

# South Carolina Dentistry News

**LLR** An online newsletter published by the South Carolina Board of Dentistry.

## Mission Statement

To protect the public health, safety and welfare in the State of South Carolina by the licensure and regulation of dentists, dental hygienists and dental technicians.

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## Board Member News 2012-2013

With the passage of legislation in 2012, the Board now has eleven members. There are eight dentists, two dental hygienists, and one public member. Refer to the Dental Practice Act in Section 40-15-20 of the South Carolina Code for more information. The Board currently is waiting on an appointment for the Congressional District Six seat. There will be an upcoming election for the Congressional District Five seat.

## FAQ on X-Ray Certification

Board staff is frequently asked about x-ray certification. Dental assistants must pass a Board-approved radiation safety course before they are allowed to take x-rays within a dental office in South Carolina. Board Regulation 39-16 requires that the employing dentist be responsible for the verification of credentials of dental assistants who expose radiographs in his/her office, and for certifying that all personnel in his/her dental office who expose radiographs have met the required training by obtaining certification from a Board-approved certification program.

Board-approved courses include those developed/sponsored by:

- American Dental Association (ADA)-accredited schools and their constituents;
- Dental Assisting National Board, Inc. (DANB); and
- South Carolina Dental Association (SCDA).

Successful completion of a course from any of these programs meets the requirements of the S.C. Dental Practice Act. The Board no longer issues radiography certificates. **Note:** The SCDA offers an online radiation safety course. For information and application, contact the SCDA at (803) 750-2277 or visit its website at [www.scd.org](http://www.scd.org).

The Board website is [www.llr.state.sc.us/pol/dentistry](http://www.llr.state.sc.us/pol/dentistry)

Please make note of this site and visit it regularly for updated information on applications and forms for licensure; fees; FAQ; Board Final Orders; complaint process and complaint forms; laws/policies; Board news; publications; Board information such as minutes,

members, agendas, and important dates; renewal information; on-line verification of license; and on-line services. There is a wealth of information for you and the public.

### General Information

- . This is the first edition of the Board's new newsletter. The Board has not published a newsletter in a few years. The Board will use this newsletter in many ways, including: to inform licensees and registrants about new rules, regulations and legislation affecting and concerning dentists, dental hygienists and technicians in South Carolina; to share information about Board rulings, decisions and orders; to update licensees and registrants on reoccurring issues that come before the Board pertaining to the everyday practice of dentistry; and to share frequently asked questions and answers.
- . The Board Newsletter will reference statutes and regulations for your information.
- . The Board is a dedicated coalition of dentists, dental hygienists, and a public member whose first charge is the public safety of the citizens of South Carolina. The Board members are active in the daily practice of dentistry, except for the public member. All seven of the congressional districts are represented on the Board. In addition, some members are chosen at-large.
- . The Board welcomes and invites communication from licensees and other members of the public. Board meetings are open to the public, and meeting dates and agendas are available on the Board's website.
- . Minutes of Board meetings are also available on the Board's website.
- . There are two more Board meetings this year: July 12<sup>th</sup> and October 11<sup>th</sup>.

### Trends and Topics of Interest

**Prescription Writing:** Dentists are sometimes asked to write prescriptions that are outside the scope of practice. Licensees and registrants are reminded of the current statute in the Dental Practice Act regarding prescription writing. Dentists are only allowed to prescribe within the scope of dentistry to a registered patient within their dental practice. Please refer to the Section 40-15-70 (2- c) and 40-15-360 of the Dental Practice Act.

**Infection Control:** Infection control practices have recently come under scrutiny following revelations in Oklahoma. Dentists and dental hygienists are reminded to review and examine these practices. Proper guidelines and standards can be found published by the American Dental Association (ADA). Please also read Board Regulation 39-10.

**Botox and Other Injectables:** Botox and fillers have become popular in recent years. The Board has a policy on the limitations of use and delivery of these products and injectables by licensees. The policy can be found on the website under Laws/Policies [www.llr.state.sc.us/pol/dentistry](http://www.llr.state.sc.us/pol/dentistry). The policy states in general that these are limited to the perioral area, must be for a dental purpose, must be performed by a licensed general dentist, and must be performed only where a bona fide dentist-patient relationship has been established. Please read the full policy.

**Social Coupon Website Use:** Social coupon website use is another growing practice. The Code of Ethics in Regulation 39-11, 1-H of the S. C. Code of Regulations states "Dentists shall not accept or tender 'rebates' or 'split fees.'" This includes social coupon website applications. Please be mindful of this section. A violation of the Principles of Ethics as promulgated in the Code of Regulations is grounds for misconduct. The ADA has a statement also regarding this.

**How to File a Complaint:** The Board has a form and affidavit on its website to use to file a complaint. All complaints must be in written form and sent to the Board office. No complaint matters should be addressed in any form – written or verbal - to Board members. All complaints are investigated by the Office of Investigations at LLR and then presented to the Board.

### SC Dental Board Proposed Dental Sedation Act

The Board is currently drafting and discussing with stakeholders a new section for the Dental Practice Act (the statute). This section will be entitled the Dental Sedation Act. This proposal will define and regulate the practice of sedation of dental patients within the scope of dentistry. Permits for sedation will be issued. The Board felt compelled to act to create this section due to its charge first and foremost to protect the public. The Board realizes that the proposed legislation will require extra vigilance and attention by its licensees.

The Dental Sedation Act will bring the State of South Carolina in line with other states in the southeast and across the nation. This will include statutory permits that will require minimum education, training, and equipment for dentists and other personnel involved in any procedures involving sedation. There will be separate requirements for conscious and deep sedation; however, minimal anxiolysis sedation and nitrous oxide/oxygen sedation will not be subject to these requirements.

The input of all pertinent organizations and associations is being solicited and welcomed in the formulation of the proposed statute. Once the Board approves the final draft of the legislation, sponsors will be found and the proposed statute will be sent to the South Carolina Senate and House to begin the legislative process. If you have any further questions, please put these in writing to the Board at PO Box 11329 in Columbia, SC 29211-1329.

### Board Policies

The Board of Dentistry has the authority and jurisdiction over licensure and the practice of dentistry in South Carolina directed by its statutes and regulations. The Board also has policies to support these laws on its website. You may find it useful to refer to these policies when you have questions on different topics. Here is a short list of some of the policies: lasers, anesthesia certification, economic relationships, patient dental records, application review process, dental license by credentials, CE/CPR compliance, Botox, and more. Future newsletters will address some of these topics and others.

## 2013 SUMMARY OF PROCEDURES that can be delegated to Dental Hygienists and Dental Assistants

Please note that this summary is provided for information only. Unless otherwise specifically stated, the information contained herein is made available to the public for informational purposes only. No legal liability or responsibility is assumed for the accuracy, completeness, or usefulness of the information presented. Please refer to the Dental Practice Act statutes and regulations as well as legal counsel of your own choosing for further guidance.

### I. PRIVATE DENTAL OFFICE under DIRECT SUPERVISION

**“Direct Supervision”** means that a dentist is in the dental office, personally diagnoses the condition to be treated, personally authorizes the procedure, and before the dismissal of the patient, evaluates the performance of the auxiliary. This requirement does not mandate that a dentist be present at all times, but he or she must be on the premises actually involved in supervision and control. **40-15-85(1)**.

**“Authorized”** means the supervising dentist in a private office setting has personally approved the procedures to be performed and is responsible for the care provided to the patient. **40-15-102(A)**.

Procedure	Dental Hygienist	Expanded Duty Dental Assistant	Dental Assistant
Assist in basic supportive chairside procedures	√	√	√
Chart existing restorations, clinically missing teeth, and appliances within the oral cavity	√	√	√
Apply topical drugs as prescribed by the Board	√	√	√
Place and remove rubber dam	√	√	√
Place and remove matrix	√	√	√
Place and remove orthodontic ligatures	√	√	√
Take and record vital signs (blood pressure, pulse, etc.)	√	√	√
Expose radiographs upon completion of Board-approved radiation safety course	√	√	√
Place and remove periodontal packs	√	√	√
Remove sutures	√	√	√
Take impressions for study models	√	√	
Place and remove socket dressing	√	√	
Place gingival retraction cord	√	√	
Place temporary restorations	√	√	
Cement temporary crowns or bridges	√	√	
Remove excess cement from restorations and/or appliances	√	√	
Polish restorations and supragingival tooth structure	√	√	
Application of pit and fissure sealant	√	√	
Monitor nitrous oxide conscious sedation upon certification by the Board	√	√	
Administration of local infiltration anesthesia upon certification by the Board	√		
Complete prophylaxis to include scaling, root planning, performing clinical examination	√		
Oral hygiene and instruction	√	√	√
<b><i>The procedures listed below are authorized / not authorized in accordance with Board policies:</i></b>			
Dental hygienists and dental assistants are <u>not</u> authorized to establish an IV line. They are <u>not</u> authorized to draw sedative drugs into a syringe, <u>nor</u> are they authorized to deliver drugs into an established IV line. Board policy adopted 10/31/08.			
Perform isolation and clean-up procedures related to laser bleaching of teeth in dental office. Board policy adopted 6/24/01.	√	√	√
Licensed dental hygienists are authorized to place subgingival therapeutic chemicals (i.e., Actisite, Perio chip, Atridox, etc.) at the direction and under the direct supervision of a practicing licensed dentist upon completion of a minimum one-hour training session as recommended by the manufacturer. Dental assistants and expanded duty dental assistants are <u>not</u> authorized to place subgingival therapeutic chemicals. Board policy adopted 10/31/08.	√		
Dental hygienists and dental assistants are <u>not</u> authorized to perform Botox injections. Board policy adopted 4/01/09.			
Intra-oral camera (does not include scanner for final impressions)	√		

**Dental Assistant** - No formal academic dental training is required for dental assistants. **Reg. 39-12.**

**Expanded Duty Dental Assistant** – Is a dental assistant who is a graduate of an ADA accredited dental assisting program, or one who has completed two (2) years of continuous full-time employment as a chairside dental assistant. **Reg. 39-13.**

**Dental Hygienist** – Is one who engages in those clinical procedures primarily concerned with the performance of preventive dental services not constituting the practice of dentistry, including removing all hard and soft deposits and stains from the surfaces of human teeth, root planning, performing clinical examination of teeth and surrounding tissues, and charting of oral conditions for diagnosis by a dentist, and performing such other procedures as may be delegated by regulations of the Board. **40-15-80(A)** The regulations mentioned would be **Reg. 39-14, 39-12 and 39-13.**

**Oral prophylaxis** means the removal of any and all hard and soft deposits, accretions, toxins, and stain from any natural or restored surfaces of teeth or prosthetic devices by scaling and polishing as a preventive measure for the control of local irritational factors. **40-15-85(3).**

**Monitor Nitrous Oxide Conscious Sedation** –Means carrying out orders of the dentist, including initiation of flow of nitrous oxide component. Auxiliary may then maintain that flow or decrease the level of nitrous oxide when oxygenating patient, without specific direction of dentist. The dentist must determine need and level of nitrous oxide sedation regarding a particular patient. **Board Policy adopted 6/24/01.**

**II. PRIVATE DENTAL OFFICE under GENERAL SUPERVISION with authorization by supervising dentist.**

In a private dental office setting, a dental hygienist may only perform the following functions under general supervision: (1) oral prophylaxis and assessment; (2) fluoride treatment; (3) oral hygiene instruction and education; (4) exposure and process of radiographs as directed by standard office protocol. **40-15-102(B).**

A dentist in a private office setting may authorize general supervision only upon meeting the following criteria: (1.) A new patient of record must be clinically examined by the authorizing dentist during the initial visit; (2.) An appointed patient must be examined by the authorizing dentist at a minimum of twelve (12) month intervals; and (3.) An appointed patient must be notified in advance of the appointment that he/she will be treated by the dental hygienist under general supervision without authorizing dentist being present or being examined by the authorizing dentist. **40-15-102(C).**

**General Supervision** means that a licensed dentist or the S.C. Department of Health and Environmental Control's public health dentist has authorized the procedures to be performed but does not require that a dentist be present when the procedures are performed. **40-15-85(2).**

**Authorized** means the supervising dentist in a private office setting has personally approved the procedures to be performed and is responsible for the care provided to the patient. **40-15-102(A).**

Procedure	Dental Hygienist	Expanded Duty Dental Assistant	Dental Assistant
Oral prophylaxis and assessment	√		
Fluoride treatment	√		
Exposure and process of radiographs as directed by standard office protocol	√		
Oral hygiene instruction and education, perform oral screenings, and provide nutrition and dietary counseling <b>without prior authorization</b>	√		
Intra-oral camera (does not include scanner for final impressions)	√		

**III. SCHOOL SETTINGS under GENERAL SUPERVISION and written permission of student's parent/guardian [unless the dentist or dental hygienist is working in a public health setting with DHEC]**

In school settings, licensed dental hygienists may apply topical fluoride and may perform the application of sealants and oral prophylaxis under general supervision, with written permission of the student's parent or guardian. **40-15-80(B).**

A dentist authorizing treatment by a dental hygienist in school settings or nursing home settings is subject to the general supervision restrictions provided for in this section unless the dentist or dental hygienist is working in a public health setting with the Department of Health and Environmental Control, as provided for in Section 40-15-110. **40-15-102(D).**

Procedure	Dental Hygienist	Expanded Duty Dental Assistant	Dental Assistant
Apply topical fluoride	√		
Perform application of sealants	√		
Oral prophylaxis	√		
Exposure and process of radiographs as directed by standard office protocol.	√		

**IV. HOSPITALS, NURSING HOMES, LONG TERM CARE FACILITIES**  
under GENERAL SUPERVISION and provided medical emergency care is available within the facility  
[unless the dentist or dental hygienist is working in a public health setting with DHEC]

In hospitals, nursing homes, long term care facilities, rural and community clinics, health facilities operated by federal, state, county, or local governments, hospices, education institutions accredited by the Commission on Dental Accreditation that give instruction in dental hygiene, and in bona fide charitable institutions, licensed dental hygienists may apply topical fluoride and perform the application of sealants and oral prophylaxis under general supervision. Treatment may not occur in these settings unless medical emergency care is available within the facility. **40-15-80(C).**

A dentist authorizing treatment by a dental hygienist in school settings or nursing home settings is subject to the general supervision restrictions provided for in this section unless the dentist or dental hygienist is working in a public health setting with the Department of Health and Environmental Control, as provided for in Section 40-15-110 - Exemptions. **40-15-102(D).**

**General Supervision** means that a licensed dentist or the S.C. Department of Health and Environmental Control's public health dentist has authorized the procedures to be performed but does not require that a dentist be present when the procedures are performed. **40-15-85(2).**

Procedure	Dental Hygienist	Expanded Duty Dental Assistant	Dental Assistant
Apply topical fluoride	√		
Perform application of sealants	√		
Oral prophylaxis	√		
Exposure and process of radiographs as directed by standard office protocol.	√		

**V. PUBLIC HEALTH SETTINGS WORKING WITH DHEC**  
Examination of patient is not required.

Services are to be performed under the direction of DHEC State Dental Coordinator or the Department's designee  
but do not require the coordinator be present when the services are performed.

**Public Health Setting** – Is defined as a hospital, nursing home, long term care facility, rural or community health clinic, health facility operated by federal, state, county, or local governments, hospice, an education institution, a bona fide charitable institution, or a mobile delivery program operated in one of these settings under the direction of the Department of Health and Environmental Control. Mobile delivery programs are defined as those that are not confined to a single building and can be transported from place to place. **40-15-110(E).**

**Public Health Dental Program Services** – Includes oral screenings using a DHEC-approved screening system, oral prophylaxis, application of topical fluoride including varnish, and the application of dental sealants. **40-15-110(A)(10).**

Procedure	Dental Hygienist	Expanded Duty Dental Assistant	Dental Assistant
Oral prophylaxis and assessment.	√		
Application of topical fluoride including varnish.	√	√	√
Exposure and process of radiographs as directed by standard office protocol.	√		
Application of dental sealants	√		
Oral screenings using DHEC approved screening system.	√	√	√
Assist in the delivery of public health dental program services as defined in 40-15-110(E): oral screenings using DHEC approved screening system, oral prophylaxis, application of topical fluoride including varnish, and application of dental sealants. 40-15-110(G)	√	√	√
Perform other duties authorized by regulations of the State Board of Dentistry.	√	√	√

## **S. 407 - General Bill - Submitted Legislation**

S.407 was proposed and submitted by an outside group for the 2013 Legislative Session. It was in regards to inspection of dental offices and was referred to Senate Medical Affairs Committee on 02/20/13; however, that bill did not make it out of committee. The 2014 Legislative Session is the second in the two year legislative cycle so Bill 407 is still in the Senate Medical Affairs Committee. Summary provided is from the SC Statehouse website.

### **Bill Summary:** State Board of Dentistry

A bill to amend the Code of Laws of South Carolina, 1976, by adding section 40-15-183 so as to provide the State Board of Dentistry may randomly conduct announced inspections of dental offices after giving appropriate notice, and may conduct unannounced inspections of dental offices when investigating a bona fide complaint against a person licensed by the Board, and shall set policy and establish procedures concerning the conduct of these inspections.

## **Actions by Final Order of the Board in 2013**

All Final Public Orders issued by the Board are posted on the Board's website [www.llr.state.sc.us/pol/dentistry](http://www.llr.state.sc.us/pol/dentistry)

Francis M. Beylotte, DMD	Order to Reinstate License from Consent Order issued in 2008
Curtiss W. Daughtry, DDS	Order to Reinstate License
Monica D. Dawson, DMD	Order to Remove Probation from Order issued in 2012
Kathleen W. Monn, DMD	Order to Modify Consent Agreement 2010 and to grant application for Controlled Substance Permit
Patrick A. Scioscia DMD	Order to Reinstate License from Consent Order issued in 2008

## **Online Services**

The following services are available online 24 hours a day, seven days per week at [www.llr.state.sc.us/pol/dentistry](http://www.llr.state.sc.us/pol/dentistry):

- Online Renewals when applicable
- Change of Address
- License Verification Request
- Check Status of Application
- Licensee Lookup
- Online Jurisprudence Examination

## **Specialty Exam Dates Remaining 2013 and 2014**

July 19, 2013

January 17, 2014

July 18, 2014

## **Local Infiltration Anesthesia Exams Remaining 2013 and 2014**

August 22, 2013

November 21, 2013

February 20, 2014

May 15, 2014

August 21, 2014

November 20, 2014

## **Board Meetings 2014**

January 10, 2014

April 11, 2014

July 11, 2014

October 10, 2014