentist who desires licensure as an orthodontist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of orthodontics approved by the board under R 338.11301.

(c) Provide the department with evidence of the successful passing of the American Board of Orthodontics (ABO) written exam. The passing score accepted for licensure is the passing score established by the ABO.

(d) Satisfy either of the following:

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status with the ABO through completion of the ABO specialty examinations.

R 338.11517 Prosthodontics explained; licensure requirements; examination content.

Rule 1517. (1) The practice of prosthodontics includes the diagnosis, treatment planning, rehabilitation, and maintenance of the oral function, comfort, appearance, and health of patients with clinical conditions associated with missing or deficient teeth or oral and maxillofacial tissues, or both, using biocompatible substitutes.

(2) The specialty of prosthodontics includes, but is not limited to, the restoration and maintenance of oral function, comfort, appearance, and health of the patient by the restoration of natural teeth and the replacement of missing teeth and contiguous oral and maxillofacial tissues with artificial substitutes.

(3) A dentist who applies for licensure as a prosthodontist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of prosthodontics approved by the board under R 338.11301.

(c) Provide verification of a passing score on the written portion of the specialty certification examination that is conducted and scored by the American Board of Prosthodontics (ABP).

(d) Satisfy either of the following:

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status with the ABP through completion of the ABP specialty examinations.

R 338.11519 Periodontics explained; licensure requirements; examination content.

Rule 1519. (1) The practice of periodontics includes the prevention, diagnosis, and treatment of disease of the supporting and surrounding tissues of the teeth or their substitutes and the maintenance of the health, function, and esthetics of these structures and tissues.

(2) A dentist who desires licensure as a periodontist shall comply with both of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of periodontics approved by the board under R 338.11301.

(c) Satisfy either of the following:

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a

hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status with the American Board of Periodontology through completion of the American Board of Periodontology specialty examinations.

R 338.11521 Pediatric dentistry explained; licensure requirements; examination content.

Rule 1521. (1) The practice of pediatric dentistry is an age-defined specialty that provides both primary and comprehensive preventive and therapeutic oral health care for infants and children through adolescence, including those with special health care needs.

(2) A dentist who desires licensure as a pediatric dentist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of pediatric dentistry approved by the board under R 338.11301.

(c) Provide verification of a passing score on the written examination used for specialty certification that is conducted and scored by the American Board of Pediatric Dentistry (ABPD) or provide documentation of diplomate status with the ABPD.

(d) Satisfy either of the following:

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status with ABPD through completion of the ABPD specialty examinations.

R 338.11523 Endodontics explained; licensure requirements; examination content.

Rule 1523. (1) The practice of endodontics includes the morphology, physiology, and pathology of the human dental pulp and periradicular tissues. Its study encompasses related basic and clinical sciences, including the biology of the normal pulp and the etiology, diagnosis, prevention, and treatment of diseases and injuries of the pulp and associated periradicular conditions.

(2) A dentist who applies for licensure as an endodontist shall comply with all of the following requirements:

(a) Hold a current license to practice dentistry in this state.

(b) Have graduated from a program of endodontics approved by the board under R 338.11301.

(c) Provide documentation to the department evidencing the successful passing of the American Board of Endodontists (ABE) written examination. The passing score accepted for licensure is the passing score established by the ABE.

(d) Satisfy either of the following:

(i) Submit a final official transcript of dental postgraduate training from a graduate program of dentistry approved by the board under R 338.11301 or, in the case of a hospital program that does not issue transcripts, certification by the hospital administrator or other official of the satisfactory completion of the program.

(ii) Provide evidence of diplomate status with the ABE through completion of the ABE specialty examinations.

R 338.11525 Specialists; holding self out to public.

Rule 1525. (1) A dentist who is not licensed as a specialist by the board shall not announce or hold himself or herself out to the public as limiting his or her practice to, as being specially qualified in, or as giving special attention to, a branch of dentistry that is listed as a specialty in R 338.11501. A dentist is considered to be holding himself or herself out as a specialist in a branch of dentistry that is listed as a specialty in R 338.11501 in either of the following situations:

(a) When, in any way, he or she gives public emphasis to the practice of a specialty of dentistry listed in R 338.11501 without disclosing that he or she is a dentist who is not licensed in this state as a specialist under R 338.11501.

(b) When he or she identifies himself or herself with a specialty of dentistry in R 338.11501, whether or not he or she claims special attention to or a practice limited to the specialty, or if he or she employs the use of signs, professional cards, letterheads, other listings, or letters to the public or the profession that, in any way, implies special knowledge or ability in a specialty of dentistry in R 338.11501. This subdivision does not apply to specialists who are advertising in the specialty for which they are licensed in this state under R 338.11501.

(2) A dentist who is licensed as a specialist in this state under R 338.11501 shall include his or her license number in all public advertisements for that specialty, including, but not limited to, telephone books, solicitations, print media, newspapers, and internet advertising.

(3) Identification as an employer, employee, or partner, with an individual who is duly licensed as a specialist in this state under R 338.11501 constitutes announcement to the public of qualifications for specialization, unless the individual so associating himself or herself publicly states, by signs, cards, or announcements, that he or she is not licensed in this state as a specialist under R 338.11501 or is engaged in the practice of some other specialty of dentistry in which he or she is duly licensed in this state under R 338.11501.

R 338.11527 Dental license suspension or revocation; automatic suspension or revocation of specialty licensure.

Rule 1527. The suspension or revocation of the dental license of a dentist automatically causes the suspension or revocation of a specialty license issued to that dentist under the code and these rules.

## PART 6. GENERAL ANESTHESIA AND INTRAVENOUS CONSCIOUS SEDATION AND ENTERAL SEDATION

R 338.11601 General anesthesia; conditions; violation.

Rule 1601. (1) A dentist shall not administer general anesthesia to a dental patient or delegate and supervise the performance of any act, task, or function involved in the administration of general anesthesia to a dental patient, unless all of the following conditions are satisfied:

(a) The dentist has completed a minimum of 1 year of advanced training in general anesthesia and pain control in a program that meets the standards adopted in R 338.11603(1). A program that is accredited by CODA as meeting the accreditation standards for advanced dental education programs in anesthesiology meets the requirements of this subdivision.

(b) The dentist and the delegatee, if any, maintain current certification in basic and advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11603(2). A certification in basic and advanced cardiac life for health care providers with a hands-on component from AHA meets the requirements of this subdivision.

(c) The facility in which the anesthesia is administered meets the equipment standards adopted in R 338.11603(3).

(d) The dentist shall be physically present with the patient who is given any general anesthesia until he or she regains consciousness and the dentist shall remain on the premises until the patient is capable of being discharged.

(2) A dentist who does not meet the requirements of subrule (1) of this rule shall not offer general anesthesia services for dental patients unless all of the following conditions are met:

(a) General anesthesia services are directly provided through association with, and by, either of the following individuals:

(i) A physician who is licensed under the provisions of part 170 or 175 of the code, MCL 333.17001 to 333.17097, and 333.17501 to 333.17556, and who is a member in good standing on the anesthesiology staff of a hospital accredited by the Joint Commission.

(ii) A dentist who meets the requirements of subrule (1)(a) and (b) of this rule.

(b) A person who administers anesthesia, under the provisions of subdivision (a) of this subrule, shall be physically present with the patient who is given any general anesthesia until he or she regains consciousness and the dentist shall remain on the premises where the general anesthesia is administered until the patient anesthetized is capable of being discharged.

(c) The provisions of subrule (1)(b) and (c) of this rule must be complied with.

(3) A dentist is in violation of section 16221(1)(h) of the code, MCL 333.16221, if he or she fails to comply with subrules (1) and (2) of this rule.

R 338.11602 Intravenous conscious sedation; conditions; violations.

Rule 1602. (1) A dentist shall not administer intravenous conscious sedation to a dental patient or delegate and supervise the performance of any act or function involved in the administration of intravenous conscious sedation to a dental patient unless 1 of the following is satisfied:

(a) The dentist complies with R 338.11601(1) or (2).

(b) The dentist complies with all of the following provisions:

(i) The dentist has completed a minimum of 60 hours of training in intravenous conscious sedation and related academic subjects, including a minimum of 40 hours of supervised clinical instruction in which the dentist has sedated not less than 20 cases in a course that complies with the standards adopted in R 338.11603(1). A program that is



accredited by CODA as meeting the accreditation standards for advanced dental education programs meets the standards in R 338.11603(1).

(ii) The dentist and the delegatee, if any, maintains current certification in basic and advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification under standards substantially equivalent to the standards adopted in R 338.11603(2). A certification in basic and advanced cardiac life support for health care providers with a hands-on component from AHA meets the requirements of this paragraph.

(iii) The facility in which the anesthesia is administered complies with the equipment standards adopted in R 338.11603(3).

(2) A dentist is in violation of section 16221(1)(h) of the code, MCL 333.16221, if he or she fails to comply with subrule (1) of this rule.

R 338.11603 Adoption of standards; effect of certification of programs.

Rule 1603. (1) The board adopts by reference the CODA standards for anesthesiology educational programs in the publication titled "Accreditation Standards for Advanced Dental Education Programs in Anesthesiology," copyright 2018, and the standards for advanced training in anesthesia and pain control and training in intravenous conscious sedation and related subjects set forth by the ADA's publication titled "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," October 2016 edition. The guidelines may be obtained at no cost from the American Dental Association, 211 E. Chicago Avenue, Chicago, Illinois, 60611, or at no cost on the association's website at <http://www.ada.org>. A copy of the standards is available for inspection and distribution, at 10 cents per page from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

(2) The board adopts by reference the standards for credentialing in basic and advanced life support for health care providers with a hands-on component set forth by the AHA in the standards and guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers, published in "2015 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care" (Volume 132, Issue 18 Supplement 2, November 3, 2015) and updates in 2017 and 2018. A copy of the Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care may be obtained at an approximate cost of \$28.00 from the American Heart Association, 7272 Greenville Avenue, Dallas, Texas, 75231 or at no cost from the AHA's website at <https://cpr.heart.org/>. A copy of this document is available for inspection and distribution, at the same cost as purchasing a copy from AHA, from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

(3) The board adopts by reference the standards regarding the equipment within a facility where anesthesia is administered set forth by the American Association of Oral and Maxillofacial Surgeons in the publication titled "Office Anesthesia Evaluation Manual," ninth edition. A copy of this manual may be obtained at a cost of approximately \$345.00 from the American Association of Oral and Maxillofacial Surgeons, 9700 West Bryn Mawr Avenue, Rosemont, Illinois, 60018, or at the association's website at <http://www.aaoms.org> at a cost of approximately \$345.00. A copy of this document is

available for inspection and distribution, at the same cost as purchasing a copy from the American Association of Oral and Maxillofacial Surgeons, from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

R 338.11604 Rescinded.

R 338.11605 Enteral sedation; guidelines; adoption by reference; requirements for approval of course and instructor.

Rule 1605. (1) Before being offered to licensees, a course and its instructors in enteral sedation must be approved by the board and, at a minimum, the course objectives, content, duration, evaluation, documentation, and faculty must be consistent with the enteral sedation course standards in the ADA's "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," October 2016, whose guidelines are adopted by reference by the board. The guidelines may be obtained at no cost from the American Dental Association, 211 E. Chicago Avenue, Chicago, Illinois, 60611 or at no cost on the association's website at <http://www.ada.org>. A copy of the guidelines is available for inspection and distribution, at 10 cents per page, from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

(2) A program or course that is certified by CODA as meeting the ADA's standards for advanced training in anesthesia and pain control and training in intravenous conscious sedation in the publication titled "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," October 2016 edition, is approved by the board.

## PART 7. CONTINUING EDUCATION

R 338.11701 License renewal for a dentist, dental specialist, and special-retired volunteer dentist; requirements; applicability.

Rule 1701. (1) This rule applies to an application for the renewal of a dentist license, dental specialist license, and special retired volunteer dentist license under sections 16201 and 16184 of the code, MCL 333.16201 and 333.16184.

(2) Subject to subrule (8) of this rule, an applicant for a dentist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall comply with both of the following during the 3-year period before the end of the license cycle:

(a) Possess current certification in basic or advanced cardiac life support from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

(b) Complete at least 3 continuing education credits in pain and symptom management. Continuing education credits in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions.

(3) Subject to subrule (8) of this rule, in addition to the requirements of subrule (2) of this rule, an applicant for a dentist license renewal, who has been licensed for the 3-year period immediately preceding the expiration date of the license, shall comply with all of the following during the 3-year period before the end of the license cycle:

(a) Complete not less than 60 hours of continuing education approved by the board under R 338.11704a.

(b) Complete a minimum of 20 hours of the required continuing education hours in programs directly related to clinical issues including delivery of care, materials used in delivery of care, and pharmacology.

(c) Complete a minimum of 20 hours of the required continuing education hours by attending synchronous, live courses or programs that provide for direct interaction between faculty and participants, including, but not limited to, lectures, symposia, live teleconferences, workshops, and participation in volunteer patient or supportive dental services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer services, may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.

(4) Subject to subrule (8) of this rule, in addition to the requirements of subrules (2) and (3) of this rule, a dental specialist shall complete 20 hours of the required continuing education hours in the dental specialty field in which he or she is certified during the 3-year period before the end of the license cycle.

(5) Subject to subrule (8) of this rule, in addition to the requirements of subrule (2) of this rule, an applicant for a special retired dentist license shall comply with the following during the 3-year period before the end of the license cycle:

(a) Complete not less than 40 hours of continuing education acceptable to the board in R 338.11704a.

(b) Complete a minimum of 14 hours of the required hours of continuing education in programs directly related to clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.

(c) Complete a minimum of 14 hours of the required hours of continuing education by attending synchronous, live courses or programs that provide for direct interaction between faculty and participants, including but not limited to, lectures, symposia, live teleconferences, workshops, and providing volunteer clinical services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer clinical services, may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.

(d) Comply with the conditions for renewal in section 16184(2) of the code, MCL 333.16184.

(6) The submission of the application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. The board may require an applicant or a licensee to submit evidence to demonstrate compliance with this rule. The applicant or licensee shall maintain evidence of complying with the requirements of this rule for a period of 5 years from the date of the submission for renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(7) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

(8) Effective for an application for renewal that is filed for the renewal cycle that begins 1 year or more after the effective date of this subrule, an applicant shall meet the requirements of this subrule and subrules (1), (7), and (9) to (14) of this rule. An applicant for a dentist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall complete not less than 60 hours of continuing education approved by the board under R 338.11704a during the 3-year period before the end of the license cycle.

(9) An applicant for a dental specialist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall complete 60 hours of continuing education approved by the board under R 338.11704a with not less than 20 hours of the required 60 hours in board-approved continuing education in the dental specialty field in which he or she is licensed within the 3-year period before the end of the license cycle.

(10) In addition to meeting the requirements of section 16184 of the code, MCL 333.16184, an applicant for a special retired volunteer dentist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall complete not less than 60 hours of continuing education approved by the board under R 338.11704a during the 3-year period before the end of the license cycle.

(11) An applicant shall possess current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

(12) In complying with the requirements of subrules (8) to (10) of this rule, an applicant for a dentist license, dental specialist license, and special retired volunteer dentist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall comply with all of the following before the end of the license cycle:

(a) Complete at least 3 hours of the required continuing education hours in pain and symptom management. Continuing education hours in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for pain and symptom management.

(b) Complete at least 1 hour of the required continuing education hours in dental ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for dental ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel.

(c) Complete a minimum of 20 hours of the required continuing education hours in programs directly related to clinical issues including delivery of care, materials used in delivery of care, and pharmacology. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for clinical issues.

(d) Complete at least 1 hour of the required continuing education hours in infection control, which must include sterilization of hand pieces, personal protective equipment,

and the Centers for Disease Control and Prevention's infection control guidelines. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for infection control.

(e) Complete a minimum of 20 hours of the required continuing education hours by attending synchronous, live courses or programs that provide for direct interaction between faculty and participants including, but not limited to, lectures, symposia, live teleconferences, workshops, and participation in volunteer patient or supportive dental services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer services in R 338.11704a(1)(m), may be counted toward the required courses in clinical issues such as delivery of care, materials used in delivery of care, and pharmacology.

(f) Complete no more than 30 hours of the required continuing education hours asynchronously, noninteractive.

(13) Except for the 1-time training in human trafficking and 1-time training in opioid and controlled substances awareness, which may be used to comply with the requirement for the 1-time training and a continuing education requirement, an applicant may not earn credit for a continuing education program or activity that is identical to a program or activity an applicant has already earned credit for during that renewal period.

(14) The submission of the application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. The board may require an applicant or a licensee to submit evidence to demonstrate compliance with this rule. An applicant or licensee shall maintain evidence of complying with the requirements of this rule for a period of 5 years from the date of the submission for renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

R 338.11703 License renewal for a dental therapist and special-retired volunteer dental therapist; requirements; applicability.

Rule 1703. (1) This rule applies to an application for the renewal of a dental therapist license and special-retired volunteer dental therapist license under sections 16184, 16201, and 16653 of the code, MCL 333.16184, 333.16201, and 333.16653.

(2) An applicant for a dental therapist license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall complete not less than 35 hours of continuing education approved by the board under R 338.11704a during the 2-year period before renewal.

(3) In addition to meeting the requirements of section 16184 of the code, MCL 333.16184, an applicant for a special-retired volunteer dental therapist license renewal who has been licensed for the 2-year period immediately preceding the expiration date of the license shall complete not less than 35 hours of continuing education approved by the board under R 338.11704a during the 2-year period before renewal.

(4) An applicant shall possess current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

(5) In complying with the requirements of subrules (2) and (3) of this rule, an applicant for a dental therapist license or special-retired volunteer dental therapist license renewal

who has been licensed for the 2-year period immediately preceding the expiration date of the license shall comply with all of the following before the end of the license cycle:

(a) Complete at least 2 hours of the required continuing education hours in pain and symptom management. Continuing education hours in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for pain and symptom management.

(b) Complete at least 1 hour of the required continuing education hours in dental ethics and jurisprudence. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for dental ethics and jurisprudence.

(c) Complete at least 1 hour of the required continuing education hours in infection control, which must include sterilization of hand pieces, personal protective equipment, and the Centers for Disease Control and Prevention's infection control guidelines. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for infection control.

(d) Complete a minimum of 12 hours of the required continuing education hours in programs directly related to clinical issues including delivery of care, materials used in delivery of care, and pharmacology. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for clinical issues.

(e) Complete a minimum of 12 hours of the required continuing education hours by attending synchronous, live courses or programs that provide for direct interaction between faculty and participants including, but not limited to, lectures, symposia, live teleconferences, workshops, and participation in volunteer patient or supportive dental services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer services in R 338.11704a(1)(m), may be counted toward the required courses in clinical issues including delivery of care, materials used in delivery of care, and pharmacology.

(f) Complete no more than 18 hours of the required continuing education hours asynchronously, noninteractive.

(6) Except for the 1-time training in human trafficking and 1-time training in opioid and controlled substances awareness, which may be used to comply with the requirement for the 1-time training and a continuing education requirement, an applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period.

(7) The submission of the application for renewal constitutes the applicant's certification of compliance with the requirements of this rule. The board may require an applicant or a licensee to submit evidence to demonstrate compliance with this rule. An applicant or licensee shall maintain evidence of complying with the requirements of this rule for a period of 5 years from the date of the submission for renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(8) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

R 338.11704 License renewal for a registered dental hygienist, registered dental hygienist special volunteer, registered dental assistant, and registered dental assistant special volunteer; requirements; applicability.

Rule 1704. (1) This rule applies to an application for the renewal of a registered dental hygienist license, and a registered dental assistant license under section 16201 of the code, MCL 333.16201, and a registered dental hygienist special-retired volunteer license and a registered dental assistant special-retired volunteer license under section 16184 of the code, MCL 333.16184.

(2) An applicant for a registered dental hygienist license renewal or a registered dental assistant license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license, shall complete not less than 36 hours of continuing education approved by the board under R 338.11704a during the 3 years before the end of the license cycle.

(3) An applicant holding both a registered dental hygienist license and a registered dental assistants license shall complete not less than 36 hours of continuing education acceptable to the board under R 338.11704a during the 3 years before the end of the license cycle. The 36 hours must include not less than 12 hours devoted to registered dental hygienist functions, and not less than 12 hours devoted to registered dental assistant functions.

(4) In addition to meeting the requirements of section 16184 of the code, MCL 333.16184, an applicant for a special-retired volunteer registered dental assistant license renewal or a special-retired volunteer registered dental hygienist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall complete not less than 36 hours of continuing education approved by the board under R 338.11704a during the 3-year period before the end of the license cycle.

(5) An applicant shall possess current certification in basic or advanced cardiac life support for health care providers with a hands-on component from an agency or organization that grants certification pursuant to standards substantially equivalent to the standards adopted in R 338.11705(4).

(6) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

(7) In complying with the requirements of subrules (2) to (4) of this rule, an applicant for a registered dental assistant license, registered dental hygienist license, special-retired volunteer registered dental assistant license, or special-retired volunteer registered dental hygienist license renewal who has been licensed for the 3-year period immediately preceding the expiration date of the license shall also comply with all of the following before the end of the license cycle:

(a) Complete a minimum of 12 hours of the required continuing education hours in programs directly related to clinical issues including delivery of care, materials used in the delivery of care, and pharmacology. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for clinical issues.

(b) Complete a minimum of 12 hours of the required continuing education hours by attending synchronous, live courses or programs that provide for direct interaction between faculty and participants including, but not limited to, lectures, symposia, live teleconferences, workshops, and provision of volunteer patient or supportive dental

services provided for in R 338.11704a(1)(m). These courses, with the exception of the volunteer services in R 338.11704a(1)(m), may be counted toward the required courses in clinical issues including delivery of care, materials used in delivery of care, and pharmacology.

(c) Complete at least 2 hours of the required continuing education hours in pain and symptom management. Continuing education credits in pain and symptom management may include, but are not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interactions. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for pain and symptom management.

(d) Earn no more than 18 of the 36 hours of the required continuing education hours asynchronously, noninteractive.

(e) Effective for an application for renewal that is filed for the renewal cycle that begins 1 year or more after the effective date of this subrule, complete at least 1 hour of the required continuing education hours in dental ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for ethics and jurisprudence with inclusion of delegation of duties to allied dental personnel.

(f) Effective for applications for renewal that are filed for the renewal cycle that begins 1 year or more after the effective date of this subrule, complete at least 1 hour of the required continuing education hours in infection control, which must include sterilization of hand pieces, personal protective equipment, and the Centers for Disease Control and Prevention's infection control guidelines. Hours earned through volunteer patient or supportive dental services provided for in R 338.11704a(1)(m) do not count toward the required hours for infection control.

(8) Effective for an application for renewal that is filed for the renewal cycle that begins 1 year or more after the effective date of this subrule, an applicant may not earn credit for a continuing education program or activity that is identical to a program or activity the applicant has already earned credit for during that renewal period, except for the 1-time training in human trafficking and 1-time training in opioid and controlled substances awareness, which may be used to comply with the requirement for the 1-time training and a continuing education requirement.

(9) The submission of the application for renewal constitutes the applicant's certification of compliance required by this rule. The board may require an applicant or licensee to submit evidence to demonstrate compliance with this rule. The applicant or licensee shall maintain evidence of complying with the requirements of this rule for a period of 5 years from the date of the submission for renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

R 338.11704a Acceptable continuing education for licensees, limitations.

Rule 1704a. (1) The board shall consider any of the following as acceptable continuing education for dentists, dental therapists, dental specialists, special-retired volunteer dentists, special-retired volunteer dental therapists, registered dental hygienists, special-



retired volunteer registered dental hygienists, registered dental assistants, and special-retired volunteer registered dental assistants, unless otherwise noted:

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
(a)	<p>Completion of an approved continuing education program or activity related to the practice of dentistry. A continuing education program or activity is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> <li>• A dental, dental therapy, dental hygiene, dental assistant, or a hospital-based dental specialty educational program approved by CODA.</li> <li>• A continuing education sponsoring organization, institution, or individual approved by the Academy of General Dentistry (AGD).</li> <li>• A continuing education national sponsoring organization, institution, or individual approved by the American Academy of Dental Hygiene (AADH), the American Dental Hygienists' Association (ADHA), the American Dental Assistants Association (ADAA), and the Commission on Continuing Education Provider Recognition ADA Continuing Education Recognition Program (ADA CERP) or its successor organization.</li> <li>• A continuing education sponsoring organization, institution, or individual approved by the Michigan Dental Association (MDA), Michigan Dental Hygienists Association (MDHA), and Michigan Dental Assistants Association (MDAA).</li> <li>• Another state board of dentistry.</li> </ul> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for</p>	<p>The number of hours earned are the number of hours approved by the sponsor or the approving organization.</p> <p>If the activity was not approved for a set number of hours, then 1 credit hour for each 50 minutes of participation may be earned.</p> <p>No limitation on the number of hours earned.</p>

	continuing education credit, and the date on which the program was held or activity completed.	
(b)	<p>Completion of courses offered for credit in a dental, dental therapy, dental hygiene, dental assistant, or a hospital-based dental specialty educational program approved by CODA.</p> <p>If audited, an applicant shall submit an official transcript that reflects completion of the course and number of semester or quarter credit hours earned.</p>	<p>Ten hours of continuing education may be earned for each quarter credit earned and 15 hours may be earned for each semester credit earned.</p> <p>No limitation on the number of hours earned.</p>
(c)	<p>Attendance at a program or activity related to topics approved in R 338.2443(2) and R 338.143(2) for category 1 continuing education by the board of medicine or board of osteopathic medicine.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	<p>One hour may be earned for each 50 minutes of program attendance.</p> <p>A maximum of 30 hours for a dentist, and 18 hours for a dental therapist, registered dental hygienist, and registered dental assistant may be earned in each renewal period.</p>
(d)	<p>For dentists, satisfactory participation for a minimum of 7 months in a hospital or institution through a postgraduate dental clinical training program approved by CODA.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours attended, the name of the hospital or institution, the name of the clinical training program, the date of participation, and the activities completed.</p>	<p>Twenty hours may be earned in each calendar year for 7 months of participation in the calendar year.</p> <p>A maximum of 20 hours per calendar year may be earned.</p>
(e)	<p>For dentists, successful completion of an American-board specialty examination.</p> <p>If audited, an applicant shall submit proof of a passing score on the examination.</p>	<p>Ten hours may be earned in the year in which the applicant achieves a passing score on a specialty examination.</p> <p>A maximum of 20 hours may be earned in each renewal period. Credit is not given for repeating the same examination in a renewal</p>

		period.
(f)	<p>Renewal of a dentist, dental therapist, registered dental hygienist, or registered dental assistant license held in another state that requires continuing education for license renewal that is substantially equivalent in subject matter and total amount of required hours required in these rules if the applicant resides and practices in another state.</p> <p>If audited, an applicant shall submit proof of current licensure in another state and a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, type of program or activity, and the date on which the program was held or activity completed.</p>	<p>For a dentist, 60 hours may be earned. For a dental therapist, 35 hours may be earned. For a registered dental hygienist or registered dental assistant, 36 hours may be earned.</p> <p>A maximum of 60 hours for a dentist, 35 hours for a dental therapist, and 36 hours for a registered dental hygienist or registered dental assistant may be earned in each renewal period.</p>
(g)	<p>For a registered dental assistant, meeting the requirements for recertification in R 338.11705(3).</p> <p>If audited, an applicant shall submit proof of current certification, other than emeritus certification, by the Dental Assisting National Board (DANB).</p>	<p>Thirty-six hours may be earned.</p> <p>A maximum of 36 hours may be earned in each renewal period.</p>
(h)	<p>Initial publication of an article or text related to the practice of dentistry, dental therapy, dental hygiene, or dental assisting in either of the following:</p> <ul style="list-style-type: none"> <li>• A textbook.</li> <li>• A journal of a national association of dentists, dental therapists, dental specialists, dental hygienists, or dental assistants.</li> </ul> <p>If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.</p>	<p>Twenty-five hours may be earned per publication.</p> <p>A maximum of 25 hours may be earned in each renewal period.</p>
(i)	<p>Initial publication of an article related to the practice of dentistry, dental therapy, dental hygiene, or dental assisting in either of the following:</p> <ul style="list-style-type: none"> <li>• A journal of an accredited dentistry,</li> </ul>	<p>Twelve hours may be earned per publication.</p> <p>A maximum of 12 hours may be earned in each renewal period.</p>

	<p>dental therapy, dental hygiene, or dental assisting school.</p> <ul style="list-style-type: none"> <li>• A state or state-component association of dentists, dental therapists, dental specialists, dental hygienists, or dental assistants.</li> </ul> <p>If audited, an applicant shall submit a copy of the publication that identifies the applicant as the author or a publication acceptance letter.</p>	
(j)	<p>Independent reading of articles or viewing or listening to media, other than online programs, related to dental, dental therapy, dental hygiene, or dental assisting education.</p> <p>If audited, an applicant shall submit an affidavit attesting to the number of hours the applicant spent participating in these activities that includes a description of the activity.</p>	<p>One hour for each 50 minutes of participation may be earned per activity.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>
(k)	<p>Development and presentation of a table clinical demonstration or a continuing education lecture offered in conjunction with the presentation of continuing education programs approved by the board pursuant to subrule (3) of this rule that is not a part of the licensee's regular job description.</p> <p>If audited, an applicant shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>One hour for each 50 minutes devoted to the development and initial presentation.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>
(l)	<p>Attendance at a dental-related program that is approved by the board pursuant to subrule (3) of this rule and that is relevant to health care and advancement of the licensee's dental education.</p> <p>If audited, an applicant shall submit a copy of a letter or certificate of completion showing the applicant's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.</p>	<p>Ten hours of continuing education may be credited per year.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>
(m)	<p>Providing volunteer patient or supportive dental</p>	<p>One hour for each 120 minutes of</p>

<p>services in this state at a board-approved program pursuant to subrule (4) of this rule that is not a part of the licensee's regular job description nor required under a board order or agreement and that complies with the following:</p> <ul style="list-style-type: none"> <li>• The program is a public or nonprofit entity, program, or event, or a school or nursing home.</li> <li>• The program provides patient or supportive dental services to the indigent or dentally underserved populations.</li> <li>• The licensee does not receive direct or indirect remuneration of any kind including, but not limited to, remuneration for materials purchased or used.</li> <li>• The licensee shall sign in and sign out daily upon commencement and termination of the provision of services.</li> <li>• A dentist with a specialty license issued from this state shall limit volunteer clinical dental services to the specialty area in which the dentist is licensed.</li> </ul> <p>If audited, an applicant shall submit proof from the sponsor of the assignments and the hours of service provided.</p>	<p>providing patient or supportive dental services.</p> <p>A dentist or special-retired volunteer dentist may earn a maximum of 20 hours per renewal period.</p> <p>A dental therapist, registered dental hygienist, registered dental assistant, special-retired volunteer dental therapist, special-retired volunteer registered dental hygienist, and special-retired volunteer registered dental assistant may earn a maximum of 12 hours per renewal period.</p>
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(2) If an organized continuing education course or program is offered in segments of 50 to 60 minutes each, 1 hour of credit is given for each segment.

(3) The following requirements are established for board approval of continuing education, which includes, but is not limited to, any continuing education not otherwise approved by subrule (1) of this rule:

(a) The continuing education applicant shall submit a complete application, on forms provided by the department. A licensee shall submit a "Patient Protection" form provided by the department to the department for each continuing education course or program involving treatment of live patients.

(b) A completed application form must be submitted to the department at least 70 days before the date the course or program is conducted and 70 days before the next regularly scheduled board meeting for the proposed continuing education to be considered for approval by the board. Continuing education conducted before board consideration and approval will be denied approval.

(c) A course or program must substantially meet the standards and criteria for an acceptable category of continuing education under this rule and must be relevant to health care and advancement of the licensee's dental education.

(d) Board approval is for a term of 3 years from the date of approval.

(e) Approved continuing education must be reevaluated by the board before any changes during the 3-year approval term including, but not limited to, changes in the following:

(i) Instructors and speakers.

(ii) Content, title, and number of continuing education hours to be awarded to participants.

(f) Subject to subdivision (g) of this subrule, all changes to previously approved continuing education courses or programs must be submitted on required department forms at least 70 days before the date the continuing education course or program is offered to participants and 70 days before the next regularly scheduled board meeting to be considered for approval by the board. Any changes to the submitted and previously approved courses or programs conducted before board reconsideration and approval will be denied approval.

(g) Emergency changes to instructors and speakers that are unable to be submitted to the board at least 70 days before the date of the continuing education may be reviewed by the department in consultation with the board chair when proof acceptable to the department is submitted with the change supporting the nature of the emergency.

(h) The specific dates of the continuing education course or program does not require further board approval and may be changed without review by the board if the presentation dates are within the board's original 3-year term of approval.

(i) All of the following information must be recorded on a continuing education course or program certificate of completion or other proof prepared by the sponsor conducting the continuing education:

(i) The name of the applicant.

(ii) Continuing education approval number issued by the board.

(iii) Course title.

(iv) Speaker or instructor.

(v) Date the approved continuing education course was conducted.

(vi) Number of continuing education hours awarded.

(vii) Approved sponsor's signature.

(viii) Dates of the current approval term.

(ix) Name of participant.

(j) The board may revoke the approval status of any approved continuing education course or program any time the course or program fails to comply with these rules.

(4) The following requirements are established for board approval of a sponsor offering volunteer continuing education opportunities under subrule (1)(m) of this rule:

(a) A sponsor shall apply to the department to obtain approval as a sponsoring entity on the volunteer dental application form.

(b) A sponsor shall retain patient records.

(c) A sponsor shall retain documentation of all volunteer assignments and the hours of service provided.

(d) Upon request, a sponsor shall provide the board with the records, copy of the assignments, hours of service, and evidence of compliance with the requirements of subrule (1)(m) of this rule.

(e) A sponsor shall provide each licensee with verification of all volunteer hours of dental care provided by the licensee upon completion of the licensee's service.

(f) Upon request, a sponsor shall submit documentation to the department, evidencing compliance with the requirements of subrules (1)(m) and (5) of this rule.

(g) Board approval is for a term of 4 years from the date of approval.

(h) The board may revoke the approval status of any volunteer continuing education opportunity any time an approved continuing education program fails to comply with these rules.

(i) All of the following information must be recorded on a continuing education certificate of completion or other proof prepared by the sponsor conducting the volunteer continuing education course or program:

- (i) The name of the sponsoring organization.
- (ii) Continuing education approval number issued by the board.
- (iii) Dates and times of volunteer services.
- (iv) Number of continuing education hours earned.
- (v) Signature of individual responsible for attendance.
- (vi) Dates of the current approval term.
- (vii) Name of participant.

(5) A continuing education sponsor shall maintain evidence of participation in continuing education, including signed continuing education certificates of completion issued to participants, for a period of 5 years from the date of the continuing education program or course.

R 338.11704b Rescinded.

R 338.11704c Rescinded.

R 338.11705 Standards and requirements; adoption by reference.

Rule 1705. (1) The board adopts by reference the standards and criteria of the AGD's Program Approval for Continuing Education (PACE) which are set forth in the publication titled "PACE Academy of General Dentistry Program Approval for Continuing Education Program Guidelines, Revised April 2019." Information on the PACE standards and criteria is available at no cost from the Academy of General Dentistry, 560 W. Lake St., Sixth Floor, Chicago, Illinois, 60661-6600 or at no cost from the academy's internet website at [www.agd.org](http://www.agd.org). A copy of the guidebook is available for inspection and distribution at 10 cents per page from the Michigan Board of Dentistry, Michigan Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

(2) The board adopts by reference the standards and criteria of the ADA CERP for approval of continuing education sponsoring organizations, which are set forth in the publication titled "ADA CERP Recognition Standards, and Procedures April 2019." A copy of this publication may be obtained at no cost from the association at ADA CERP, 211 E. Chicago Avenue, Chicago, Illinois, 60611-2678 or at no cost from the

association's internet website at [www.ada.org](http://www.ada.org). A copy of the publication is available for inspection and distribution at 10 cents per page from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

(3) The board adopts by reference the requirements for recertification established by DANB as set forth in the publication titled "Dental Assisting National Board, Inc. Recertification Requirements 2019." A copy of the publication may be obtained at no cost from the Dental Assisting National Board, Inc., 444 N. Michigan Avenue, Suite 900, Chicago, Illinois, 60611 or at no cost from the national board's internet website at [www.danb.org](http://www.danb.org). A copy of the guidelines and requirements are available for inspection and distribution at 10 cents per page from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

(4) The board adopts by reference the standards for certification in basic and advanced cardiac life support for health care providers with a hands-on component set forth by the AHA in the standards and guidelines for cardiopulmonary resuscitation and emergency cardiac care for professional providers, published in "2015 American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care," Volume 132, Issue 18, Supplement 2, November 3, 2015, with updates in 2017 and 2018. A copy of the guidelines for cardiopulmonary resuscitation and emergency cardiovascular care may be obtained at a cost of approximately \$28.00 from the AHA's website at [www.cpr.heart.org](http://www.cpr.heart.org). A copy of this document is available for inspection and distribution, at the same cost as purchasing a copy from the AHA, from the Michigan Board of Dentistry, Department of Licensing and Regulatory Affairs, Bureau of Professional Licensing, 611 West Ottawa, P.O. Box 30670, Lansing, Michigan, 48909.

## PART 8. DENTAL AMALGAM

R 338.11801 Definitions.

Rule 1801. (1) As used in this part:

(a) "Amalgam separator" means a device designed to remove dental amalgam waste particles from dental office wastewater.

(b) "Dental amalgam" means a mixture of mercury and other metals used as a dental restorative material.

(c) "Dental amalgam waste" means waste from a dental office containing any of the following:

(i) Contact amalgam waste, which means dental amalgam that has been in contact with the patient including, but not limited to, extracted teeth with dental amalgam restorations; carving scrap collected at chair-side; and dental amalgam captured by chair-side traps, vacuum pump filters, amalgam separators, or other dental amalgam capture devices.

(ii) Non-contact amalgam scrap, which means dental amalgam that has not been in contact with the patient including, but not limited to, excess dental amalgam mix remaining at the end of a dental procedure.



(iii) Empty amalgam capsules, which means individually dosed containers left over after mixing precapsulated dental amalgam.

(iv) Dental amalgam that may have accumulated in the plumbing system or that is found in other areas of a dental office.

(d) “Dentist,” means an individual licensed under article 15 of the code, MCL 333.16101 to 333.18838, and these rules, to engage in the practice of dentistry, who uses or removes dental amalgam or who owns or operates a dental office that generates dental amalgam waste.

(e) “Discharge” means the release of any dental amalgam waste into the environment. This includes any releases to land, ground or surface waters, septic systems, or wastewater treatment systems.

(f) “Holding tank” means a closed, watertight, sealed structure designed and used to receive and store wastewater. Holding tanks are designed and constructed for ultimate disposal of collected wastewater at another site.

(g) “Recycle” or “recycling” means sending mercury or dental amalgam waste to either the contracted separator company or a facility in the United States that reclaims or distills the mercury for reuse. “Recycle” or “recycling” does not include any of the following:

(i) The on-site processing of mercury or dental amalgam waste.

(ii) The sale, donation, or exchange of mercury or dental amalgam waste through internet lists.

(iii) The sale or donation of mercury or dental amalgam waste to any individual or company for any other reuse purpose.

(2) Unless otherwise defined in these rules, the terms defined in the code have the same meanings when used in this part.

R 338.11811 Amalgam separator; installation and operation; requirements.

Rule 1811. (1) On or before December 31, 2013, a dentist shall install, or have installed, an amalgam separator on each wastewater drain in his or her dental office that is used to discharge dental amalgam waste. In addition to meeting the requirements of the code and these rules, a dentist who is required to install an amalgam separator, pursuant to section 16631 of the code, MCL 333.16631, shall comply with all of the following:

(a) Install an amalgam separator that meets the requirements of R 338.11813.

(b) Install, operate, and maintain the amalgam separator according to the manufacturer’s instructions.

(c) Ensure the installed amalgam separator is properly sized to accommodate maximum dental amalgam wastewater flow rates at the dental office. The maximum allowable flow rate through an amalgam separator at a dental office must not exceed the maximum flow rate capacity at which the amalgam separator was tested under R 338.11813(1)(a).

(d) Ensure that all wastewater from the dental office containing dental amalgam waste passes through an installed and properly functioning and maintained amalgam separator before being discharged.

(2) Subrule (1) of this rule does not apply to any of the following:

(a) Oral and maxillofacial surgeons.

(b) Oral and maxillofacial radiologists.

(c) Oral pathologists.

- (d) Orthodontists.
- (e) Periodontists.
- (f) Dentists while providing services in a dental school educational program, in a hospital, or through a local health department.
- (g) Dentists who install and use a holding tank and do not discharge amalgam waste.

R 338.11813 Amalgam separator; requirements.

Rule 1813. (1) An amalgam separator that is installed in a dental office under R 338.11811 must meet all of the following requirements:

- (a) Be certified as passing the international organization for standardization (ISO) 11143 standard, 2008, for evaluating amalgam separators.
- (b) Have a removal efficiency of not less than 95% as determined by the testing required under subdivision (a) of this subrule, based on the overall average of the 3 empty and the 3 simulated full test results.
- (c) Be tested and certified by 1 of the following:
  - (i) SP technical research institute of Sweden.
  - (ii) Tuv nord, Germany.
  - (iii) NSF international.
  - (iv) Both of the following:
    - (A) A testing laboratory accredited by an accreditation body that is a signatory to the international laboratory accreditation cooperation's mutual recognition arrangement and has a scope of accreditation that includes ISO 11143 standard, 2008.
    - (B) A certification body accredited by an accreditation body that is a signatory to the international accreditation forum's multilateral recognition arrangement and has a scope of accreditation that includes ISO 11143 standard, 2008.
- (2) Any amalgam separator that meets the requirements of subrule (1) of this rule qualifies as an amalgam separator approved by the board.

R 338.11815 Collection, disposal, and recycling of dental amalgam waste; requirements.

Rule 1815. (1) A dentist shall comply with all of the following:

- (a) Use amalgam only in a preencapsulated form.
- (b) Salvage, store, and recycle non-contact and contact dental amalgam materials, including empty amalgam capsules.
- (c) Collect and recycle extracted teeth or portions of teeth that contain dental amalgam materials.
- (d) Store all dental amalgam waste in enclosed and structurally sound containers until a sufficient amount has been collected for shipment to a reclamation facility or recycler or at a minimum, recycle annually.
- (e) Label all containers holding dental amalgam waste. The label must include at a minimum, the title "dental amalgam waste for recycling" and the date the waste was initially placed in the container.
- (f) Use chair-side traps to retain amalgam and recycle the content.
- (g) Recycle all amalgam materials collected in amalgam separators, vacuum pump filters, chair-side traps, or other wastewater processing devices.

(h) Ensure that the separators operate properly and do not become full and bypass. This may include inspecting the separators annually, halfway through the operating life, or as required by the manufacturer.

(i) Follow the steps for the cleanup of mercury spills as recommended by the Michigan department of health and human services at [www.michigan.gov/mercury](http://www.michigan.gov/mercury).

(2) A dentist shall not do any of the following:

(a) Store bulk elemental mercury that is not in capsule form.

(b) Put dental amalgam waste down a toilet or drain.

(c) Put dental amalgam waste or empty amalgam capsules into trash containers, or biohazard or infectious waste bags.

(d) Disinfect teeth or any item containing dental amalgam by autoclaving or using heat.

(e) Use cleaners containing bleach or chlorine to flush drains or wastewater lines.

(3) A dentist shall train and have written procedures for training dental office staff who manage or dispose of dental amalgam waste to ensure compliance with this rule.

(4) This rule does not apply to a dentist listed in R 338.11811(2)(a) to (f). A dentist who installs and uses a holding tank and does not discharge amalgam waste shall comply with the requirements of subrules (1), (2), and (3) of this rule, as applicable.

#### R 338.11817 Record keeping.

Rule 1817. (1) A dentist who is subject to the provisions of R 338.11811 shall maintain records at his or her dental office that include all of the following:

(a) Type of amalgam separator installed, including the manufacturer and model.

(b) Date the amalgam separator became operational.

(c) Documentation verifying that the amalgam separator meets the requirements of R 338.11813.

(d) Documentation of the manufacturer's instructions for the operation and maintenance of the amalgam separator.

(e) Service records for each amalgam separator in use at the dental office that includes all of the following:

(i) Dates of maintenance.

(ii) Dates separator contents were recycled.

(iii) Name of the staff or contractor performing the service.

(f) Documentation verifying that the dentist disposed of and recycled any dental amalgam waste that was generated from the individual's dental office consistent with the requirements of R 338.11815. The documentation must include all of the following:

(i) Name and address of the collection service or recycler.

(ii) Amount by weight of dental amalgam waste that was collected and the date it was collected or shipped from the dental office for recycling.

(iii) Name and address of the facility where the dental amalgam waste is recycled.

(iv) Shipping or manifest papers documenting transfer of the dental amalgam waste to the recycler.

(2) Upon request by an authorized state official, local public health department staff, or local municipality's representative, a dentist subject to this rule shall provide the records required under subrule (1) of this rule.

(3) A dentist subject to this rule shall retain the records required under subrule (1) of this rule for a minimum of 3 years.

R 338.11819 Verification.

Rule 1819. With each license renewal, a dentist who is subject to the provisions of R 338.11811 shall verify on a form provided by the department that he or she is in compliance with these rules and provide the amalgam separator make and year that each separator was installed.

R 338.11821 Compliance and enforcement.

Rule 1821. Failure to comply with the requirements of these rules is a violation of section 16221(h) of the code, MCL 333.16221, and may result in sanctions as provided for in the code, or under state or federal law.