

~~TITLE 172  
NEBRASKA ADMINISTRATIVE CODE  
Chapter 53  
RULES AND REGULATIONS GOVERNING THE PERFORMANCE OF DUTIES  
BY LICENSED DENTAL HYGIENISTS AND OTHER DENTAL AUXILIARIES~~

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 53 PERFORMANCE OF DUTIES BY LICENSED DENTAL HYGIENISTS AND  
DENTAL ASSISTANTS

53-001 SCOPE AND AUTHORITY: These regulations apply to the performance of duties by licensed dental hygienists and dental assistants pursuant to Neb. Rev. Stat. §§71-183 to 71-193.35.

The licensed dentist is responsible for all delegated procedures that take place in the dental office regardless of whether those procedures are performed by the dentist, the dental hygienist or the dental assistant.

00153-002 DEFINITIONS. As used in these Rules and Regulations unless the context otherwise requires:

~~001.01 Board shall mean~~s the Board of ~~Examiners in Dentistry of the State of Nebraska.~~

~~001.02 Dental hygienist shall mean~~s a ~~dental auxiliary person~~ who is licensed by the Department of ~~Health~~ to perform, under the supervision of a licensed dentist, the scaling and polishing of teeth in the oral prophylaxis procedures prescribed in these rules and regulations.

~~001.03 Department shall mean~~s the Division of Public Health of the Department of Health ~~of the State of Nebraska and Human Services.~~

~~001.04 Other dental auxiliary shall~~Dental assistant means any person, other than a dental hygienist, employed by a licensed dentist for the purpose of assisting such dentist in the performance of his/her clinical and clinical-related duties who assists a licensed dentist in carrying out the basic duties of a dental office but who is not licensed as a dental hygienist.

~~001.05 General supervision shall mean~~s the directing of the authorized activities of a dental hygienist or ~~other dental auxiliary assistant~~ by a licensed dentist and ~~shall must~~ not be construed to require the physical presence of the supervisor when directing such activities.

~~001.06 Indirect supervision shall mean~~s supervision when the licensed dentist authorizes the procedure to be performed by a dental hygienist or dental ~~auxiliary assistant~~ and the licensed dentist is physically present on the premises when such procedure is being performed by the dental ~~auxiliary hygienist or the dental assistant.~~

53-0023 SCOPE OF PRACTICE OF DENTAL HYGIENE

53-0023.01 Authorized Services. When authorized by and under the general supervision of a licensed dentist, A a licensed dental hygienist, by virtue of training and professional status, is hereby authorized to may perform, under the supervision of a licensed dentist, the following clinical services intra and extra oral procedures and functions:

~~002.01A-1. Scaling of teeth, including subgingival regions and root planing with hand and ultrasonic instruments. Oral prophylaxis, periodontal scaling, and root planning which includes supragingival and subgingival debridement;~~

~~002.01B-2. Polishing of all exposed tooth surfaces, including restorations; with motor driven and hand instruments, in the oral prophylaxis procedure.~~

~~3. Conduct and assess preliminary charting, probing, screening examinations, and indexing of dental and periodontal disease, with referral, when appropriate, for a dental diagnosis by a licensed dentist;~~

~~4. Brush biopsies;~~

~~5. Pulp vitality testing;~~

~~002.01C-6. Chemical Gingival Curettage;~~

~~7. Removal of sutures;~~

~~8. Preventive measures, including the application of fluorides, sealants, and other recognized topical agents for the prevention of oral disease;~~

~~9. Impressions for study casts;~~

~~10. Application of topical and subgingival agents;~~

~~11. Radiographic exposures;~~

~~12. Oral health education, including conducting workshops and inservice training sessions on dental health;~~

~~002.01D-13. Application or administration of antimicrobial rinses, fluorides, and other anticariogenic agents; and~~

~~14. All of the duties that any other dental auxiliary assistant is authorized to perform.~~

The licensed dentist assumes full responsibility for all the aforementioned procedures delegated to a licensed dental hygienist, under his/her supervision.

#### ~~53-0023.02 Other Prohibited Services. Procedures~~

~~53-003.02A A licensed dental hygienist or any other dental auxiliary, under no circumstances, is ever authorized to perform, whether under the supervision of a licensed dentist or not, the following clinical services:~~

~~002.02A-1. Diagnosis and treatment planning;~~

~~002.02B-2. Surgery on hard or soft tissue;~~

~~002.02C-3. Administering of local or inhalation analgesia (nitrous oxide), parenteral sedation, and general anesthetics. Anesthesia;~~

~~002.02D-4. Any other irreversible dental procedure or procedures which require the professional judgment and skill of a licensed dentist.~~

~~002.03 Prohibited Services. Except in accredited colleges of dentistry, licensed dental hygienists and other dental auxiliaries are prohibited from performing the following clinical services:~~

~~002.03A Any intra-oral procedure which would lead to the fabrication of any prosthesis.~~

~~002.03B Placing or contouring of a final restoration.~~

53-0034 SCOPE OF PRACTICE OF DENTAL ~~AUXILIARIES~~ ASSISTANTS

53-0034.01 Authorized ~~Services~~ Procedures. A licensed dentist is authorized to delegate to a dental ~~auxiliary, assistant other than a dental hygienist~~, only those procedures for which the dentist exercises supervision, for which s/he assumes full responsibility and which do not conflict with these regulations. ~~The phrase "other than a dental hygienist" is used in this section of Subsection 003 to specifically differentiate between "dental hygienist" and any other dental auxiliary, and for no other purpose.~~

53-004.01A The following procedures may be performed by a dental assistant under the general supervision of a licensed dentist:

1. Visually inspecting the oral cavity;
2. Exposing radiographs, after meeting the requirements of 172 NAC 53-005;
3. Making alginate impressions except as prohibited in 53-004.02A item 15;
4. Applying topical anticariogenic agents (fluoride);
5. Removing periodontal dressings;
6. Removing sutures;
7. Replacing temporary restorations; and
8. Adjustments to removable prosthesis.

The licensed dentist assumes full responsibility for all the aforementioned procedures delegated to a dental assistant, under his/her supervision.

53-004.01B The following procedures may be performed by a dental assistant under the indirect supervision of a licensed dentist:

1. Applying topical anesthetic agents;
2. Performing pulp vitality testing;
3. Coronal polishing, after meeting the requirements of 172 NAC 53-006;
4. Bonding orthodontic bands and brackets with light activated adhesives following the immediate inspection and approval by the dentist;
5. Placing retraction material, after meeting the requirements of 172 NAC 53-007;
6. Placing periodontal dressings;
7. Monitoring inhalation analgesia (nitrous oxide), the dental assistant must hold a current CPR certification;
8. Placing matrices;
9. Removing matrices;
10. Placing rubber dams;
11. Removing rubber dams;
12. Fabricating temporary fixed prosthesis;
13. Removing temporary fixed prosthesis;
14. Oral brush biopsy, after meeting the requirements of 172 NAC 53-

008;

15. Applying pit and fissure sealants following the immediate assessment and approval by the dentist, after meeting the requirements of 172 NAC 53-009;
16. Placing amalgam for condensation by the licensed dentist;
17. Applying desensitizing agents; and
18. Any other duties for which the dentist exercises supervision, for which s/he assumes full responsibility and which do not conflict with these regulations, including 53-004.02.

~~53-0034.02 Prohibited Procedures-Services. Other dental auxiliaries are not authorized to perform any of the clinical services which may be performed by a licensed dental hygienist pursuant to Subsections 002.01A and 002.01C or any of the clinical services which are prohibited to dental auxiliaries pursuant to Subsection 002.03.~~

53-004.02A A dental assistant, under no circumstances, is ever authorized to perform, whether under the supervision of a licensed dentist or not, the following procedures:

1. Diagnosis and formulating a treatment plan;
2. Surgery on hard or soft tissue;
3. Administering of local anesthesia, inhalation analgesia (nitrous oxide), parenteral sedation or general anesthesia;
4. Periodontal probing;
5. Scaling of teeth, including supragingival and subgingival regions and root planning with hand and ultrasonic instruments;
6. Curettage;
7. Cementing orthodontic bands and banded orthodontic appliances with self-curing cementation techniques;
8. Bonding orthodontic bands and brackets without the immediate inspection and approval of the dentist;
9. Placing active bends in archwires;
10. Condensing and carving amalgam restorations;
11. Placing and finishing composite resin restorations;
12. Placing subgingival chemotherapeutic agents, except those chemotherapeutic agents used in retraction material;
13. Cementing permanent restorations;
14. Atraumatic restorative therapy (ART);
15. Taking final impressions for immediate, treatment dentures and permanent prostheses;
16. Applying light or heat activated bleaching products; and
17. Any other irreversible dental procedure or procedures which require the professional judgment and skill of a licensed dentist.

53-0045 DENTAL ROENTGENOGRAMS: Any licensed dental hygienist, by virtue of training and professional ability, is ~~hereby~~ authorized, under the supervision of a licensed dentist, to take dental roentgenograms. ~~Any other dental auxiliary-A dental assistant is hereby~~ authorized under the supervision of a licensed dentist to take dental roentgenograms, but they ~~shall~~ will not be authorized to do so, on or after ~~January 1, 1973, the effective date of these regulations,~~ unless they have ~~satisfactorily completed a course in dental radiology approved by the Board and the Department.~~ met the following requirements:

53-005.01 Attained the age of 18; and

53.005.02 Have a minimum of 500 hours of clinical work experience as a dental assistant; and

53.005.03 One of the following:

53-005.03A Have satisfactorily completed a course in dental radiology approved by the Board and the Department;

53-005.03B Have passed the national certification examination for dental assistants (CDA); or

53-005.03C Have graduated from a dental assisting training program which is accredited by the American Dental Association (ADA) and includes training in dental radiography as part of its curriculum.

53-005.04 Criteria for Approval of a Course in Dental Radiology for Dental Assistants.

53-005.04A The institution administering the course in dental radiology must be accredited by the American Dental Association (ADA);

53-005.04B The course must have a minimum of 16 hours of instruction to include 5 hours of didactic instruction and 11 hours of clinical participation;

53-005.04C The didactic course content must include, but not be limited to, film identification and mounting techniques, image quality and evaluation of intra oral radiographic techniques, complications in film placement such as anatomical obstructions and patients reactions to film placement;

53-005.04D The clinical course content must include, but not be limited to, demonstration of intra oral film placement on a manikin, full mouth series exposed on a manikin and the evaluation of the series, film placement on a partner without exposure, panoramic techniques demonstrated;

53-005.04E The course must include written and clinical evaluations for the purpose of determining competency of the dental assistant, demonstrating the necessary skills and proficiency to perform dental radiology; and

53-005.04F Upon successful completion of the course, the sponsoring institution will provide the attendee with written verification of competency.

53-0056 CORONAL POLISHING: A dental auxiliary assistant is hereby authorized, under the indirect supervision of a licensed dentist, to polish all exposed tooth surfaces with a rubber cup or brush driven by a ~~conventional~~ slow-speed hand piece, but they shall not be authorized to do so on or after January 1, 1997, unless they have met the following requirements:

53-0056.01 Attained the age of ~~eighteen~~ (18); and

53-0056.02 One of the following:

53-0056.02A Have graduated from a dental assisting training program which is accredited by the American Dental Association (ADA) and includes a coronal polishing course; or

53-0056.02B Have one ~~(1)~~-year (a minimum of 1500 hours) of clinical work experience as a dental assistant and have successfully completed a course in polishing procedures which is approved by the Board and Department.

53-0056.03 Criteria for Approval of a Course on Polishing Procedures for Dental Assistants.

53-0056.03A The institution administering the course on coronal polishing must be accredited by the American Dental Association (ADA);

53-0056.03B The course must have a minimum of ~~fourteen~~-(14) contact hours of instruction to include ten ~~(10)~~-hours of didactic instruction and four ~~(4)~~-hours of clinical participation;

53-0056.03C The didactic course content must include, but not be limited to, instruction in dental anatomy and physiology of the hard and soft tissues of the deciduous and permanent oral facial complex, the correct management of the hard and soft tissues during coronal polishing procedures, demonstration of appropriate patient and operator positions, instruction in universal precautions and infection control, laboratory exercises utilizing manikins or extracted teeth, indications and contraindications for coronal polishing, armamentarium, and principles of polishing agents;

53-0056.03D The clinical course content must include, but not be limited to, four ~~(4)~~ contact hours of rotary coronal polishing on a minimum of two ~~(2)~~-patients;

53-0056.03E The course shall include written and clinical examinations for the purpose of determining competency of the dental assistant, demonstrating the necessary skills and proficiency to perform coronal polishing; and

53-0056.03F Upon successful completion of the course, the sponsoring institution will provide the attendee with written verification of competency.

53-007 PLACING RETRACTION MATERIAL: A dental assistant is authorized, under the indirect supervision of a licensed dentist, to place retraction material, but they will not be authorized to do so on or after the effective date of these regulations, unless they have met the following requirements:

53-007.01 Attained the age of 18; and

53-007.02 One of the following:

53-007.02A Have graduated from a dental assisting training program which is accredited by the American Dental Association (ADA) and includes placing retraction material, or

53-007.02B Have one year (a minimum of 1500 hours) of clinical work experience as a dental assistant and have successfully completed a course in

placing retraction material which is approved by the Board and Department.

53-007.03 Criteria for Approval of a Course on Placing Retraction Material for Dental Assistants.

53-007.03A The institution administering the course on placing retraction material must be accredited by the American Dental Association (ADA);

53-007.03B The course must have a minimum of 4 contact hours of instruction to include 2 hours of didactic instruction and 2 hours of clinical participation;

53-007.03C The didactic course content must include, but not be limited to, instruction in dental anatomy of the hard and soft tissues of the dentition with emphasis on the periodontium; identify and demonstrate the correct use of retraction material armamentarium, understand the pharmacology of hemostatic agents, and instruction in standard precautions and infection control;

53-007.03D The clinical course content must include, but not be limited to, 2 hours of clinical participation to include a demonstration of proper placement of retraction material on a typodont. The student will then be required to make arrangements with a Nebraska-licensed dentist to place retraction material on a patient under direct supervision of a licensed dentist who will sign a certificate of completion;

53-007.03E The course must include written and clinical examinations for the purpose of determining competency of the dental assistant, demonstrating the necessary skills and proficiency to perform retraction material placement; and

53-007.03F Upon successful completion of the course, the sponsoring institution will provide the attendee with written verification of competency.

53-008 ORAL BRUSH BIOPSY: A dental assistant is authorized, under the indirect supervision of a licensed dentist, to perform a brush biopsy of oral mucosa, as directed, but they will not be authorized to do so on or after the effective date of these regulations unless they have met the following requirements:

53-008.01 Attained the age of 18; and

53-008.02 One of the following:

53-008.02A Have graduated from a dental assisting training program which is accredited by the American Dental Association (ADA) and includes a brush biopsy course; or

53-008.02B Have one year (a minimum of 1500 hours) of clinical work experience as a dental assistant and have successfully completed a course in brush biopsy procedures which is approved by the Board and Department.

53-008.03 Criteria for Approval of a Course on Brush Biopsy Procedures for Dental Assistants.

53-008.03A The institution administering the course on brush biopsy must be accredited by the American Dental Association (ADA);

53-008.03B The course must have a minimum of 1.5 contact hours of instruction to include 1 hour of didactic instruction and ½ hour of clinical participation;

53-008.03C The didactic course content must include, but not be limited to, instruction in dental anatomy and physiology of the soft tissues of the oral cavity, understanding of biopsy purpose and procedures, and demonstration of appropriate standard precautions and infection control, and perform brush biopsy procedure on co-attende and deliver appropriate post-operative instructions; and

53-008.03D Upon successful completion of the course, the sponsoring institution will provide the attendee with written verification of competency.

53-009 APPLYING PIT AND FISSURE SEALANTS: A dental assistant is authorized, under the indirect supervision of a licensed dentist, to apply pit and fissure sealants, but they will not be authorized to do so on or after the effective date of these regulations unless they have met the following requirements. Only a licensed dentist may adjust occlusion after sealant placement:

53-009.01 Attained the age of 18; and

53-009.02 One of the following:

53-009.02A Have graduated from a dental assisting training program which is accredited by the American Dental Association (ADA) and includes a course in coronal polish and pit and fissure sealants; or

53-009.02B Have one year (minimum of 1500 hours) of clinical work experience as a dental assistant, be coronal polish certified in Nebraska, and have successfully completed a course in pit and fissure sealants which is approved by the Board and Department.

53-009.03 Criteria for Approval of a Course in Applying Pit and Fissure Sealants for Dental Assistants.

53-009.03A The institution administering the course on applying pit and fissure sealants must be accredited by the American Dental Association (ADA);

53-009.03B The course must have a minimum of 14 contact hours of instruction to include 10 hours of didactic instruction and 4 hours of clinical participation;

53-009.03C The didactic course content must include, but not be limited to, instruction in dental anatomy and physiology of the hard and soft tissues of the deciduous and permanent oral facial complex, the correct management of the hard and soft tissues during pit and fissure sealant placement, demonstration of appropriate patient and operator positioning, instruction in standard precautions and infection control, understanding of the bonding process and the chemical compositions of etchant and sealant materials, precautions when using etchants and curing lights and laboratory exercises using manikins or extracted teeth;

53-009.03D The clinical course content must include, but not be limited to, 4 contact hours on a patient to include preparing treatment room and armamentarium, seating and positioning the patient, performing a coronal polish on the designated tooth surface, placing the sealant to include etching, place sealant and light cure and post-operative procedure check on a minimum of one patient;

53-009.03E The clinical course must include written and clinical examination for the purpose of determining competency of the dental assistant demonstrating the necessary skills and proficiency to perform the application of pit and fissure sealants; and

53-009.03F Upon successful completion of the course, the sponsoring institution will provide the attendee with written verification of competency.

53-0106 VIOLATIONS: Any violation of these Rules and Regulations by a licensed dentist or by a licensed dental hygienist shall be considered "unprofessional conduct" and due cause for revocation or suspension of a license to practice dentistry or dental hygiene.

SOURCE: Section 71-193.14

Sections 005 Added

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