California Law and the Dental Profession

A Peer-Reviewed Publication
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**Educational Objectives**
Upon completion of this course, the clinician will be able to do the following:
1. Explain the scope of practice for dental health care professionals
2. Discuss the laws that regulate prescribing drugs in the state of California
3. Understand the citations, fines, and revocations related to license suspension
4. Understand the criteria required for license renewal

**Abstract**
Dental professionals in the State of California are required to fulfill continuing education requirements to be licensed to practice their professions. Regulations are in place relating to license renewal, scope of practice, permitted duties, and the writing of prescriptions. Dental professionals in California must know and comply with these regulations.

**Introduction**

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*One’s work may be finished someday, but one’s education never.*
—Alexander Dumas (1824–1895)

*Even when laws have been written down, they ought not always to remain unaltered.*
—Aristotle (384 BC–322 BC)

These two quotations, written centuries apart and centuries ago, still pertain to us today. Dental professionals must continue to educate themselves not only in their field but in the ever-changing body of laws which regulates and protects their discipline.

**Scope of Practice for Dental Hygienists and Dental Assistants**
Dentists rely on their dental hygienists and dental assistants on a daily basis. All are required to practice in accordance with the California Dental Practice Act, starting with an awareness of the scope of their duties and responsibilities.

The following table lists the duties that specific dental health care professionals may be allowed to perform in California. Under each category of dental health care professional is one of the following notations: N, D, C, or G. Any duty not listed cannot be performed by dental hygienists or dental assistants.

<table>
<thead>
<tr>
<th>Notation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>Dental health care professional is NOT permitted to perform the duty.</td>
</tr>
<tr>
<td>D</td>
<td>Dental health care professional may perform the duty under <em>direct supervision of the dentist</em>. A licensed dentist must give instructions for the dental procedure and remain physically present in the treatment facility during its performance. The procedure must be checked and approved by the supervising dentist prior to dismissal of the patient.</td>
</tr>
<tr>
<td>C</td>
<td>Dental health care professional may perform the duty under <em>supervision of a dentist or registered dental hygienist</em>.</td>
</tr>
<tr>
<td>G</td>
<td>Dental health care professional may perform the duty under <em>general supervision of a dentist</em>. The instructions for the procedure must be given by a licensed dentist, but his or her physical presence during the procedure is not necessary.</td>
</tr>
</tbody>
</table>

* = Duties marked with an asterisk may be performed by an RDH without supervision if the RDH is employed in a public health program created or administered by a federal, state, county, or local government entity.

Currently, a licensed dentist may simultaneously utilize in his or her practice no more than two dental health care professionals, either RDAEF or RDHEF, licensed in extended functions, but as of January 1, 2008, as many as three such dental health care professionals may be used at once.

**Writing Prescriptions**
Physicians, dentists, podiatrists, and veterinarians are the only professionals who may write prescriptions. Anyone who counterfeits a prescription blank or knowingly possesses three or more counterfeit prescription blanks may be punished with imprisonment in a state prison or county jail for up to one year. Repeated excessive administration or prescription of drugs and excessive treatment are misdemeanors punishable by a fine of between $100 and $600, as much as 180 days imprisonment, or both. It is also illegal to post-date or ante-date a prescription.

A prescription for a controlled substance may only be issued to patients for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. The responsibility to properly prescribe and dispense rests with the prescribing practitioner, and a corresponding responsibility also lies with the pharmacist who fills the prescription. Prescriptions for a controlled substance may not be filled after the seventh day following the date of their issue. Any person who knowingly violates prescription laws will face imprisonment in the state prison or county jail for no longer than one year, a fine not exceeding $20,000, or both. It is illegal to issue a prescription that is false or fictitious in any respect. Likewise, it is also illegal to prescribe, administer, or furnish a controlled substance to oneself. Wholesalers or manufacturers may not furnish controlled substances for other than legitimate medical purposes.

Prescription blanks for controlled substances must be issued by the Department of Justice in serially numbered groups of not more than 100 forms each in triplicate. The prescription must contain the name and address of the patient, the name, quantity, and strength of the medication; the directions for use; and the address, category of professional licensure, and the registration number of the prescriber. Both the original and one duplicate are delivered to the pharmacist filling the prescription. The duplicate is retained by the pharmacist while the original, which includes the pharmacist’s name and address, the pharmacy’s state license number, the date the prescription was filled, and the pharmacist’s signature, is sent to the Department of Justice at the end of the month in which the prescription was filled.1
Dental License

Suspension and Revocation
Dental licenses may be suspended or revoked for a multitude of actions deemed as unprofessional conduct. Sections 1680–1682 in the California Dental Practice Act define 40 types of unprofessional conduct, any one of which merits investigation by the board. Unprofessional conduct for each of the 40 types is defined as follows:

1. The obtaining of any fee by fraud or misrepresentation.
2. The employment, direct or indirect, of any student or suspended or unlicensed dentist to practice dentistry.
3. The aiding or abetting of any unlicensed person to practice dentistry.
4. The aiding or abetting of a licensed person to practice dentistry unlawfully.
5. The committing of any act or acts of sexual abuse, misconduct, or relations with a patient that are substantially unrelated to the practice of dentistry.
6. The use of any false, assumed, or fictitious name, either as an individual, firm, corporation, or otherwise, or any name other than the name under which he or she is licensed to practice, in advertising or in any other manner indicating that he or she is practicing or will practice dentistry, except that name as is specified in a valid permit issued pursuant to Section 1701.5.
7. The practice of accepting or receiving any commission or the rebating in any form or manner of fees for professional services, radiograms, prescriptions, or other services or articles supplied to patients.
8. The making use by the licensee or any agent of the licensee of any advertising statements of a character tending to deceive or mislead the public.
9. The advertising of either professional superiority or the advertising of performance of professional services in a superior manner.
10. The employment or use of solicitors.
11. Advertisement in violation of Section 651.
12. Advertising to guarantee any dental service, or to perform any dental operation painlessly.
13. The violation of any of the provisions of law regulating the procurement, dispensing, or administration of dangerous drugs, as defined in Article 7 (commencing with Section 4211) of Chapter 9, or controlled substances, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code.
14. The violation of any of the provisions of this division.
15. The permitting of any person to operate dental radiographic equipment who has not met the requirements of Section 1656.
16. The clearly excessive prescribing or administering of drugs or treatment, or the clearly excessive use of diagnostic procedures, or the clearly excessive use of diagnostic or treatment facilities, as determined by the customary practice and standards of the dental profession. Any person who violates this subdivision is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars ($100) or more than six hundred dollars ($600), or by imprisonment for a term of not less than 60 days or more than 180 days, or by both a fine and imprisonment.
17. The use of threats or harassment against any patient or licensee for providing evidence in any possible or actual disciplinary action or other legal action, or the discharge of an employee primarily based on the employee’s attempt to comply with the provisions of this chapter or to aid in compliance.
18. Suspension or revocation of a license issued, or discipline imposed, by another state or territory on grounds that would be the basis of discipline in this state.
19. The alteration of a patient’s record with intent to deceive.
20. Unsanitary or unsafe office conditions, as determined by the customary practice and standards of the dental profession.
21. The abandonment of the patient by the licensee, without written notice to the patient that treatment is to be discontinued and before the patient has ample opportunity to secure the services of another dentist and provided the health of the patient is not jeopardized.
22. The willful misrepresentation of facts relating to a disciplinary action to the patients of a disciplined licensee.
23. Use of fraud in the procurement of any license issued pursuant to this chapter.
24. Any action or conduct that would have warranted the denial of the license.
25. The aiding or abetting of a licensed dentist or dental health care professional to practice dentistry in a negligent or incompetent manner.
26. The failure to report to the board in writing within seven days any of the following: (1) the death of his or her patient during the performance of any dental procedure; (2) the discovery of the death of a patient whose death is related to a dental procedure performed by him or her; or (3) except for a scheduled hospitalization, the removal to a hospital or emergency center for medical treatment for a period exceeding 24 hours of any patient to whom oral conscious sedation, conscious sedation, or general
<table>
<thead>
<tr>
<th>DUTY</th>
<th>SECTION OF LAW (Statute or Regulation)</th>
<th>D A</th>
<th>R D A</th>
<th>R D A E F</th>
<th>R D H</th>
<th>R D H E F</th>
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<tr>
<td>Anesthesia, local, administration of (RDH/RDHEF’s must FIRST complete a Board-approved course)</td>
<td>1761</td>
<td>N</td>
<td>N</td>
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<td>Arch wires, place and ligate</td>
<td>1086d10/1760</td>
<td>N</td>
<td>D</td>
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<td>Arch wires, remove</td>
<td>1085c12/1760</td>
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<td>Bands, loose, check for</td>
<td>1085c11/1760</td>
<td>D</td>
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<td>G</td>
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<td>Bands, orthodontic, remove</td>
<td>1086d8/1760</td>
<td>N</td>
<td>D</td>
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<td>Bands, size</td>
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<td>N</td>
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<td>Bases, place on sound dentin</td>
<td>1086d4/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Bite registrations, for diagnostic models for case study only, take</td>
<td>1086d14/1760</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Bleaching agents, apply and activate with non-laser light-curing device</td>
<td>1086d12/13/1762</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<td>Bleaching trays, take impressions for</td>
<td>1085c1/1762</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Bonding, prepare enamel for bonding by etching</td>
<td>1087c4/1089c4</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>N</td>
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<tr>
<td>Canals, dry with absorbent points</td>
<td>1089c2/1760</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Cement, remove excess from coronal surfaces of teeth under orthodontic treatment by means of an ultrasonic scaler (RDA/RDAEF’s must FIRST complete a Board-approved course)</td>
<td>1086d16/1762</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Cement, remove excess from coronal surfaces of teeth other than orthodontic treatment by means of an ultrasonic scaler</td>
<td>1762</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Cement, remove excess from supragingival surfaces of teeth with hand instrument or floss</td>
<td>1086d5/1762</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Cement, remove excess from subgingival tooth surfaces with a hand instrument</td>
<td>1087c8/1762</td>
<td>N</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Cord retraction of gingivae for impression procedures</td>
<td>1087c1/1089c1</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Coronal polishing (RDH/RDHEF’s must FIRST complete a Board-approved course) a DDS or RDH must first determine that the teeth to be polished are free of calculus or other extraneous material prior to polishing *</td>
<td>1086d15/1762/1777</td>
<td>N</td>
<td>C</td>
<td>C</td>
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<td>Crowns, intra-orally fabricate temporary</td>
<td>1086d7/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Crowns, size stainless steel temporary</td>
<td>1086d6/1760</td>
<td>N</td>
<td>D</td>
<td>G</td>
<td>D</td>
<td>G</td>
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<tr>
<td>Crowns, sizing, temporary cementation and removal of temporary crowns</td>
<td>1086d6&amp;8/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Cure restorative or orthodontic materials in operative site with light-curing device</td>
<td>1085c17/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Dressings, post-extraction and periodontal, place</td>
<td>1086d11/1762</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Enamel, prepare for bonding by etching</td>
<td>1087c4/1089c4</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Endodontic cultures, obtain</td>
<td>1086d1/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Endodontic filling points, fit trial</td>
<td>1087c6/1089c6</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
</tr>
<tr>
<td>Endodontic post and core castings, formulate indirect patterns for</td>
<td>1087c5/1089c5</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Etchant, apply for bonding restorative materials</td>
<td>1087c9/1089c7</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
</tr>
<tr>
<td>Etching, prepare enamel for bonding by etching</td>
<td>1087c4/1089c4</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
</tr>
<tr>
<td>Examination, mouth-mirror inspection of oral cavity, including charting of obvious lesions, existing restorations, and missing teeth (also see Examination above) *</td>
<td>1086c1/1762</td>
<td>N</td>
<td>G</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Extra-oral duties or functions specified by the supervising dentist</td>
<td>1085b1/1760</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Fit trial endodontic filling points</td>
<td>1087c6/189c6</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Fluoride, topical, apply, after scaling and polishing by DDS or RDH *</td>
<td>1085c14/17622/1777</td>
<td>D</td>
<td>C</td>
<td>C</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Impressions for cast restorations, take</td>
<td>1087c2/1089c2</td>
<td>N</td>
<td>D</td>
<td>N</td>
<td>D</td>
<td>G</td>
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<tr>
<td>Impressions for diagnostic and opposing models, take</td>
<td>1085c1/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Impressions for bleaching trays, temporary crowns and bridges and sports guards, take</td>
<td>1085c1/1760/1762</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Impressions for space maintainers, orthodontic appliances, and occlusal guards, take</td>
<td>1087c3/1089c3</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Indirect patterns for endodontic post and core casting, formulate</td>
<td>1087c5/1089c5</td>
<td>N</td>
<td>N</td>
<td>D</td>
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<tr>
<td>Intra-oral measurements for orthodontic procedures, take</td>
<td>1085c9/1760</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Irrigate subgingivally with an antimicrobial and/or antibiotic liquid solutions *</td>
<td>1762</td>
<td>N</td>
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<td>Ligature ties, remove</td>
<td>1085c13/1760</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Lime deposits, accretions and stains — removal from the unattached surfaces of the teeth *</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
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<tr>
<td>Liners, place on sound dentin</td>
<td>186d4/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Local anesthesia, administration of (must FIRST complete a Board-approved course)</td>
<td>1761</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<td>D</td>
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<tr>
<td>DUTY</td>
<td>SECTION OF LAW (Statue or Regulation)</td>
<td>D A</td>
<td>R D A</td>
<td>R D A E</td>
<td>R D H</td>
<td>R D H E F</td>
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<tr>
<td>Matrices, anterior, hold</td>
<td>1085c7/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Matrices, place, wedge or remove</td>
<td>1085c16/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Mouth-mirror inspection of the oral cavity, including charting of obvious lesions, existing restorations, and missing teeth</td>
<td>1086c1/1762</td>
<td>N</td>
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<tr>
<td>Nitrous oxide analgesia/sedation, assist under specified conditions</td>
<td>1085c6/1761</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Nitrous oxide and oxygen, administration, whether alone or in combination with each other (must FIRST complete a board-approved course)</td>
<td>1761</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Oral cavity, mouth-mirror inspection of, including charting of obvious lesions, existing restorations, and missing teeth</td>
<td>1086c1/1762</td>
<td>N</td>
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<tr>
<td>Oral exfoliative cytology *</td>
<td>1762</td>
<td>N</td>
<td>N</td>
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<td>Orthodontic appliances, examine</td>
<td>1085b3/1760</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Orthodontic bands, remove</td>
<td>1086d8/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<td>Orthodontic or restorative materials, cure in operative site with light-curing device</td>
<td>1085c17/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<tr>
<td>Orthodontic procedures, take intra-oral measurements for</td>
<td>1085c9/1760</td>
<td>D</td>
<td>D</td>
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<td>Orthodontic separators, elastic, place</td>
<td>1085c4/1760</td>
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<td>D</td>
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<tr>
<td>Orthodontic separators, other than elastic, place</td>
<td>1086d9/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Orthodontic separators, remove</td>
<td>1085c5/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
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<td>G</td>
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<tr>
<td>Periodontal dressings, place</td>
<td>1086d11/1762</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Periodontal dressings, remove</td>
<td>1085c3/1762</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
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<tr>
<td>Periodontal soft-tissue curettage (RDH/RDHEFs must FIRST complete a Board-approved course)</td>
<td>1761</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Pit and fissure sealants, apply *</td>
<td>1087c7/1762/1777</td>
<td>N</td>
<td>C</td>
<td>C</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Post-extraction dressings, place</td>
<td>1086d11/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Post-extraction dressings, remove</td>
<td>1085c3/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Pulp vitality, test</td>
<td>1086d3/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Radiographic equipment, operation of (must FIRST complete a Board-approved radiation safety program)</td>
<td>1085b2</td>
<td>G</td>
<td>G</td>
<td>G</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Restorations, permanent, place or finish</td>
<td>1085</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Restorations, polish and contour for preventive purposes</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Restorative or orthodontic materials, cure in operative site with light-curing device</td>
<td>1085c17/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Retainers and headgear, seat adjusted, including appropriate instructions</td>
<td>1085c10/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Root planing *</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Rubber dams, place and remove</td>
<td>1085c15/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Scaling, subgingival *</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Screenings, oral health *</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Sealants, pit and fissure, apply *</td>
<td>1087c7/1762/1777</td>
<td>N</td>
<td>C</td>
<td>C</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Soft-tissue curettage, periodontal (RDH/RDHEFs must FIRST complete a Board-approved course)</td>
<td>1761</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Sports guards, take impressions for</td>
<td>1085c1/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Stainless steel crowns (temporary), size</td>
<td>1086d6/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Stains, lime deposits, and accretions — removal from the unattached surfaces of the teeth</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Sutures, place</td>
<td>1085a2</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Sutures, remove</td>
<td>1085c8/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Temporary crowns, fabricate intra-orally</td>
<td>1086d7/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Temporary crowns, size</td>
<td>1086d6/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Temporary crowns, temporary cementation and removal</td>
<td>1086d6&amp;8/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Temporary crowns and bridges, take impressions for</td>
<td>1085c1/1760</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Temporary sedative dressings, place and/or remove</td>
<td>1086c2/1760</td>
<td>N</td>
<td>G</td>
<td>G</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Tetracycline cord, place and/or remove</td>
<td>1085a</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Topical agents, apply non-aerosol and non-caustic (also see Topical Agents below) *</td>
<td>1085c2/1762</td>
<td>D</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Topical agents essential to complete prophylaxis, apply (also see Topical Agents above) *</td>
<td>1762</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Topical fluoride, apply after scaling and polishing by DDS or RDH *</td>
<td>1085c14/1762/1777</td>
<td>D</td>
<td>C</td>
<td>C</td>
<td>G</td>
<td>G</td>
</tr>
<tr>
<td>Trial endodontic filling points, fit</td>
<td>1087c6/1089c6</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>N</td>
<td>D</td>
</tr>
<tr>
<td>Ultrasonic scaler, removal of excess cement from coronal surfaces of teeth under orthodontic treatment with (must FIRST complete a Board-approved ultrasonic scaler course)</td>
<td>1086d16/1760</td>
<td>N</td>
<td>D</td>
<td>D</td>
<td>G</td>
<td>G</td>
</tr>
</tbody>
</table>
anesthesia was administered, or any patient as a result of dental treatment. With the exception of patients to whom oral conscious sedation, conscious sedation, or general anesthesia was administered, removal to a hospital or emergency center that is the normal or expected treatment for the underlying dental condition is not required to be reported. Upon receipt of a report pursuant to this subdivision, the board may conduct an inspection of the dental office if the board finds that it is necessary.

27. Participating in or operating any group advertising and referral services that are in violation of Section 650.2.

28. The failure to use a fail-safe machine with an appropriate exhaust system in the administration of nitrous oxide. The board shall, by regulation, define what constitutes a fail-safe machine.

29. Engaging in the practice of dentistry with an expired license.

30. Except for good cause, the knowing failure to protect patients by failing to follow infection-control guidelines of the board, thereby risking transmission of blood-borne infectious diseases from dentist or dental health care professional to patient, from patient to patient, and from patient to dentist or dental health care professional. In administering this subdivision, the board shall consider referencing the standards, regulations, and guidelines of the State Department of Health Services developed pursuant to Section 1250.11 of the Health and Safety Code and the standards, guidelines, and regulations pursuant to the California Occupational Safety and Health Act of 1973 [Part 1 (commencing with Section 6300), Division 5, Labor Code] for preventing the transmission of HIV, hepatitis B, and other blood-borne pathogens in health care settings. As necessary, the board shall consult with the Medical Board of California, the Board of Podiatric Medicine, the Board of Registered Nursing, and the Board of Vocational Nursing and Psychiatric Technicians to encourage appropriate consistency in the implementation of this subdivision. The board shall seek to ensure that licensees and others regulated by the board are informed of the responsibility of licensees and others to follow infection control guidelines, and of the most recent scientifically recognized safeguards for minimizing the risk of transmission of blood-borne infectious diseases.

31. The utilization by a licensed dentist of any person to perform the functions of a registered dental assistant, registered dental assistant in extended functions, registered dental hygienist, or registered dental hygienist in extended functions who, at the time of initial employment, does not possess a current, valid license to perform those functions.

32. The prescribing, dispensing, or furnishing of dangerous drugs or devices, as defined in Section 4022.

33. Obtain or possess in violation of law, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself, any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug as defined in Article 8 (commencing with Section 4211) of Chapter 9.

34. Use any controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug as defined in Article 8 (commencing with Section 4211) of Chapter 9, or alcoholic beverages or other intoxicating substances, to an extent or in a manner dangerous or injurious to himself or herself, to any person, or the public to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license.

35. The conviction of a charge of violating any federal statute or rule, or any statute or rule of this state, regulating controlled substances, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug, as defined in Article 8 (commencing with Section 4211) of Chapter 9, or the conviction of more than one misdemeanor, or any felony, involving the use or consumption of alcohol or drugs, if the conviction is substantially related to the practice authorized by his license. The record of conviction or certified copy thereof, certified by the clerk of the court or by the judge in whose court the conviction is had, shall be conclusive evidence of violation of this section; a plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section; the board may order the license suspended or revoked or may decline to issue a license when the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending imposition of sentence, irrespective of a subsequent order under any provision of the Penal Code, including, but not limited to, Section 1203.4 of the Penal Code, allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

36. Any dentist performing dental procedures to have more than one patient undergoing conscious sedation or general anesthesia on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer conscious sedation or general anesthesia.

37. Any dentist with patients recovering from conscious sedation or general anesthesia to fail to have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from conscious sedation or general anesthesia. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient-to-recovery-staff ratio should not exceed three to one.
38. Any dentist with patients who are undergoing conscious sedation to fail to have these patients continuously monitored during the dental procedure with a pulse oximeter or similar or superior monitoring equipment required by the board.

39. Any dentist with patients who are undergoing conscious sedation to have dental office personnel directly involved with the care of those patients who are not certified in basic cardiac life support (CPR) and recertified biennially.

40. Any dentist to fail to obtain the written informed consent of a patient prior to administering general anesthesia or conscious sedation. In the case of a minor, the consent shall be obtained from the child’s parent or guardian.

License Renewal
As of January 1, 2006, licensees are required to complete the following subjects to fulfill continuing education needs for license renewal. A minimum of 80 percent of the required units have to be from Subject I and no more than 20 percent from Subject II during the two-year renewal period.

Subject I
• Infection Control
• California Dental Practice Act
• Basic Life Support

Subject II
• Courses related to the practice of dentistry

As part of the continuing education requirements, each licensee must complete a course in basic life support approved by the American Red Cross or the American Heart Association.

Additionally, each licensee who holds a general anesthesia permit shall take and complete either an advanced cardiac life support course that is approved by the American Heart Association, including an examination on the materials presented in the course, or any other advanced cardiac life support course that is identical in all respects (except for the omission of materials that relate solely to hospital emergencies or neonatology) to the course entitled “Guidelines 2000 for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care” published by the American Heart Association in August 2000. Those who hold a conscious sedation permit shall take and complete at least 15 total units of courses related to the administration of conscious sedation and to medical emergencies. Each of these must be accomplished at least once every two years, according to the permit held. Completion of these courses is mandatory for license renewal.

The total number of units necessary for a licensee to renew his or her dental license is as follows:
• Dentists: 50 units
• Registered dental hygienists: 25 units
• Registered dental assistants: 25 units
• Registered dental hygienists in extended functions: 25 units
• Registered dental assistants in extended functions: 25 units
• Registered dental hygienists in alternative practice: 35 units

This course has highlighted several portions of the California Dental Practice Act. All dentists and their dental health care professionals should become familiar with this information and continue to stay informed regarding any changes to the laws. Licensees should refer to the actual text of the California Dental Practice Act for information on other topics. The California Dental Practice Act can be purchased through the Dental Board of California.

Dental Board of California
1432 Howe Avenue, Suite 85
Sacramento, CA 95825
Phone Number: (916) 263-2300
Fax Number: (916) 263-2140
E-mail: DentalBoard@dca.ca.gov

References

Author Profile
Mahtab Partovi, DDS
Dr. Partovi received her dental degree from New York University College of Dentistry. Dr. Partovi is pursuing a specialty degree in the field of orthodontics. She is a member of the American Dental Association and the California Dental Association.

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Questions

1. If a licensed dentist provides instruction for a procedure to a dental health care professional and then is physically present during its performance, this is termed
a. General supervision
b. Dental health care professional supervision
c. Direct supervision
d. Dental supervision

2. If a licensed dentist provides instruction for a procedure to a dental health care professional but is NOT physically present during its performance, this is termed
a. General supervision
b. Dental health care professional supervision
c. Direct supervision
d. Dental supervision

3. Which two types of dental health care professionals are permitted to prepare enamel for bonding by etching?
   a. RDA, RDAEF
   b. RDH, RDHAP
   c. DA, RDA
   d. RDA, RDAEF

4. RDHs and RDHEFs can administer local anesthesia after completing which of these?
   a. A board-approved course
   b. The patient’s head and neck exam
   c. A certified dental hygiene program
   d. A certified dental assisting program

5. After completion of a board-approved course, RDAs and RDAEFs may remove excess cement from coronal surfaces of teeth under orthodontic treatment by means of an ultrasonic scaler under
   a. General supervision
   b. Dental health care professional supervision
c. Direct supervision
d. Dental supervision

6. Which of the following dental health care professionals are not permitted to use a mouth mirror to inspect the oral cavity?
   a. RDA
   b. RDH
   c. DA
   d. None of the above

7. Which of the following dental health care professionals is permitted to place sutures under direct supervision?
   a. RDA
   b. RDH
   c. RDHEF
   d. None of the above

8. Which of the following dental health care professionals are permitted to fit trial endodontic filling points?
   a. RDA and RDAEF
   b. RDHAP and RDH
   c. DA and RDA
   d. RDA and RDAEF

9. Which of the following dental health care professionals may perform cord retraction of the gingivae for impression procedures?
   a. DA
   b. RDA
   c. RDAEF, RDH
   d. A and C

10. Which of the following dental health care professionals may not fabricate temporary crowns intra-orally under any circumstances?
    a. DA
    b. RDA
    c. RDAEF
    d. RDH

11. Currently, what is the maximum number of RDAEF or RDHEF dental health care professionals a licensed dentist may simultaneously utilize?
    a. One
    b. Two
    c. Three
    d. Four

12. As of January 1, 2008, what will the answer to the previous question be?
    a. One
    b. Two
    c. Three
    d. Four

13. Which of the following professionals may write prescriptions?
    a. Dentists
    b. Podiatrists
    c. Veterinarians
    d. All of the above

14. Prescription blanks for controlled substances must be issued by
    a. The Department of Justice
    b. The Dental Board of California
    c. The Board of Pharmacy
    d. The ADA

15. A prescription for a controlled substance may not be filled after _____ days following the date of its issue.
    a. Seven
    b. Three
    c. Ten
    d. Five

16. It is illegal to furnish a controlled substance to oneself.
    a. True
    b. False

17. Prescriptions for controlled substances should contain all of the following except
    a. The name and address of the patient
    b. The name, quantity, and strength of the medication
    c. The address, category of professional licensure, and the registration number of the prescriber
    d. The name and address of the exact pharmacy where it must be filled

18. When prescribing a controlled substance, the original copy of the prescription is retained by
    a. The dentist
    b. The patient
    c. The Department of Justice
    d. The pharmacist

19. Of the 40 different forms of professional misconduct defined by the California Dental Practice Act, how many must be violated before an investigation can take place?
    a. Five
    b. Three
    c. Two
    d. One

20. According to the California Dental Practice Act, it is illegal to advertise that any dental service or operation will be performed
    a. For free
    b. Painlessly
    c. Gently
    d. Quickly

21. According to the CDPA, it is permissible for a dental health care professional who has not met the requirements of Section 1656 to operate dental radiographic equipment so long as the dentist is directly supervising.
    a. True
    b. False

22. If a licensee is found guilty of excessively prescribing drugs or treatment, which of these punishments could he or she possibly face?
    a. Revocation of his or her license
    b. A $600 fine
    c. 180 days in jail
    d. All of the above

23. Subject I for continuing education contains all of the following except
    a. Infection control
    b. California Dental Practice act
    c. Basic life support
    d. Advanced cardiac life support

24. What percentage of the minimum required units for continuing education must be from Subject I?
    a. 50 percent
    b. 60 percent
    c. 70 percent
    d. 80 percent

25. What percentage of the minimum required units for continuing education must be from Subject II?
    a. 10 percent
    b. 15 percent
    c. 20 percent
    d. 25 percent

26. Licensed dental professionals who hold a specialized permit are required to take and complete additional courses related to that permit at least once every _____ years.
    a. Three
    b. Two
    c. Five
    d. Four

27. The total number of units necessary to renew a dentist’s license is:
    a. 20 units
    b. 30 units
    c. 40 units
    d. 50 units

28. The total number of units necessary to renew an RDA license is:
    a. 15 units
    b. 20 units
    c. 25 units
    d. 35 units

29. The total number of units necessary to renew an RDHAP license is:
    a. 15 units
    b. 20 units
    c. 25 units
    d. 35 units

30. As part of the continuing education requirements, licensed dental professionals are required to complete a course every two years in basic life support approved by:
    a. The American Red Cross or the American Heart Association
    b. The Dental Board of California or the American Dental Board
    c. The American Heart Association or the American Medical Association
    d. The American Dental Association or the American Red Cross
California Law and the Dental Profession

Name: __________________________ Title: __________________________ Specialty: __________________________
Address: __________________________ E-mail: __________________________
City: __________________________ State: __________________________ ZIP: __________________________
Telephone: Home (________) Office (________)

Requirements for successful completion of the course and to obtain dental continuing education credits:
1) Read the entire course. 2) Complete all information above. 3) Complete answer sheets in either pen or pencil. 4) Mark only one answer for each question. 5) A score of 70% on this test will earn you 4 CE credits. 6) Complete the Course Evaluation below. 7) Make check payable to PennWell Corp.

Educational Objectives
1. Explain the scope of practice for dental health care professionals.
2. Discuss the laws that regulate prescribing drugs in the state of California.
3. Understand the citations, fines, and revocations related to license suspension.
4. Understand the criteria required for license renewal.

Course Evaluation

Please evaluate this course by responding to the following statements, using a scale of Excellent = 5 to Poor = 0.

1. Were the individual course objectives met? Objective #1: Yes No Objective #3: Yes No
2. To what extent were the course objectives accomplished overall? 5 4 3 2 1 0
3. Please rate your personal mastery of the course objectives. 5 4 3 2 1 0
4. How would you rate the objectives and educational methods? 5 4 3 2 1 0
5. How do you rate the author’s grasp of the topic? 5 4 3 2 1 0
6. Please rate the instructor’s effectiveness. 5 4 3 2 1 0
7. Was the overall administration of the course effective? 5 4 3 2 1 0
8. Do you feel that the references were adequate? Yes No
9. Would you participate in a similar program on a different topic? Yes No
10. If any of the continuing education questions were unclear or ambiguous, please list them.
11. Was there any subject matter you found confusing? Please describe.
12. What additional continuing dental education topics would you like to see?

COURSE CREDITS/COST

AGD Code 555

Mail completed answer sheet to
Academy of Dental Therapeutics and Stomatolgy,
A Division of PennWell Corp.
P.O. Box 116, Chesterland, OH 44026
or fax to: (440) 845-3447

For IMMEDIATE results, go to www.ineedce.com and click on the button “Take Tests Online.” Answer sheets can be faxed with credit card payment to (440) 845-3447, (216) 398-7922, or (216) 255-6619.

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PLEASE PHOTOCOPY ANSWER SHEET FOR ADDITIONAL PARTICIPANTS.