



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

Notice with a scheduled hearing

Notice without a scheduled hearing

Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Board of Dental Examiners](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): www.ncdentalboard.org

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

AMENDMENT: [21 NCAC 160 .0402](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: [11/01/2021](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
08/12/2021	6:30 pm	2000 Perimeter Park Drive, Suite 160, Morrisville, NC 27560

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

21 NCAC 16O .0402 is proposed for amendment to set out standards for approval of nitrous oxide courses and instructors.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Bobby White
Address: 2000 Perimeter Park Drive, Suite 160
Morrisville, NC 27560
Phone (optional):
Fax (optional):
EMail (optional)

10. Comment Period Ends: 08/30/2021

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

No fiscal note required

12. Rule-making Coordinator:

Name: Dauna L. Bartley
919-283-1390
dauna@brockerlawfirm.com

Agency contact, if any:

Name:
Phone:
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: 05/19/2021

1 21 NCAC 16O .0402 is proposed for amendment as follows:

2
3 **21 NCAC 16O .0402 EDUCATIONAL REQUIREMENTS**

4 (a) A Dental Assistant may aid and assist a licensed dentist in the monitoring of nitrous oxide-oxygen inhalant sedation
5 by completing a Board-approved course totaling at least seven hours that covers the following topics:

- 6 (1) definitions and descriptions of physiological and psychological aspects of pain and anxiety;
- 7 (2) the states of drug-induced central nervous system depression through all levels of consciousness and
8 unconsciousness, with special emphasis on the distinction between the conscious and unconscious
9 state;
- 10 (3) respiratory and circulatory physiology, and related anatomy;
- 11 (4) pharmacology of agents used in the nitrous oxide techniques being taught, including drug interaction
12 and incompatibility;
- 13 (5) patient monitoring, with particular attention to vital signs and reflexes related to consciousness;
- 14 (6) prevention, recognition, and management of complications and life threatening situations that may
15 occur during the use of the nitrous oxide techniques, including cardio pulmonary resuscitation;
- 16 (7) description and use of ventilation sedation equipment; and
- 17 (8) potential health hazards of trace anesthetics, and proposed techniques for elimination of these
18 potential health hazards.

19 (b) Courses approved to satisfy the educational requirements of this Rule shall be provided and taught by:

- 20 (1) an instructor who is a dentist holding an unrestricted license as defined by 21 NCAC 16A .0101(7);
- 21 (2) an instructor licensed pursuant to 21 NCAC 16B .0701; or
- 22 (3) a dental hygienist or dental assistant under the direction of an instructor who satisfies the
23 requirements of Subparagraph (b)(1) or (b)(2) of this Rule, who shall be physically present and
24 administer nitrous oxide if it is administered in the course.

25 (c) Courses shall be reviewed at any Board meeting and approved by a majority of the Board to satisfy the educational
26 requirements of this Rule. A list of approved courses is available on the Board's website at www.ncdentalboard.org.

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28 *History Note: Authority G.S. 90-29(b)(6); 90-29(c)(10); 90-29(c)(13); 90-48; 90-223;*

29 *Eff. July 16, 1980;*

30 *Amended Eff. April 1, 2016; May 1, 1989;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
32 *~~2018-2018;~~*

33 *Amended Eff. _____.*