

### **39–18. Mobile Dental Facilities and Portable Dental Operations.**

#### **A. Applicability.**

This regulation applies to an organization or dental practice utilizing a licensed dentist or dental

hygienist to operate a mobile dental facility or portable dental operation who:

- (1) provides dental or dental hygiene services; and
- (2) does not have a physically stationary office at the location where the services are provided.

#### **B. Exceptions.**

(1) Federal, state, and local governmental agencies as well as Federally Qualified Health Centers

(FQHCs) are exempt from the requirements of this regulation.

(2) Dentists licensed to practice in South Carolina who have not registered with the Board to operate a mobile dental facility or a portable dental operation may provide dental services through the use of dental instruments, materials, and equipment taken out of a dental office without registering if the service is provided as emergency treatment for their patients of record.

#### **C. Definitions.**

As used in this regulation unless the context indicates otherwise:

(1) “Mobile dental facility” means any self-contained facility in which dentistry or dental hygiene will

be practiced, which may be moved, towed, or transported from one location to another.

(2) “Portable dental operation” means dental equipment utilized in the practice of dentistry or dental

hygiene that is transported to and utilized on a temporary basis at an out-of-office location, including,

but not limited to:

- (a) other dentists’ offices;
- (b) patients’ homes;
- (c) schools;
- (d) nursing homes; or
- (e) other institutions or locations.

(3) “Operator” means the organization or dental practice engaged in providing dental or dental

hygiene services directly or through persons authorized by law to provide the services.

(4) “Organization or dental practice” means persons or entities that provide dental or dental hygiene

services to others.

#### **D. Registration.**

(1) In order to operate a mobile dental facility or portable dental operation, the operator shall first

register with the Board.

(2) For registration purposes, each mobile dental facility or portable dental operation must be

registered. Such registration may not be issued until the mobile dental facility or portable dental operation has passed an inspection as provided in this regulation.

(3) The applicant shall complete an application in the form and manner required by the Board.

(4) The applicant shall pay the initial registration fee of \$150.00 at the time of application or as set by

the Board in accordance with Section 40–1–50.

(5) The applicant shall provide the Board with evidence of compliance with the requirements of this regulation.

(6) The applicant shall submit proof of any applicable radiographic equipment inspection with the application for registration.

#### E. Inspection.

(1) An initial inspection of each mobile dental facility or portable dental operation shall be conducted

by a representative of the Department/Board at a time and place to be designated by staff. Inspections

may be scheduled throughout the year. Upon satisfactory inspection, the registrant will be issued a

sticker, with the current year indicated, to be affixed to the mobile dental facility or portable dental

operation in a place designated by the Board.

(2) Mobile dental facilities shall be inspected annually upon renewal of registration.

(3) Portable dental operations shall be inspected upon initial registration. Thereafter, the registration

may be renewed annually without inspection, unless there has been a substantial repair, replacement,

or modification made that requires inspection in the interest of patient safety before use on patients.

#### F. Official business or mailing address.

(1) The operator of a mobile dental facility or portable dental operation shall maintain an official

business address of record, which shall not be a post office box and which shall be filed with the Board.

A mailing address, if different than the business address and used on an official basis, shall be provided

as well.

(2) The operator of a mobile dental facility or portable dental operation shall maintain an official

telephone number of record, which shall be filed with the Board.

(3) The Board shall be notified within thirty (30) days of any change in the address or telephone

number of record.

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

(5) All dental and official records shall be maintained and available for inspection and copying upon request by the representatives of the Board.

G. Written procedures; communication facilities; conformity with requirements.

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

(1) There is a written procedure for emergency or follow-up care for patients treated in the mobile dental facility or portable dental operation and that such procedure includes prior arrangements for emergency or follow-up treatment in a medical or dental facility, as may be appropriate, that is located in the area where services are being provided.

(2) The mobile dental facility has communication devices to enable immediate contact with appropriate persons in the event of a medical or dental emergency. The communications devices must enable the patient or the parent or guardian of the patient treated to contact the operator for emergency care, follow-up care, or information about treatment received. The provider who renders follow-up care must also be able to contact the operator and receive treatment information, including radiographs.

(3) The mobile dental facility complies with all applicable federal, state, and local laws, regulations, and ordinances dealing with radiographic equipment, flammability, construction, sanitation, zoning, infectious waste management, universal precautions, OSHA guidelines, access by persons with disabilities as required by state and federal law, and federal Centers for Disease Control Guidelines, and the applicant possesses all applicable county and city licenses or permits, including business licenses, to operate the unit at the location where services are being provided.

(4) The mobile dental facility has carbon monoxide detection devices installed and in proper working order.

(5) No services are performed on minors without a signed consent form from the parent or guardian.

(6) During or at the conclusion of each patient's visit to the mobile dental facility or portable dental

operation, the patient, or patient's parent or guardian if the patient is a minor, is provided with an information sheet and that if the patient has provided consent to an institutional facility to assist in the patient's dental health records, the institution is provided with a copy of the information sheet. An institutional facility includes, but is not limited to, a long term care facility or school, and that the information sheet includes the following:

- (a) pertinent contact information as provided by this section;
- (b) the name of the dentist and other dental staff who provided services and their license numbers, if applicable;
- (c) a description of the treatment rendered, including billed service codes and, in the instance of fee for service patients, fees associated with treatment and tooth numbers when appropriate;
- (d) a description of any dental needs either observed during a hygienist's screening or diagnosed during a dentist's evaluation;
- (e) a recommendation that the patient see another dentist if the mobile dental facility or the portable dental operation is unable to provide the follow-up treatment described in subitem (d).

H. Follow-up treatment services.

A mobile dental facility that accepts a patient and provides preventive treatment, including prophylaxis, radiographs, and fluoride, but does not follow-up with treatment or follow-up on referral for treatment when such treatment is clearly indicated, is considered to be abandoning the patient.

Appropriate and accessible (within the patient's geographic area) arrangements must be made for treatment services on a follow up basis. Reasonable attempts to have follow up treatment in an instance where a patient does not re-appear for treatment or does not meet a scheduled appointment is not abandonment.

I. Physical requirements for mobile dental facility.

The operator shall ensure that the mobile dental facility or portable dental operation has the following:

- (1) ready access to a ramp or lift if services are provided to disabled persons;
- (2) a properly functioning sterilization system;
- (3) ready access to an adequate supply of potable water, including hot water;
- (4) ready access to toilet facilities;
- (5) a covered galvanized, stainless steel, or other noncorrosive container for deposit of refuse and

waste materials.

J. Identification of personnel; notification of changes in written procedures; display of licenses.

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

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

(3) Each dentist and dental hygienist providing dental services in the mobile dental facility or portable dental operation shall prominently display his or her authorization to practice in this State in plain view of patients.

K. Identification of location of services.

(1) Each operator of a mobile dental facility or portable dental operation shall maintain a confidential written or electronic record detailing for each location where services are provided, including:

(a) the street address of the service location;  
(b) the dates and times of each session;  
(c) the number of patients served; and  
(d) the types of dental services provided to each patient by name and quantity of each service provided.

(2) The confidential written or electronic record shall be made available to the Board within ten (10) days of a request by the Board. Costs for such records shall be borne by the mobile dental facility or portable dental operation.

L. Licensed dentist in charge.

A mobile dental facility or portable dental operation shall at all times be in the charge of a dentist licensed to practice dentistry in this State, who is responsible for services provided at the mobile dental facility or portable dental operation.

M. Prohibited operations.

The operator of a mobile dental facility or portable dental operation is prohibited from hiring, employing, allowing to be employed, or permitting to work in or about a mobile dental facility or portable dental operation, any person who performs or practices any occupation or profession regulated under Title 40 who is not duly authorized in accordance with state law.

#### N. Information for patients.

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

(2) An information sheet shall include the following:

(a) pertinent contact information as required by this regulation;

(b) the name of the dentist and other dental staff who provided services and their license numbers, if applicable;

(c) a description of the treatment rendered, including billed service codes and, in the instance of fee for service patients, fees associated with treatment, and tooth numbers when appropriate;

(d) a description of any dental needs either observed during a dental hygienist's screening or diagnosed during a dentist's evaluation;

(e) if necessary, referral information to another dentist.

#### O. Cessation of operations.

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

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

(3) Upon choosing to discontinue practice or services in a community, the operator of a mobile dental facility or portable dental operation shall:

(a) notify all of the operator's active patients in writing, or by publication once a week for three (3)

consecutive weeks in a newspaper of general circulation in the community, that the operator intends to

discontinue the mobile dental facility's or portable dental operation's practice in the community; and

(b) encourage the patients to seek the services of another dentist.

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

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

P. Renewal of registration.

(1) The registration of mobile dental facilities and portable dental operations shall be renewed in accordance with a schedule set by the Department of Labor, Licensing and Regulation and the forms approved by the Board on the dates in the form and manner provided by the Board.

(2) The registrant shall pay the registration renewal fee in an amount set by the Department of Labor, Licensing and Regulation.

Q. Failure to comply.

Failure to comply with state statutes or regulations regulating the practice of dentistry, dental hygiene, and the operation of mobile dental facilities or portable dental operations may subject the operator and all practitioners providing services through a mobile dental facility or portable dental operation to disciplinary action.

**HISTORY: Added by State Register Volume 33, Issue No. 2, eff February 27, 2009**