ARTICLE 20-03
DENTAL ASSISTANTS

Chapter
20-03-01 Duties

CHAPTER 20-03-01
DUTIES

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20-03-01-01. Duties.

Duties are delegated to dental assistants under prescribed levels of supervision as follows:

1. A dental assistant who is not registered with the board and who is employed by a dentist may:

    a. Perform the following duties under direct supervision:

        (1) Take and record pulse, blood pressure, and temperature.

        (2) Take and record preliminary dental and medical history for the interpretation by the dentist.

        (3) Apply topical medications and drugs to oral tissues, including topical anesthetic, topical fluoride, fluoride varnish, and desensitizing agents, but not including caustic agents.

        (4) Receive removable dental prosthesis for cleaning or repair.

        (5) Take impressions for study casts, bleaching trays, or orthodontic retainers.

        (6) Hold impression trays in the mouth (e.g., reversible hydrocolloids, rubber base).

        (7) Retract patient's cheek, tongue, or other tissue parts during a dental procedure.

        (8) Remove such debris as is normally created in the course of treatment during or after dental procedures by vacuum devices, compressed air, mouthwashes, and water.

        (9) Isolate the operative field, not to include rubber dams.

        (10) Hold a curing light for any dental procedure. Curing lights may not include a laser capable of cutting, burning, or damaging hard or soft tissue or for electrosurgery for tissue retraction.

        (11) Produce on a patient of record, a final scan by digital capture for review and inspection by the authorizing dentist for a prescriptive fixed or removable appliance.

(12) Monitor a patient who has been induced into nitrous oxide analgesia if the dentist has provided sufficient training to the dental assistant completed after January 1, 2024. The dentist shall maintain documentation of the training for the duration of the delegation and shall provide documentation of the training to the board upon request.

b. Provide oral hygiene instructions and education under general supervision:

2. An unregistered dental assistant enrolled in a board-approved qualified dental assistant program and working under the direct supervision of a dentist may perform the duties of a qualified dental assistant.

3. A qualified dental assistant-limited radiology registrant may perform the duties listed in subsection 1, and may take dental radiographs under the general supervision of a dentist.

4. A qualified dental assistant may:

a. Perform the following duties under the direct supervision of a dentist:

(1) Duties set forth in subsections 1 and 2.

(2) Acid etch enamel surfaces as directed by the dentist.

(3) Dry root canal with paper points.

(4) Apply resin infiltration.

(5) Orally transmit a prescription that has been authorized by the supervising dentist.

(6) Remove band and bracket adhesives with a slow-speed handpiece.

(7) Place and remove matrix bands and wedges.

b. Perform the following duties under the indirect supervision of a dentist:

(1) Polish coronal surfaces of teeth with a rubber cup or brush after the dentist provides the dental assistant with sufficient training. The dentist shall maintain documentation of the training completion for the duration of the delegation and provide it to the board upon request.

(2) Place orthodontic brackets using an indirect bonding technique by seating the transfer tray loaded with brackets previously positioned in the dental laboratory by a licensed dentist.

c. Perform the following duties under the general supervision of a dentist:

(1) Produce on a patient of record, a final scan by digital capture for review and inspection by the authorizing dentist for a prescriptive fixed or removable appliance.

(2) Take and record pulse, blood pressure, and temperature.

(3) Take and record preliminary dental and medical history for the interpretation by the dentist.

(4) Apply topical medications and drugs to oral tissues, including topical anesthetic and anticariogenic agents, and desensitizing agents.

(5) Place and remove arch wires or appliances that have been activated by the dentist.

(6) Cut and remove arch wires or replace loose bands, loose brackets, or other orthodontic appliances for palliative care.

(7) Remove sutures.

(8) Place, tie, and remove ligature wires and elastic ties, and select and place orthodontic separators.

(9) Preselect and prefit orthodontic bands.

(10) Repack dry socket medication and packing for palliative care.

(11) Take dental radiographs.

5. A registered dental assistant may perform the duties set forth in subsections 2 and 3, and the following duties, under the direct supervision of a dentist:

a. Acid etch enamel surfaces prior to direct bonding of orthodontic brackets or composite restorations.

b. Take face bow transfers.

c. Adjust permanent crowns outside of the mouth.

d. Administer emergency medications to a patient in order to assist the dentist in an emergency.

e. Hold impression trays in the mouth (e.g., reversible hydrocolloids, rubber base).

6. A registered dental assistant may perform the following duties under the indirect supervision of a dentist:

a. Place and remove rubber dams.

b. Place retraction cord in the gingival sulcus of a prepared tooth prior to the dentist taking an impression of the tooth.

c. Remove excess cement from inlays, crowns, bridges, and orthodontic appliances with hand instruments or a slow-speed handpiece.

d. Monitor a patient who has been inducted by a dentist into nitrous oxide inhalation analgesia.

e. Apply bleaching solution, activate light source, and monitor and remove bleaching materials.

f. Place orthodontic brackets using an indirect bonding technique by seating the transfer tray loaded with brackets previously positioned in the dental laboratory by a licensed dentist.

7. A registered dental assistant may perform the following duties under the general supervision of a dentist:

a. Take and record pulse, blood pressure, and temperature.

b. Take and record preliminary dental and medical history for the interpretation by the dentist.

c. Apply topical medications and drugs to oral tissues, including topical anesthetic, topical fluoride, fluoride varnish, silver diamine fluoride, hemostatic agents, and desensitizing agents.

d. Receive removable dental prosthesis for cleaning or repair.

e. Take impressions or occlusal bite registrations for study casts.

f. Fabricate, adjust, place, recement, or remove a temporary crown, bridge, or onlay or temporary restorative material. This applies only to dentitions actively under treatment for which a permanent restoration is being fabricated.

g. Remove sutures.

h. Cut and remove arch wires or replace loose bands, loose brackets, or other orthodontic appliances for palliative treatment.

i. Place, tie, and remove ligature wires and elastic ties, and place orthodontic separators.

j. Provide oral hygiene education and instruction.

k. Provide an oral assessment for interpretation by the dentist.

l. Apply pit and fissure sealants, including acid etch, if the registered dental assistant has provided documentation of a board-approved sealant course or training that includes hand skills, and has received an endorsement from the board. Adjust sealants with slow-speed handpiece.

m. Polish the coronal surfaces of the teeth with a rubber cup or brush or by use of air polishing.

n. Polish and smooth existing restorations with a slow-speed handpiece.

o. Take dental radiographs.

p. Take final impressions for fixed or removable appliances. Impressions must be reviewed and approved by the dentist before being used for fabrication.

q. Preselect and prefit orthodontic bands.

r. Perform nonsurgical clinical and laboratory diagnosis tests, including pulp testing, for interpretation by the dentist.

s. Place and remove arch wires or appliances that have been activated by a dentist.

t. Provide screenings as defined by subsection 44 of section 20-01-02-01.

u. Adjust dentures or partials that have previously been fitted by the dentist.

v. Place and remove dry socket medications and packing.

w. Hold a curing light for any dental procedure. Curing lights may not include a laser capable of cutting, burning, or damaging hard or soft tissue or for electrosurgery for tissue retraction.

History: Effective September 1, 1980; amended effective February 1, 1992; October 1, 1993; May 1, 1996; August 1, 1998; April 1, 2000; June 1, 2002; July 1, 2004; April 1, 2006; January 1, 2011; April 1, 2015; July 1, 2017; July 1, 2022; October 1, 2024; April 1, 2026.
General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.1, 43-20-08, 43-20-10, 43-20-13

20-03-01-01.1. Expanded duties.

A registered dental assistant shall apply for a permit to perform the following duties:

1. A restorative care permitholder under the direct supervision of a dentist may perform the following restorative functions:

   a. Place, contour, carve, adjust, and finish direct restorative dental materials including amalgam, glass ionomer, alloy, or composite restorations. All margins must be entirely within the enamel. Permitholders may use hand instruments or a slow-speed or high-speed handpiece;

   b. Adapt and cement stainless steel crowns; and

   c. Place a temporary sedative filling.

   The restorative functions only may be performed after the patient has given informed consent for the placement of the restoration by a restorative care permitholder.

   Before the patient is released, the final restorations must be checked and documented by the supervising dentist.

2. A dental anesthesia assistant authorized by a class I permit and under the contiguous supervision of a dentist authorized by permit to provide moderate sedation, deep sedation, or general anesthesia may:

   a. Initiate and discontinue an intravenous line for a patient being prepared to receive intravenous medications, sedation or general anesthesia;

   b. Adjust the rate of intravenous fluids infusion only to maintain or keep the line patent or open;

   c. Prepare and monitor anesthesia equipment;

   d. Perform patient monitoring including vital signs, adverse events, and patient positioning; and

   e. Assist with emergency treatment and protocols, including the use of suction, automated defibrillators, and crash cart equipment.

3. A dental anesthesia assistant authorized by a class II permit and under the direct visual supervision of a dentist authorized by permit to provide moderate sedation, deep sedation, or general anesthesia may carry out all duties of a class I permitholder and:

   a. Draw up, label, prepare, and waste medications;

   b. Follow instructions to deliver medication into an intravenous line upon verbal command of the supervising dentist;

   c. Adjust the rate of intravenous fluids infusion beyond a keep-open rate upon verbal command of the supervising dentist; and

   d. Adjust an electronic device to provide medications, such as an infusion pump upon verbal command of the supervising dentist.

4. A registered dental assistant or registered dental hygienist authorized by permit and under the indirect supervision of a dentist may administer nitrous oxide analgesia to a patient who has

not taken sedative medications before treatment in accordance with subsection 2 of section 20-02-01-05.

History: Effective April 1, 2015; amended effective July 1, 2017; July 1, 2022; October 1, 2024; April 1, 2026.
General Authority: NDCC 43-20-10
Law Implemented: NDCC 43-20-01.1, 43-20-08, 43-20-10, 43-20-13

20-03-01-01.2. Requirements of permit for expanded duties.

The board may grant a permit to a registered dental assistant registered dental hygienist, or any other individual who meets the criteria listed below. Individuals authorized by other North Dakota licensing boards and whose scope of practice encompasses the duties of a dental anesthesia assistant are not required to obtain the respective anesthesia permit from the board to carry out the duties listed in this section.

1. A class I dental anesthesia permitholder is authorized to provide anesthesia assistance under the supervision of a host dentist or a dentist who is authorized by permit to provide moderate sedation or deep sedation or general anesthesia. The board may issue or renew a class I dental anesthesia assistant permit to a registered dental assistant, registered dental hygienist, or any other individual meeting the following:

    a. The applicant submits evidence of completing hands-on training in intravenous access or phlebotomy that includes live experience in starting and maintaining intravenous lines and infection control. The evidence may be either a certificate of completion issued by a board-approved dental anesthesia assistant education and training course or an attestation by a supervising dentist who provided the training. A supervising dentist providing the training shall retain documentation of the training and provide it to the board upon request.

    b. The applicant submits evidence of completing a board-approved dental anesthesia assistant education and training course that includes vital sign monitoring, training on emergency oxygen administration, suction, use of advanced automated external defibrillators, and crash cart equipment.

    c. The applicant holds current and valid certification for health care provider basic life support, advanced cardiac life support, or pediatric advanced life support; and

    d. The applicant provides a copy of a valid North Dakota general anesthesia, deep sedation, or moderate sedation permit of the dentist under whose supervision the individual will be performing anesthesia assistant services.

2. A class II dental anesthesia permitholder is authorized to provide anesthesia assistance under the supervision of a host dentist or a dentist who is authorized by permit to provide moderate sedation, or deep sedation or general anesthesia. The board may issue or renew a class II dental anesthesia assistant permit to a registered dental assistant, registered dental hygienist, or any other individual meeting the following criteria:

    a. The applicant submits evidence of completing the dental anesthesia assistant national course or an equivalent board-approved pharmacology course.

    b. The applicant submits proof of current dental anesthesia assistant national certification, an equivalent pharmacology certification, or proof of passage within the two years preceding application of a board-approved competency examination;

    c. The applicant submits evidence of successfully completing a board-approved hands-on training in intravenous access or phlebotomy that includes live experience starting and

maintaining intravenous lines and infection control. The evidence may be a certificate of completion issued by a board-approved dental anesthesia assistant education and training course or an attestation by a supervising dentist who provided the training. A supervising dentist providing the training shall retain documentation of the training and provide it to the board upon request;

d. The applicant holds current and valid certification for health care provider basic life support, advanced cardiac life support, or pediatric advanced life support; and

e. The applicant provides a copy of a valid North Dakota general anesthesia, deep sedation, or moderate sedation permit of the dentist under whose supervision the individual will be performing anesthesia assistant services.

3. The board may issue or renew a restorative care permit on forms prescribed by the board authorizing a registered dental assistant or registered dental hygienist under the direct supervision of a dentist to provide restorative functions if the applicant meets any of the following requirements:

a. The applicant has completed successfully a board-approved curriculum from a program accredited by the commission on dental accreditation of the American dental association or other board-approved course within the last five years. The course must include a clinical and written examination. The board may require successful completion of the restorative function component of the dental assisting national board's certified restorative functions dental assistant certification examination; or

b. The applicant has passed successfully a board-approved dental testing agency examination over five years from the date of application, and successfully completed the restorative function component of the dental assisting national board's certified restorative functions dental assistant certification examination or other board-approved examination and provides evidence from another state or jurisdiction where the applicant legally is or was authorized to perform restorative functions and certification from the supervising dentist of successful completion of at least twenty-five restorative procedures within the immediate five years from the date of application.

History: Effective July 1, 2022; amended effective October 1, 2024; April 1, 2026.
General Authority: NDCC 43-20-10
Law Implemented: NDCC 43-20-13.2

20-03-01-02. Prohibited services.

Dental assistants are prohibited from performing the following services:

1. Diagnosis and treatment planning.

2. Surgery on hard or soft tissue.

3. Administer local anesthetics, sedation or general anesthesia drugs or titrate local anesthetics, sedation or general anesthesia drugs without a board authorized permit.

4. Any irreversible dental procedure or procedures which require the professional judgment and skill of a licensed dentist.

5. Adjust a crown which has been cemented by a dentist.

6. Activate any type of orthodontic appliance or fabricate orthodontic impressions for an individual who is not a patient of record.

7. Cement or bond orthodontic bands or brackets that have not been previously placed by a dentist.

8. Place bases or cavity liners.

9. Scaling, root planing, or gingival curettage.

10. Measure the gingival sulcus with a periodontal probe.

11. Use a high-speed handpiece inside the mouth, unless authorized to do so through a permit issued pursuant to section 20-03-01-01.1.

12. Unless acting as a trained dental sedation staff member or holding a dental anesthesia assistant permit, monitor a patient who has been induced to a level of moderate sedation, deep sedation, or general anesthesia until the dentist authorized by permit to administer sedation or anesthesia determines the patient may be discharged for recovery.

History: Effective February 1, 1992; amended effective October 1, 1993; April 1, 2000; June 1, 2002; July 1, 2004; January 1, 2011; April 1, 2015; July 1, 2022; October 1, 2024; April 1, 2026.
General Authority: NDCC 43-20-10
Law Implemented: NDCC 43-20-01.1, 43-20-08, 43-20-10, 43-20-13

20-03-01-03. Annual registration of dental assistants performing expanded duties.

Repealed effective January 1, 2011.

20-03-01-04. Criteria for dental assistants placing sealants.

Repealed effective January 1, 2011.

20-03-01-05. Registration of dental assistants.

An individual seeking registration as a dental assistant shall apply on forms prescribed by the board. The application must be notarized and include the application fee.

1. The board may grant registration as a registered dental assistant to an applicant meeting all the following requirements:

    a. The applicant meets any of the following requirements:

        (1) The applicant successfully completed a dental assisting program, accredited by the commission on dental accreditation of the American dental association or approved by the board, within one year of application.

        (2) The applicant earned the dental assisting national board's certified dental assistant designation:

            a. Within one year of application; or

            b. More than one year prior to application, and within two years before application, earned sixteen hours of continuing education in accordance with section 20-03-01-06, and provides evidence the applicant was gainfully and relevantly employed in the time prior to application. Proof of gainful and relevant employment may include letters of recommendation, payroll documentation, or other materials requested by the board.

(3) The applicant successfully completed a dental assisting program, accredited by the commission on dental accreditation of the American dental association or approved by the board, and completed, within two years before application, sixteen hours of continuing education in accordance with section 20-03-01-06.

(4) The applicant is licensed in good standing under the laws of another jurisdiction and possesses qualifications, education, or experience substantially similar to the requirements for licensure set forth in this section. Applicants shall submit evidence of at least one year of gainful and relevant employment in the practice prior to application. Proof of gainful and relevant employment may include letters of recommendation, payroll documentation, or other materials requested by the board. Applicants shall submit evidence of earning sixteen hours of continuing education in accordance with section 20-03-01-06 and meet other criteria as may be required by the board.

b. The applicant passed a written examination on the laws and rules governing the practice of dentistry in North Dakota within one year of application.

c. The applicant successfully completed a cardiopulmonary resuscitation course within two years of application.

d. Grounds for denial of the application under North Dakota Century Code section 43-20-05 do not exist.

2. The board may grant registration as a qualified dental assistant to an applicant meeting all the following requirements:

a. The applicant meets any of the following requirements:

(1) Within one year of application, the applicant passed the national entry level dental assistant certification administered by the dental assisting national board or another board-approved equivalent program, and completed three hundred hours of on-the-job clinical training.

(2) More than one year before application, the applicant passed the national entry level dental assistant certification administered by the dental assisting national board or another board-approved equivalent program, completed three hundred hours of on-the-job clinical training, and within two years of application completed sixteen hours of continuing education in accordance with section 20-03-01-06.

(3) The applicant successfully completed the national entry level dental assistant certification administered by the dental assisting national board or another board-approved equivalent course, and within two years of application successfully completed the North Dakota department of career and technical education dental assisting education program association.

(4) The applicant has been practicing under the laws of another jurisdiction in a role and under laws substantially equivalent to that of a qualified dental assistant and possesses qualifications, education, or experience substantially similar to the requirements for licensure set forth in this section. Applicants shall submit evidence of at least one year of gainful and relevant employment in the practice prior to application. Proof of gainful and relevant employment may include letters of recommendation, payroll documentation, or other materials requested by the board. Applicants shall submit evidence of earning sixteen hours of continuing education in accordance with section 20-03-01-06 and meet other criteria as may be required by the board.

b. The applicant passed a written examination on the laws and rules governing the practice of dentistry in North Dakota within one year of application.

c. The applicant successfully completed a cardiopulmonary resuscitation course within two years of application.

d. Grounds for denial of the application under North Dakota Century Code section 43-20-05 do not exist.

3. The board may grant registration as a qualified dental assistant-limited radiology registrant to an applicant meeting all the following requirements:

a. (1) Within two years of application, obtained the dental assisting national board's radiation health and safety certificate or completed a radiation health and safety course approved by the board; or

(2) Submits documentation confirming the applicant obtained the dental assisting national board's radiation health and safety certificate or completed a radiation health and safety course approved by the board more than two years before application and submits a letter from a dentist confirming the assistant successfully has taken radiographs within five years of application.

b. Within two years of application, the applicant completed a cardiopulmonary resuscitation course.

c. Has not demonstrated grounds for denial of the application under North Dakota Century Code section 43-20-05.

History: Effective January 1, 2011; amended effective July 1, 2022; October 1, 2024; April 1, 2026.
General Authority: NDCC 43-20-10, 43-51.1-02
Law Implemented: NDCC 43-20-13.2, 43-51.1-02, 43-51.1-03

20-03-01-05.1. Additional expanded duties of registered dental assistants.

Repealed effective July 1, 2022.

20-03-01-06. Continuing dental education for dental assistants.

Dental assistants shall provide evidence of attendance or participation in continuing clinical dental education in accordance with the following conditions:

1. Continuing education activities include publications, seminars, symposiums, lectures, college courses, and online education.

2. The continuing education hours accumulate on the basis of one hour of credit for each hour spent in education. Subject matter directly related to clinical dentistry will be accepted by the board without limit.

3. The minimum number of hours required within a two-year cycle is sixteen. Of these hours, a qualified or registered dental assistant may earn no more than eight hours from self-study. Self-study is an educational process designed to permit a participant to learn a given subject without involvement of a proctor or without the opportunity to interact in real-time with the proctor. A qualified professional may act as a proctor who oversees a clinical continuing education course which may be used for classroom style continuing education credits. Cardiopulmonary resuscitation courses must provide hands-on training. All other continuing education requirements may be satisfied from webinars or classroom style learning that allows

for real-time interaction between attendees and the proctor. The continuing education must include:

a. Two hours of ethics or jurisprudence. Passing the laws and rules examination is the equivalent of two hours of ethics or jurisprudence.

b. Two hours of infection control. This requirement may be met by attending a federal occupational and safety and health administration course for dental providers.

c. A cardiopulmonary resuscitation course.

d. For registered dental assistants or qualified dental assistants that hold a dental anesthesia assistant permit, at least two hours related to sedation or anesthesia.

e. For registered dental restorative assistant permitholders, two hours related to restorative dentistry.

f. No more than one hour related to practice management or administration.

4. For qualified dental assistant-limited radiology registrants, the continuing education must include:

a. At least two hours related to infection control. This requirement may be met by attending a federal occupational and safety and health administration course for dental providers.

b. A cardiopulmonary resuscitation course.

5. For individuals whose sole registration with the board is that of a dental anesthesia assistant, the continuing education must include:

a. At least two hours related to sedation or anesthesia.

b. A cardiopulmonary resuscitation course.

6. Mere registration at a dental convention without specific attendance at continuing education presentations will not be creditable toward the continuing dental education requirement. Certificates awarded for continuing education must indicate the name of the continuing education provider, date, and number of hours of continuing education. Certificates obtained from webinar courses must indicate the course was a webinar. For continuing education courses utilizing a proctor, the certificate of attendance must be signed by the proctor.

7. All dental assistants registered with the board shall hold a current cardiopulmonary resuscitation certificate.

8. The board may audit continuing education credits of any dental assistant that is registered with the board. Proof of continuing education must be maintained from the previous renewal cycle. Upon receiving notice of an audit from the board, the audited dental assistant shall provide satisfactory documentation of attendance at, or participation in, the continuing education activities. Failure to comply with the audit is grounds for nonrenewal of or disciplinary action against the registration.

History: Effective January 1, 2011; amended effective April 1, 2015; July 1, 2017; July 1, 2022; October 1, 2024; April 1, 2026.
General Authority: NDCC 43-20-10
Law Implemented: NDCC 43-20-13.1, 43-51.1-03