

CHAPTER 64B5-16 REMEDIABLE TASKS DELEGABLE TO DENTAL HYGIENISTS AND DENTAL ASSISTANTS

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64B5-16.001 Definitions of Remediable Tasks and Supervision Levels.

(1) Remediable tasks, also referred to as expanded functions of dental assistants, are those intra-oral tasks which do not create unalterable changes in the oral cavity or contiguous structures, are reversible and do not expose a patient to increased risks. The use of a laser or laser device of any type is not a remediable task.

(2) A dentist may delegate a remediable task to dental hygienists, and dental assistants so long as delegation of the task poses no increased risk to the patient and the requirements of training and supervision set out in Chapter 64B5-16, F.A.C., are met.

(3) Remediable tasks are those specified in Section 466.024, F.S., and those designated as such by the Board. The Board hereby designates the tasks listed in Chapter 64B5-16, F.A.C., as remediable tasks.

(4) Direct supervision requires that a licensed dentist examine the patient, diagnose a condition to be treated, authorize the procedure to be performed, be on the premises while the procedure is performed, and approve the work performed prior to the patient's departure from the premises.

(5) Indirect supervision requires that a licensed dentist examine the patient, diagnose a condition to be treated, authorize the procedure to be performed, and be on the premises while the procedure is performed.

(6) General supervision requires that a licensed dentist examine the patient, diagnose a condition to be treated, and authorize the procedure to be performed.

(7) Any authorization for remediable tasks to be performed under general supervision is valid for a maximum of 13 months; after which, no further treatment under general supervision can be performed without another clinical exam by a Florida licensed dentist.

(8) Any tasks delegable to dental assistants will be delegable to dental hygienists under the same supervision level, unless otherwise stated in the rules.

Specific Authority 466.004(4), 466.024(1), (3) FS. Law Implemented 466.024, 466.003(11), (12) FS. History—New 4-30-80, Amended 8-20-80, 1-28-81, 3-4-81, 10-8-85, Formerly 21G-16.01, Amended 6-30-86, 12-31-86, 7-5-87, 2-21-88, 1-18-89, Formerly 21G-16.001, Amended 3-30-94, Formerly 61F5-16.001, Amended 4-6-97, Formerly 59Q-16.001, Amended 1-6-99, 10-29-00, 2-5-09.

64B5-16.002 Required Training.

(1) Formal training which is required for the performance of certain remediable tasks consists of a dental hygienist's or dental assistant's successful completion of an expanded duty course or program which meets one of the following requirements:

(a) The course or program is administered or was developed as a part of the regular curriculum at a school of dentistry, dental hygiene or dental assisting accredited by the American Dental Association's Commission on Dental Accreditation, its successor agency or any other nationally recognized accrediting agency; or

(b) The course or program has been approved by the Board for the purpose of providing expanded-duties training for dental hygienists and dental assistants; or

(2) For the purpose of positioning and exposing radiographs by dental assistants, formal training may consist of having received certification as a dental radiographer pursuant to Rule 64B5-9.011, F.A.C.

(3) The Board shall approve a course or program specified in paragraph 64B5-16.002(1)(b), F.A.C., in expanded duties only upon the application of the entity seeking to offer the course or program which establishes compliance with the following requirements. Failure to adhere to these requirements shall

subject the course or program to revocation of Board approval.

(a) The course or program curriculum reflects appropriate didactic and clinical training in each remediable task which requires completion of Board-approved formal training and shall be designed to meet specifically stated educational objectives;

(b) Documentation of the training and experience of faculty members which establishes their qualifications to teach specified subject areas. Dentists and dental hygienists shall have a minimum of one year experience in expanded duty functions and expanded duty dental assistants shall have a minimum of 5 years of hands-on experience prior to approval. The student/teacher ratio shall not exceed one instructor to ten students. Applicants who have had a professional license revoked, suspended, or otherwise acted against, in Florida or in another jurisdiction, may be disqualified from participation as instructors;

(c) Submission of a detailed syllabus of the course or program which specifies the educational objectives for participants, the manner of achieving these specified objectives, including subject matter, hours of instruction and choice of instructional method (clinical or didactic) and the method of assessing a participant's performance. Any course offered shall also include instruction regarding sterilization and disinfection procedures as stated in Rule Chapter 64B5-25, F.A.C., and instruction in the dental practice act and administrative code as it relates to dental auxiliaries.

(d) The course or program requires participants to pass clinical or written examinations which adequately test competency in each subject area. Participants must obtain a score of at least 75% out of a possible score of 100%. The choice of a clinical or written examination shall be based on the specified objectives for each subject area; and

(e) Each participant who successfully completes the course or program is issued a certificate which contains the following information: name of course or program sponsor; title of course; date course offered; number of hours of instruction; participant's name; signature authorized by the sponsor which attests to the certificate's validity; and a list of all remediable tasks in which the participant has received formal training.

(f) Any clinical course in which patients are treated during instruction must be supervised by a dentist licensed pursuant to Chapter 466, F.S.

(g) Facilities and equipment for each course in which patients are treated during instruction shall be adequate for the subject matter and method of instruction.

(4) On-the-job training required for the performance of certain remediable tasks consists of training in those tasks by a licensed dentist who assumes full responsibility for assuring that the dental hygienist or dental assistant has completed hands-on training in order that he/she is competent to perform the tasks. A dental hygienist or dental assistant must complete a minimum of 6 months of on-the-job training, including hands-on training, before enrolling in an expanded duties course.

Rulemaking Authority 466.004, 466.024 FS. Law Implemented 466.023, 466.024 FS. History—New 4-30-80, Amended 8-20-80, 1-28-81, 3-4-81, 4-20-81, Formerly 21G-16.02, Amended 6-30-86, 12-31-86, 7-5-87, 2-21-88, 7-12-88, 1-18-89, 11-16-89, Formerly 21G-16.002, 61F5-16.002, Amended 6-12-97, Formerly 59Q-16.002, Amended 1-29-07, 4-27-09, 11-16-11.

64B5-16.005 Remediable Tasks Delegable to Dental Assistants.

(1) The following remediable tasks may be performed by a dental assistant who has received formal training and who performs the tasks under direct supervision:

(a) Placing or removing temporary restorations with non-mechanical hand instruments only;

(b) Polishing dental restorations of the teeth when not for the purpose of changing the existing contour of the tooth and only with the following instruments used with appropriate polishing materials – burnishers, slow-speed hand pieces, rubber cups, and bristle brushes;

(c) Polishing clinical crowns when not for the purpose of changing the existing contour of the tooth and only with the following instruments used with appropriate polishing materials – slow-speed hand pieces, rubber cups, bristle brushes and porte polishers;

(d) Removing excess cement from dental restorations and appliances with non-mechanical hand instruments only;

(e) Cementing temporary crowns and bridges with temporary cement;

(f) Monitor the administration of the nitrous-oxide oxygen making adjustments only during this administration and turning it off at the completion of the dental procedure;

(g) Selecting and pre-sizing orthodontic bands, including the selection of the proper size band for a tooth to be banded which does not include or involve any adapting, contouring, trimming or otherwise modifying the band material such that it would constitute fitting the band;

- (h) Selecting and pre-sizing archwires prescribed by the patient's dentist so long as the dentist makes all final adjustments to bend, arch form determination, and symmetry prior to final placement;
 - (i) Selecting prescribed extra-oral appliances by pre-selection or pre-measurement which does not include final fit adjustment;
 - (j) Preparing a tooth surface by applying conditioning agents for orthodontic appliances by conditioning or placing of sealant materials which does not include placing brackets;
 - (k) Using appropriate implements for preliminary charting of existing restorations and missing teeth and a visual assessment of existing oral conditions;
 - (l) Fabricating temporary crowns or bridges intra-orally which shall not include any adjustment of occlusion to the appliance or existing dentition; and
 - (m) Packing and removing retraction cord, so long as it does not contain vasoactive chemicals and is used solely for restorative dental procedures;
 - (n) Removing and recementing properly contoured and fitting loose bands that are not permanently attached to any appliance.
 - (o) Inserting or removing dressings from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of a dressing from an alveolar socket in a diagnosed case of post-operative osteitis;
 - (p) Making impressions for study casts which are being made for the purpose of fabricating orthodontic retainers;
 - (q) Taking of impressions for and delivery of at-home bleaching trays.
 - (r) Taking impressions for passive appliance, occlusal guards, space maintainers and protective mouth guards;
- (2) The following remediable tasks may be performed by a dental assistant who has received formal training and who performs the tasks under indirect supervision:
- (a) Making impressions for study casts which are not being made for the purpose of fabricating any intra-oral appliances, restorations or orthodontic appliances;
 - (b) Making impressions to be used for creating opposing models or the fabrication of bleaching stents and surgical stents to be used for the purpose of providing palatal coverage as well as impressions used for fabrication of topical fluoride trays for home application;
 - (c) Placing periodontal dressings;
 - (d) Removing periodontal or surgical dressings;
 - (e) Placing or removing rubber dams;
 - (f) Placing or removing matrices;
 - (g) Applying cavity liners, varnishes or bases;
 - (h) Applying topical fluorides which are approved by the American Dental Association or the Food and Drug Administration, including the use of fluoride varnishes; and
 - (i) Positioning and exposing dental and carpal radiographic film and sensors;
 - (j) Applying sealants;
 - (k) Placing or removing prescribed pre-treatment separators;
 - (l) Securing or unsecuring an archwire by attaching or removing the fastening device; and
 - (m) Removing sutures.
- (3) The following remediable tasks may be performed by a dental assistant who has received on-the-job training and who performs the tasks under direct supervision:
- (a) Applying topical anesthetics and anti-inflammatory agents which are not applied by aerosol or jet spray and;
 - (b) Changing of bleach pellets in the internal bleaching process of non-vital, endodontically treated teeth after the placement of a rubber dam. A dental assistant may not make initial access preparation.
- (4) The following remediable tasks may be performed by a dental assistant who has received on-the-job training and who performs the tasks under indirect supervision:
- (a) Retraction of lips, cheeks and tongue;
 - (b) Irrigation and evacuation of debris not to include endodontic irrigation;
 - (c) Placement and removal of cotton rolls; and
 - (d) Taking and recording a patient's blood pressure, pulse rate, respiration rate, case history and oral temperature.
 - (e) Removing excess cement from orthodontic appliances with non-mechanical hand instruments only.
- (5) The following remediable tasks may be performed by a dental assistant who has received on-the-job

training and who performs the tasks under general supervision:

- (a) Instructing patients in oral hygiene care and supervising oral hygiene care.
- (b) Provide educational programs, faculty or staff programs, and other educational services which do not involve diagnosis or treatment of dental conditions.
- (c) Fabricating temporary crowns or bridges in a laboratory.

Specific Authority 466.004(4), 466.024(3) FS. Law Implemented 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.005, Amended 3-30-94, Formerly 61F5-16.005, Amended 1-9-95, 9-27-95, 6-12-97, Formerly 59Q-16.005, Amended 1-8-01, 4-22-03, 7-13-05, 3-24-08.

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) The following remediable tasks may be performed by a dental hygienist who has received formal training and who performs the tasks under direct supervision:

- (a) Fabricating temporary crowns or bridges intra-orally which shall not include any adjustment of occlusion to the appliance or existing dentition;
- (b) Selecting and pre-sizing orthodontic bands, including the selection of the proper size band for a tooth to be banded which does not include or involve any adapting, contouring, trimming or cementing or otherwise modifying the band material such that it would constitute fitting the band;
- (c) Selecting and pre-sizing archwires prescribed by the patient's dentist so long as the dentist makes all final adjustments to bend, arch form determination, and symmetry prior to final placement;
- (d) Selecting prescribed extra-oral appliances by pre-selection or pre-measurement which does not include final fit adjustment;
- (e) Preparing a tooth surface by applying conditioning agents for orthodontic appliances by conditioning or placing of sealant materials which does not include placing brackets;
- (f) Packing and removing retraction cord, so long as it does not contain vasoactive chemicals and is used solely for restorative dental procedures;
- (g) Removing and re-cementing properly contoured and fitting loose bands that are not permanently attached to any appliance;
- (h) Inserting or removing dressings from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of a dressing from an alveolar socket in diagnosed cases of post-operative osteitis; and
- (i) Apply bleaching solution, activate light source, monitor and remove in-office bleaching materials.

(2) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training and who performs the tasks under indirect supervision:

- (a) Placing or removing rubber dams;
- (b) Placing or removing matrices;
- (c) Applying cavity liners, varnishes or bases;
- (d) Making impressions for study casts which are not being made for the purpose of fabricating any intra-oral appliances, restorations or orthodontic appliances;
- (e) Making impressions to be used for creating opposing models or the fabrication of bleaching stents and surgical stents to be used for the purpose of providing palatal coverage as well as impressions used for fabrication of topical fluoride trays for home application;
- (f) Placing subgingival resorbable chlorhexidine, doxycycline hyclate, or minocycline hydrochloride;
- (g) Taking of impressions for and delivery of at-home bleaching trays;
- (h) Securing or unsecuring an archwire by attaching or removing the fastening device;
- (i) Taking impressions for passive appliances, occlusal guards, space maintainers and protective mouth guards;
- (j) Marginating restorations with finishing burs, green stones, and/or burlew wheels with slow-speed rotary instruments which are not for the purpose of changing existing contours or occlusion;
- (k) Cementing temporary crowns and bridges with temporary cement;

- (l) Monitor the administration of the nitrous-oxide oxygen making adjustments only during this administration and turning it off at the completion of the dental procedure; and
- (m) Monitor and remove in-office bleaching materials, after placement of bleach by dentist.
- (3) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training as defined by Rule 64B5-16.002, F.A.C., and who performs the tasks under general supervision:
- (a) Polishing restorations which is not for the purpose of changing the existing contour of the tooth and only with the following instruments used with appropriate polishing materials – burnishers, slow-speed hand pieces, rubber cups, and bristle brushes;
 - (b) Polishing clinical crowns of the teeth which is not for the purpose of changing the existing contour of the teeth and only with the following instruments used with appropriate polishing materials – slow-speed hand pieces, bristle brushes, rubber cups, porte polishers and air-abrasive polishers;
 - (c) Applying of topical fluorides which are approved by the American Dental Association or the Food and Drug Administration, including the use of fluoride varnishes;
 - (d) Removing excess cement from dental restorations and appliances with non-mechanical hand instruments or ultrasonic scalers only;
 - (e) Placing periodontal or surgical dressings;
 - (f) Removing periodontal or surgical dressings;
 - (g) Removing sutures;
 - (h) Using appropriate implements to preassess and chart suspected findings of the oral cavity;
 - (i) Applying sealants;
 - (j) Placing or removing prescribed pre-treatment separators; and
 - (k) Insert and/or perform minor adjustments to sports mouth guards and custom fluoride trays.
- (4) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or on-the-job training and who performs the tasks under general supervision:
- (a) Fabricating temporary crowns and bridges in a laboratory;
 - (b) Applying topical anesthetics and anti-inflammatory agents which are not applied by aerosol or jet spray;
 - (c) Taking or recording patients' blood pressure rate, pulse rate, respiration rate, case history and oral temperature;
 - (d) Retracting lips, cheeks and tongue;
 - (e) Irrigating and evacuating debris not to include endodontic irrigation;
 - (f) Placing and removing cotton rolls;
 - (g) Placing or removing temporary restorations with non-mechanical hand instruments only; and
 - (h) Obtaining bacteriological cytological (plaque) specimens, which do not involve cutting of the tissue and which do not include taking endodontic cultures, to be examined under a microscope for educational purposes.
- (5) The following remediable task may be performed by a dental hygienist who has received on-the-job training and who performs the task under direct supervision: Changing of bleach pellets in the internal bleaching process of non-vital, endodontically treated teeth after the placement of a rubber dam. A dental hygienist may not make initial access preparations.

Rulemaking Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History—New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, 7-13-05, 2-14-06, 3-24-08, 7-20-09, 10-17-10.

64B5-16.007 Levels of Supervision for Dental Hygienists.

By virtue of their training and licensure, dental hygienists are authorized to perform the following remediable tasks without additional training as defined in Chapter 64B5-16, F.A.C., under the following

levels of supervision:

- (1) Direct supervision: Gingival curettage.
- (2) Indirect supervision:
 - (a) Root planing.
 - (b) Removal of excess remaining bonding adhesive or cement following orthodontic appliance removal with slow-speed rotary instrument, hand instrument or ultrasonic scalers.
- (3) General Supervision:
 - (a) Removing calculus deposits, accretions and stains from exposed surfaces of the teeth and from the tooth surfaces within the gingival sulcus (prophylaxis);
 - (b) Placing and exposing dental and carpal radiographic film and sensors; and
- (4) Without Supervision: Provide educational programs, faculty or staff training programs, authorized fluoride rinse programs, apply fluoride varnishes, instruct patients in oral hygiene care and supervising patient oral hygiene care and other services which do not involve diagnosis or treatment of dental conditions.

Rulemaking Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024(3) FS. History--New 1-18-89, Formerly 21G-16.007, 61F5-16.007, Amended 9-27-95, 6-12-97, Formerly 59Q-16.007, Amended 1-8-01, 6-11-07, 7-20-09.

64B5-16.0075 Dental Charting by Dental Hygienists.

- (1) Pursuant to Section 466.0235, F.S., a dental hygienist is permitted to, without supervision and within the lawful scope of his or her duties as authorized by law, perform dental charting of hard and soft tissues in public and private educational institutions of the state and Federal Government, nursing homes, assisted living and long-term care facilities, community health centers, county health departments, mobile dental or health units, and epidemiological surveys for public health. A dental hygienist is permitted to perform dental charting on a volunteer basis at health fairs.
- (2) Each person who receives a dental charting, or the parent or legal guardian of the person receiving dental charting, by a dental hygienist pursuant to Section 466.0235, F.S., and this rule shall receive a dental charting form that contains the following information and the patient shall acknowledge the following information before receiving the dental charting procedure:
 - (a) The patient's name and the names of the patient's parent or legal guardian if the patient is a minor.
 - (b) The patient's address or the address of the patient's parent or legal guardian if the patient is a minor.
 - (c) The date of the dental charting.
 - (d) The name, license number, and place of employment of the dental hygienist performing the dental charting.
 - (e) The location where the dental charting is being performed.
 - (f) A statement that the purpose of dental charting is to collect data for use by a dentist at a prompt subsequent examination.
 - (g) A statement that the dental charting performed is not a substitute for a comprehensive dental examination.
 - (h) A statement emphasizing that diagnosis of caries, soft tissue disease, oral cancer, temporo-mandibular joint disease (TMJ), and dentofacial malocclusions can only be completed by a dentist in the context of delivering a comprehensive dental examination.
 - (i) A statement emphasizing the inherent limitations of dental charting and encourage the patient to receive a complete examination by a dentist in rendering a professional diagnosis of the patient's overall health needs.
 - (j) Before performing periodontal probing as part of a dental charting, dental hygienists shall include a written statement on the dental charting form that the patient has received medical clearance from a physician or dentist.
- (3) Dental hygienists are not permitted to receive direct reimbursement for dental charting performed under Section 466.0235, F.S., and this rule by Medicaid, health insurers, health maintenance organizations, prepaid dental plans, or other third-party payors beyond what is otherwise allowable by law.
- (4) All referrals made in conjunction with the provision of dental charting services under Section 466.0235, F.S., and this rule shall be in strict conformance with federal and state patient referral, anti-kickback, and patient brokering laws.
- (5) A dental hygienist performing dental charting without supervision shall not be deemed to have created either a patient of record or a medical record.

Specific Authority 466.004(4), 466.0235 FS. Law Implemented 466.0235 FS. History—New 12-26-06. Amended 6-11-07.

64B5-16.008 Emergency Remediable Tasks.

In an emergency in which a dentist of record is unable to be physically present to pre-examine the patient, and the patient will be seen by a dentist within 3 days, the following remediable tasks may be performed by both dental assistants and dental hygienists who hold current CPR certification from the American Red Cross, the American Heart Association or an equivalent CPR training agency and who are trained pursuant to Rule 64B5-16.002, F.A.C., without pre-examination by a dentist:

- (1) Removing and re-cementing properly contoured and fitting loose bands that are not permanently attached to any appliance;
- (2) Securing or unsecuring an archwire by attaching or removing the fastening device;
- (3) Inserting or removing dressings from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of a dressing from an alveolar socket in diagnosed cases of post-operative osteitis;
- (4) Placing or removing periodontal dressings when the patient is uncomfortable due to the loss of a periodontal pack during the prescribed period of treatment;
- (5) Cementing temporary crowns or bridges using temporary cement when the patient is uncomfortable due to the loss of a temporary crown or bridge; and
- (6) Placing temporary medicinal restorative material when the patient is uncomfortable due to the loss of a temporary medicinal restoration.

Specific Authority 466.004(4), 466.023, 466.024 FS. Law Implemented 466.023, 466.024 FS. History—New 1-18-89, Formerly 21G-16.008, 61F5-16.008, Amended 6-12-97, Formerly 59Q-16.008, Amended 8-25-98.

64B5-16.009 Display of Certificates.

The supervising licensee is responsible for ensuring that any dental assistant or dental hygienist who performs remediable tasks as a result of formal training shall display the certificate received at the conclusion of the training in a conspicuous public place where the tasks are performed. The supervising licensee shall also keep a copy of each such certificate on file in the dental office at which the dental assistant or dental hygienist performs remediable tasks.

Specific Authority 466.004(4) FS. Law Implemented 466.024(3) FS. History—New 1-18-89, Formerly 21G-16.009, 61F5-16.009, Amended 8-8-94, Formerly 59Q-16.009.

64B5-16.010 Prior Certification and Training.

Dental hygienists and dental assistants trained prior to April 30, 1980, who were at that time authorized to perform tasks set forth by Board Rule may continue to perform those tasks without the formal training required by Rule Chapter 64B5-16, F.A.C.

Specific Authority 466.004(4), 466.024(3) FS. Law Implemented 466.023(4), 466.024(3) FS. History—New 4-30-80, Formerly 21G-16.04, Amended 12-31-86, Formerly 21G-16.004, Amended 1-18-89, Formerly 21G-16.010, 61F5-16.010, 59Q-16.010.