

**ARTICLE 20-04
DENTAL HYGIENISTS**

Chapter
20-04-01 Duties

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DUTIES**

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20-04-01-01. Duties.

1. A dental hygienist may perform the following services under the direct supervision of a dentist:
 - a. Apply resin infiltration.
 - b. Hold impression trays in the mouth (e.g., reversible hydrocolloids, rubber base, etc.).
 - c. Place and remove matrix bands or wedges.
 - d. Adjust permanent crowns outside of the mouth.
 - e. Acid-etch enamel surfaces prior to direct bonding of orthodontic brackets or composite restorations.
 - f. Take face bow transfers.
 - g. Administer emergency medications to a patient in order to assist the dentist.
 - h. Dry root canal with paper points.
2. A dental hygienist may perform the following services under the indirect supervision of a dentist:
 - a. Administer local anesthesia to an individual under the age of eighteen as authorized by section 20-04-01-03.
 - b. Place and remove rubber dams.
 - c. Place retraction cord in the gingival sulcus of a prepared tooth before the dentist taking an impression of the tooth.
 - d. Monitor a patient who has been inducted by a dentist into nitrous oxide inhalation analgesia.

- e. Place orthodontic brackets using an indirect bonding technique by seating the transfer tray loaded with brackets previously positioned in the dental laboratory by a dentist.
 - f. Assist a dentist authorized by permit as set forth in section 20-02-01-05 as follows:
 - (1) Sedation procedure preparation and presedation documentation, including date of procedure, nothing by mouth status, availability of responsible adult escort, and allergies.
 - (2) Emergency equipment and use preparedness.
 - (3) Monitor a patient discharged by a dentist once the patient is in recovery.
 - (4) Documentation of patient responsiveness, vital signs, including heart rate, respiratory rate, blood pressure, oxygen saturation, and expired carbon dioxide.
 - (5) Training must be documented and may be acquired directly by an employer-dentist, by a planned sequence of instruction in an educational institution, or by in-office training.
 - g. If authorized by permit, administer nitrous oxide analgesia to a patient who has not taken sedative medications before treatment in accordance with section 20-02-01-05.
4. A dental hygienist may perform the following services under the general supervision of a dentist:
- a. Complete prophylaxis to include removal of accumulated matter, deposits, accretions, or stains from the natural and restored surfaces of exposed teeth. The dental hygienist also may perform root planing and soft tissue curettage upon direct order of the dentist.
 - b. Polish and smooth existing restorations with a slow-speed handpiece.
 - c. Apply topical applications of medications and drugs to oral tissues, including topical anesthetic, topical fluoride, fluoride varnish, silver diamine fluoride, hemostatic agents, and desensitizing agents.
 - d. Take impressions or occlusal bite registrations for study casts on a patient of record.
 - e. Take and record preliminary medical and dental histories for the interpretation by the dentist.
 - f. Take and record pulse, blood pressure, and temperature.
 - g. Provide oral hygiene treatment planning after an oral assessment or dentist's diagnosis.
 - h. Take dental radiographs.
 - i. Apply therapeutic agents subgingivally for the treatment of periodontal disease.
 - j. Remove excess cement from inlays, crowns, bridges, and orthodontic appliances with hand instruments or a slow-speed handpiece.
 - k. Receive removable dental prosthesis for cleaning and repair.
 - l. Fabricate, adjust, place, recement, or remove a temporary crown, bridge, onlay, or temporary restorative material. This applies only to dentitions actively under treatment for which a permanent restoration is being fabricated.

- m. Perform nonsurgical clinical and laboratory oral diagnosis tests, including pulp testing for interpretation by the dentist.
- n. Apply pit and fissure sealants, including acid etch. Adjust sealants with slow-speed handpiece.
- o. Place and remove dry socket medications, and packing.
- p. Remove sutures.
- q. Take impressions for fixed or removable orthodontic appliances, athletic mouth guards, bleaching trays, bite splints, flippers, and removable prosthetic repairs.
- r. Preselect and prefit orthodontic bands.
- s. Place, tie, and remove ligature wires and elastic ties, and place orthodontic separators.
- t. Place and remove arch wires or appliances that have been activated by a dentist.
- u. Cut and remove arch wires or replace loose bands, loose brackets, or other orthodontic appliances for palliative treatment.
- v. Provide an oral assessment for interpretation by the dentist.
- w. Orally transmit a prescription that has been authorized by the supervising dentist.
- x. Screenings as defined in section 20-01-02-01.
- y. Apply bleaching solution, activate light source, and monitor and remove bleaching materials.
- z. Place a temporary filling using the standards and protocols established by an authorizing dentist.
- aa. Adjust a temporary denture or partial for dentitions actively under treatment for which permanent dentures or partial dentures are being fabricated.
- bb. 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.
- cc. Administer local anesthesia to individuals who are eighteen years of age and older as authorized by section 20-04-01-03.

History: Effective September 1, 1980; amended effective February 1, 1992; October 1, 1993; May 1, 1996; August 1, 1998; April 1, 2000; July 1, 2004; April 1, 2006; January 1, 2011; April 1, 2015; July 1, 2017; April 1, 2021; July 1, 2022; October 1, 2024; April 1, 2026.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.2, 43-20-03, 43-20-11, 43-20-12, 43-20-12.3

20-04-01-02. Prohibited services.

A dental hygienist may not perform the following services:

1. Diagnosis and treatment planning.
2. Surgery on hard or soft tissue.

3. Administer anesthetics, except topical and local anesthetic, as permitted under section 20-04-01-03, or titrate local anesthetics, sedation or general anesthesia drugs as permitted under section 20-03-01-01.2.
4. Unless acting as a trained dental sedation staff member or authorized by permit in accordance with section 20-04-01-03.1, monitor a patient who has been induced to 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.
5. Any irreversible dental procedure or procedures which require the professional judgment and skill of a dentist.
6. Adjust a crown which has been permanently cemented.
7. Activate any type of orthodontic appliance or fabricate impressions for an individual who is not a patient of record.
8. Cement or bond orthodontic bands or brackets that have not been previously placed by a dentist.
9. Place bases or cavity liners.
10. Use a high-speed handpiece inside the mouth, unless authorized to do so through a permit issued pursuant to section 20-03-01-01.2.

History: Effective February 1, 1992; amended effective October 1, 1993; July 1, 2004; January 1, 2011; April 1, 2015; April 1, 2021; July 1, 2022; April 1, 2026.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-03; 43-20-11, 43-20-12, 43-20-12.3

20-04-01-03. Duties of dental hygienists - Administration of local anesthesia - Authorization.

1. A licensed dental hygienist may apply for authorization to administer local anesthesia to a patient.
2. Requirements for local anesthesia authorization are as follows:
 - a. A licensed dental hygienist shall submit evidence that the hygienist successfully completed a didactic and clinical course in local anesthesia within the last five years sponsored by a dental or dental hygiene program accredited by the commission on dental accreditation of the American dental association resulting in the dental hygienist becoming clinically competent in the administration of local anesthesia; or
 - b. A licensed dental hygienist shall submit evidence that the hygienist has been authorized to administer local anesthesia in another jurisdiction and provide verification of clinical competency during the previous five years. Verification may consist of the following:
 - (1) A letter from the accredited school with the school seal affixed. Photocopies will not be accepted.
 - (2) A notarized copy of the certification of the local anesthesia course .
 - (3) A notarized letter from a licensed dentist stating the licensed dental hygienist has competently administered local anesthesia.
3. Once issued a permit to administer local anesthesia:
 - a. A dental hygienist may:

- (1) Under general supervision administer local anesthetic to a patient who is eighteen years of age or older, and
 - (2) Under indirect supervision administer local anesthetic to a patient who is under eighteen years of age.
- b. A dental hygienist may, if provided with a direct order from a dentist pertaining to a specific patient who is over the age of eighteen, administer local anesthetic to and carry out root planing and soft tissue curettage under general supervision.

History: Effective July 1, 2004; amended effective April 1, 2021; July 1, 2022; October 1, 2024; April 1, 2026.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-03, 43-20-12

20-04-01-03.1. Duties of the dental hygienist - Expanded function permit.

The board may issue or renew an expanded function permit to a dental hygienist who meets the requirements set forth in section 20-03-01-01.2. A dental hygienist holding an expanded function permit may perform duties as set forth in section 20-03-01-01.1.

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 43-20-03, 43-20-12

20-04-01-04. Additional requirements for licensure by examination.

The board may grant a license to practice dental hygiene to an applicant who has met the requirements of North Dakota Century Code section 43-20-01.2 and all the following requirements:

1. The applicant has passed the examination administered by the joint commission on national dental examinations or the dental hygiene certification board of Canada within five years of application.
2. The applicant has passed, within five years of application, a clinical competency examination administered by a dental testing agency approved by the board.

History: Effective January 1, 2011; amended effective April 1, 2021; July 1, 2022; October 1, 2024.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.2

20-04-01-04.1. Clinical competency examination retakes.

A dental hygiene applicant may take a clinical examination three times before remedial training is required. After failing the examination for a third time, and prior to the fourth attempt of the examination, an applicant shall:

1. Submit to the board a detailed plan for remedial training by an accredited dental hygiene school or a dental testing agency. The proposed remedial training must be approved by the board.
2. Submit proof to the board of passing the remedial training within twenty-four months of its approval by the board. The board may grant or deny a fourth attempt of the clinical examination. A fourth attempt must occur within twelve months of the date of the board's decision. If an applicant fails any part of the examination after remedial training, additional retakes must be approved by the board.

History: Effective April 1, 2015; amended effective October 1, 2024.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.2

20-04-01-05. Additional requirements for licensure by credential review.

The board may grant a license to practice dental hygiene to an applicant who has met the requirements of North Dakota Century Code section 43-20-01.3 and all the following requirements:

1. The applicant has successfully completed a cardiopulmonary resuscitation course within two years of application.
2. The applicant has the physical health and visual acuity to enable the applicant to meet the minimum standards of professional competence.
3. The applicant has completed sixteen hours of continuing education in accordance with section 20-04-01-08 within two years of application.

History: Effective January 1, 2011.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.3

20-04-01-05.1. Refresher course - Reentry.

Hygienists formerly licensed in North Dakota or in any state or jurisdiction where the licensure requirements were substantially equivalent may apply for licensure reentry as follows:

1. Grounds for denial of the application under North Dakota Century Code section 43-20-05 do not exist.
2. The applicant has passed, within one year of making application, a written examination administered by the board on the laws and rules governing the practice of dentistry in this state.
3. The applicant successfully completed a cardiopulmonary resuscitation course within the previous two years.
4. The applicant has the physical health and visual acuity to enable the applicant to meet the minimum standards of professional competence.
5. The applicant has practiced dental hygiene.
6. The applicant has:
 - a. Provided anything necessary for a background check, or a criminal history record check pursuant to North Dakota Century Code section 43-28-11.2.
 - b. If required by the board, appeared before the board.
 - c. If required by the board, undergone a clinical competency assessment conducted by a dental education provider approved by the board.
 - d. If required by the board, has successfully completed all aspects of the clinical competency assessment and a reeducation program or refresher course approved by the board that meets the following minimum requirements:
 - (1) Clinical instruction, clinical skills practice, and a clinical post-assessment to demonstrate clinical competency;

- (2) Proof of competency in periodontal probing, calculus detection, and calculus removal;
 - (3) Didactic education must include education on the staging and grading of periodontal conditions;
7. A formerly licensed hygienist who is reentering the practice of dental hygiene may not administer sealants, local anesthetic, or nitrous oxide without first completing courses of instruction approved by the board and being issued a permit by the board.

History: Effective July 1, 2022; amended effective April 1, 2026.

General Authority: NDCC 43-28-06

Law Implemented: NDCC 43-20-01.3, 43-20-10

20-04-01-06. Additional requirements for applications.

Applications must be completed within twelve months of filing. The board may require an interview with the applicant. In addition to the application requirements of North Dakota Century Code sections 43-20-01.2, 43-20-01.3, and 43-20-06, the board may require an application to include:

- 1. Proof of identity, including any name change.
- 2. An official transcript sent by an accredited dental school directly to the board.
- 3. Evidence demonstrating the applicant passed the examination administered by the joint commission on national dental examinations within two years of application.
- 4. Evidence demonstrating the applicant passed a clinical competency examination, approved by the board, within two years of application.
- 5. A certification, from the licensing board of every jurisdiction in which the applicant is licensed, that the applicant is licensed in good standing.
- 6. Verification that the applicant has completed a cardiopulmonary resuscitation course within two years of application.
- 7. Verification of physical health and visual acuity.
- 8. For applications for licensure by credential review, the law and rules stating the requirements for licensure, when the applicant was licensed, of the jurisdiction in which the applicant is licensed.
- 9. For applications for licensure by credential review and reinstatement from inactive status, proof of completion of sixteen hours of continuing education in accordance with section 20-04-01-08 within two years of application.
- 10. Any information required by the application forms prescribed by the board.

History: Effective January 1, 2011; amended effective April 1, 2015; April 1, 2026.

General Authority: NDCC 43-20-10, 43-51.1-02

Law Implemented: NDCC 43-20-01.2, 43-20-01.3, 43-20-06, 43-51.1-02, 43-51.1-03

20-04-01-07. Inactive status - License reinstatement.

Upon payment of the fee determined by the board, a dental hygienist may place the dental hygienist's license on inactive status. A dental hygienist on inactive status must be excused from continuing education requirements other than as set forth in this section. Inactive status must be renewed annually by completing the inactive status renewal application and paying the inactive status

renewal fee. A dental hygienist on inactive status shall not practice dental hygiene in North Dakota. Only licensees on inactive status may apply for licensure reinstatement. To reinstate a license that is on inactive status, the dental hygienist shall apply on a form prescribed by the board, pay a reinstatement fee, and meet all of the following requirements:

1. The applicant has passed a clinical competency examination administered by a regional dental testing service, approved by the board in section 20-04-01-04, within two years of application. The board may, within the board's discretion, waive this requirement.
2. The applicant has passed a written examination on the laws and rules governing the practice of dentistry in this state administered by the board within two years of application.
3. The applicant has completed sixteen hours of continuing education in accordance with section 20-04-01-08 within two years of application.
4. The applicant has completed successfully a cardiopulmonary resuscitation course within two years of application.
5. Grounds for denial of the application under North Dakota Century Code section 43-20-05 do not exist.

History: Effective January 1, 2011; amended effective July 1, 2017; April 1, 2021; April 1, 2026.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-06

20-04-01-08. Continuing dental education for dental hygienists.

Each dental hygienist 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 dental education hours accumulate on the basis of one hour of credit for each hour spent in education. Subject matter directly related to clinical dentistry must 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 dental hygienist 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. At least two hours of ethics or jurisprudence. Passing the laws and rules examination is the equivalent of two hours of ethics or jurisprudence.
 - b. At least 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 anesthesia hygienist permitholders, at least two hours related to sedation or anesthesia, not including local anesthesia.

- e. For registered dental restorative hygienist permitholders, at least two hours related to restorative dentistry.
 - f. For a dental hygienist practicing under general supervision, two hours related to medical emergencies.
 - g. No more than one hour related to practice management or administration.
4. Mere registration at a dental convention without specific attendance at continuing education presentations is not 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.
 5. All dental hygienists shall hold a current cardiopulmonary resuscitation certificate.
 6. A dental hygienist who maintains a license on inactive status is not subject to continuing education requirements.
 7. The board may audit the continuing education credits of a dental hygienist. Each licensee shall maintain certificates or records of continuing education activities from the previous renewal cycle. Upon receiving notice of an audit from the board, a licensee shall provide satisfactory documentation of attendance at, or participation in the continuing education activities listed. Failure to comply with the audit is grounds for nonrenewal of or disciplinary action against the license.

History: Effective January 1, 2011; amended effective April 1, 2015; July 1, 2017; April 1, 2021; July 1, 2022; October 1, 2024; April 1, 2026.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.4, 43-51.1-03

20-04-01-09. Volunteer license.

1. The board may issue volunteer licenses to practice dental hygiene to applicants who were formerly licensed in North Dakota or who have active licenses issued by other states where the laws are at least substantially equivalent to those of this state if the applicants:
 - a. Have practiced for three of the five years immediately preceding the application;
 - b. Are determined by the board to be sufficiently experienced and qualified to provide volunteer dental hygiene care and will be supervised in the volunteer setting by a dentist who agrees to be responsible for ensuring the care provided by the applicant meets the minimum standards of professional competence; or
 - c. Are determined by the board to be qualified and satisfy the criteria specifies under North Dakota Century Code section 43-20-01.2
2. Applicants shall complete and submit an application form provided by the board including:
 - a. A current cardiopulmonary resuscitation course certificate.
 - b. A nonrefundable application fee.
 - c. Any documentation requested by the board related to the applicant's practice or disciplinary history.
3. A volunteer license:

- a. May only be used to provide primary health services without remuneration directly or indirectly in a board-approved setting.
- b. Must be renewed annually.
- c. May be limited, conditioned, or restricted by the board as to its scope, duration, or other criteria.

History: Effective October 1, 2024; April 1, 2026.

General Authority: NDCC 43-20-10

Law Implemented: NDCC 43-20-01.2, 43-20-01.3, 43-20-01.4, 43-20-01.5