



E-Forum Newsletter

General Anesthesia/Sedation Office Inspections

At the behest of the State Auditor, the NC Dental Board has begun the process of inspecting offices where anesthesia and sedation services are offered. The purpose of these inspections is not to initiate disciplinary action, but to make certain all offices meet the training, equipment, and facility requirements of the appropriate rule, and to ensure corrective action is taken to protect the public. Any office subject to inspection receives advanced notice of the proposed inspection date and a checklist of everything that will be subject to inspection. Most licensees have found this approach to be extremely helpful. Here is a link to the rule that spells out current requirements for each level of permit offered.

<http://reports.oah.state.nc.us/ncac/title%2021%20-%20occupational%20licensing%20boards%20and%20commissions/chapter%2016%20-%20dental%20examiners/subchapter%20q/subchapter%20q%20rules.pdf>

Currently, one of the major deficiencies the Board is encountering is failure to have a site inspected. This happens mainly when the permit holder has moved offices and incorrectly assumes the site inspection “moves” to the new office. This is not the case! The rules require that each office where anesthesia/sedation services are offered be inspected. When it is discovered that a site has not been inspected, the Board has no choice but to require that general anesthesia/sedation services be suspended until the inspection is complete. To lessen disruptions and get through the inspection process as quickly as possible, contact Madeline Richardson, Licensing and Permit Specialist, [mrichardson@ncdentalboard.org or 919 459 1786] and request a site inspection for any uninspected site. For other questions about the inspection process contact Rick Hetzel, Board Investigator [rhetzel@ncdentalboard.org or 828 578 4817].

Interpretive Statement on Anxiolysis

The Dental Board has developed an Interpretive Statement on administering Anxiolytic drugs. Here is a link to this recent statement:

<https://www.ncdentalboard.org/PDF/Anxiolysis%20BODE%20Interpretive%20Statement%203-13-23.pdf>



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Upcoming Board Meetings

- May 17-18, 2023
Sunset Beach, NC
- June 9-10, 2023
Morrisville, NC
- July 14-15, 2023
Morrisville, NC
- August 18-19, 2023
Morrisville, NC
- September 7-8, 2023
Morrisville, NC

Board Elections



Each year two seats on the Dental Board designated for dentists are open for election. Any dentist in the state may run for office if they are licensed by North Carolina and “actually engaged in practice of dentistry” in this state. Any interested candidate must file a written petition signed by not less than 10 dentists licensed in North Carolina and “residing or practicing” in our state. The deadline for filing a petition as a candidate is midnight May 20, 2023.

“residing or practicing” in our state. The deadline for filing a petition as a candidate is midnight May 20, 2023.

There is no designated form for the filing of a petition. However, signatures must be verified so the Board asks that those who sign also print their name and provide a license number to ease the verification process.

Likewise, this year the seat of the dental hygiene member is open, and the incumbent member is term-limited from running again. Any interested candidate must file a written petition signed by not less than 10 dental hygienists licensed in North Carolina and

The deadline for filing a petition as a candidate is midnight May 20, 2023.

Current Board Rules and Laws Accessible from the Board’s Website

Board Rules and General Statutes may be accessed directly from the Board’s website taken directly from GS 90.

The Rules and Laws link will take you to a page that contains links to all General Statutes affecting the Practice of Dentistry and Dental Hygiene. Also listed is a link to the Office of Administrative Hearings website which lists all of the Board’s current Rules under NCAC 16, Subchapters A-Z.

The Board website address is:

<http://www.ncdentalboard.org>

Proposed Changes to General Anesthesia and Sedation Rules

The North Carolina State Board of Dental Examiners adopted the proposed changes to rules 21 NCAC 16Q .0103, .0104, .0202, .0302, .0405, and 0703. In January 2023 the Rules Review Commission of the NC General Assembly then approved the rules for entry in the NC Administrative Code. However, the Commission received more than 10 written objections to the rules within the time frame allotted for objections. This means the newly adopted rules have not gone into effect and will be subject to action by the NC General Assembly. * [See below] The General Assembly **may** act during the current 2023 legislative session but is not required to do so. If no action is taken during this session, they must act during the “short session” of 2024. In short, we simply don’t know exactly when the General Assembly will act and until they do the current version of Rules 21 NCAC 16Q .0202, .0302, .0405, and .0703 will remain in effect.

To read the text of the proposed rule(s), click [here](#).

To read the text of the rules currently in effect, click here:

<http://reports.oah.state.nc.us/ncac/title%2021%20-%20occupational%20licensing%20boards%20and%20commissions/chapter%2016%20-%20dental%20examiners/subchapter%20q/subchapter%20q%20rules.pdf>

***Commission directions when a proposed rule receives 10 or more objections:**

If the Commission receives objections from 10 or more persons clearly requesting review by the legislature, the rule is sent to the General Assembly. The rule then becomes effective no earlier than the 31st legislative day of the next regular session of the General Assembly that begins at least 25 days after RRC approves the rule unless a legislative bill is introduced to disapprove that specific rule. If a bill is introduced, the rule becomes effective on the earlier of either the day an unfavorable final action is taken on the bill or the day that session adjourns without ratifying the bill to disapprove the rule. A permanent rule disapproved by a bill ratified by the General Assembly before it becomes effective does not become effective and is not entered into the NCAC.



Meeting Information on our Website

Information on past and future Board meetings may be accessed directly from the Board's website.

The Meeting Announcements link will take you to a page that contains links to all scheduled Board meeting dates for the year. Also listed are links to Meeting Agendas and Meeting Minutes for the past few years.

The Board website address is:

<http://www.ncdentalboard.org>

Substance Abuse/Mental Health CE Course

A new rule requires both dentists and dental hygienists to take a one-hour CE course every two years about substance abuse and mental health. The course will count toward the required number of hours and does not alter that total in any way. Since the rule was approved in October of 2022, dentists and dental hygienists may take the course anytime in 2023 or 2024 to count toward their license renewal for 2025. Requirements for the course are spelled out in the rule and the course does not require Board approval.

To read the text of the rule for Dental Hygienists, click here:

<http://reports.oah.state.nc.us/ncac/title%202021%20-%20occupational%20licensing%20boards%20and%20commissions/chapter%2016%20-%20dental%20examiners/subchapter%20i/21%20ncac%2016i%20.0206.pdf>

To read the text of the rule for Dentists, click here:

<http://reports.oah.state.nc.us/ncac/title%202021%20-%20occupational%20licensing%20boards%20and%20commissions/chapter%2016%20-%20dental%20examiners/subchapter%20r/21%20ncac%2016r%20.0206.pdf>

DEA Requires One-time Eight Hour Course

The Medication Access and Training Expansion Act, or MATE Act, was included in the omnibus spending bill that passed Congress at the end of 2022. This new law requires dentists to complete eight hours of training before receiving or renewing a Drug Enforcement Administration registration. The Department of Justice has published guidelines in the form of FAQ's to address this new requirement:

https://www.deadiversion.usdoj.gov/pubs/docs/MATE_Training_Letter_Final.pdf

Please note, this is a requirement of the Drug Enforcement Administration. Any questions about this course and its requirements should be addressed to the DEA.

Investigative Statistics

TOTAL # OF COMPLAINTS 2023	119
COMPLAINTS CLOSED	123*
*Includes cases filed in previous years, but closed in 2023.	
FORMAL HEARINGS	1
SETTLEMENT CONFERENCES	0
PRE-HEARING CONFERENCES	4
FINAL AGENCY DECISIONS	0
CONSENT ORDERS	9
LICENSE SUSPENSION	7
	4
LETTER OF REPRIMAND	1
REVOKED/PERMANENT SURRENDER	0
ASKED TO RETIRE/VOLUNTARY SURRENDER	0
ON APPEAL	0
DISMISSED – NO ACTION	0
LICENSE RETURNED/RENEWED/ISSUED	0
LETTER OF CAUTION	3
SUMMARY SUSPENSION	2
DEFERRED ACTION – SENT TO CDP	0
DENIED LICENSE	0

Proposed Changes to Dental Practice Act Clear

Senate Bill 382 has cleared the Senate and is now under consideration by the NC House. The bill passed the Senate unanimously by a vote of 48 – 0. Early indications are that it will meet little or no resistance in the House. The sections of the bill propose changes to several areas of the Dental Practice Act.

Section 1.(a) – Changes the length of service requirement for those with an Instructor’s license who seek to be licensed by credentials and makes it clear that those engaged only in dental research are not eligible for a license by credentials.

Section 1.(b) – Allows the option of a live patient or manikin examination in the clinical examination required of dental school graduates.

Section 1.(c) – allows students duly enrolled in approved out of state dental schools to perform clinical services as interns or externs at certain facilities in NC with the written permission of their Dean and a supervision agreement with a NC licensed dentist.

Section 1.(d) – establishes additional requirements for those with an

Instructor’s license who seek to be licensed by credentials.

Section 1.(e) – allows dentists practicing in more than one office to display their original license in one primary office while displaying a current renewal certificate in other offices.

Section 1.(f) – allows the Board to order a licensee to submit to a mental or physical examination when evidence is sufficient to believe the licensee is mentally, emotionally, or physically unfit to practice dentistry. (Note: Currently the Licensee must consent to an evaluation, or the Investigative Panel must seek an order from the entire Board or a North Carolina court.)



To read the entire text of the bill, click here:

<https://www.ncleg.gov/Sessions/2023/Bills/Senate/PDF/S382v1.pdf>

The purpose of the North Carolina State Board of Dental Examiners is to ensure that the dental profession merit and receive the confidence of the public and that only qualified persons be permitted to practice dentistry and dental hygiene in the state of North Carolina.

By the Numbers (as of April 1, 2023)

Dentists:

Licensed by NC	7,122
Licensed and living in NC	6,263
Actively practicing in NC	5,873

Dental Hygienists

Licensed by NC	8,480
Licensed and living in NC	7,509
Actively practicing in NC	6,439

North Carolina State Board of Dental Examiners

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Current Board Members

	Term Expires
Karen E. Lanier, DDS, President (High Point)	2025
Catherine A. Watkins, DDS Secretary-Treasurer (Winston-Salem)	2024
Edward J. Clemons, Jr., DDS, Past President (Durham)	2024
William M. Litaker, Jr., DDS (Hickory)*	2023
Mark W. Johnson, DDS (New Bern) *	2023
W. Stan Hardesty, DDS (Raleigh)	2025
Nancy A. St. Onge, RDH (Apex)	2023
Dominic Totman, Consumer Member (Raleigh)	2024

*Eligible to seek a second three-year term