

**DISTRICT OF  
COLUMBIA  
MUNICIPAL  
REGULATIONS  
for  
DENTAL  
HYGIENE**

## CHAPTER 43      DENTAL HYGIENE

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### **4300            GENERAL PROVISIONS**

4300.1            This chapter shall apply to applicants for and holders of a license to practice dental hygiene.

4300.2            Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 42 (Dentistry) of this title shall supplement this chapter.

### **4301            TERM OF LICENSE**

4301.1            Subject to § 4301.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of December 31<sup>st</sup> of each odd-numbered year.

4301.2            If the Director changes the renewal system pursuant to § 4006.3 of Chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

### **4302            EDUCATIONAL REQUIREMENTS**

4302.1            Except as otherwise provided in this subtitle, an applicant shall furnish proof satisfactory to the Board that the applicant has successfully completed an educational program in the practice of dental hygiene of at least two (2) academic years at an institution recognized by the Commission on Dental Accreditation of the American Dental Association (ADA) at the time the applicant graduated, in accordance with § 504(c) of the Act, D. C. Official Code § 3-1205.04(c) (2001).

4302.2            An applicant shall submit an official certificate of graduation in a sealed envelope from the educational institution to the Board with the completed application.

**4303 APPLICANTS EDUCATED IN FOREIGN COUNTRIES**

4303.1 The Board may grant a license to practice dental hygiene to an applicant who completed an educational program in a foreign country, other than the Dominion of Canada, which program is not recognized by the ADA, if the applicant:

- (a) Meets all requirements of this chapter except for § 4302.1; and
- (b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this subtitle and the Act and that the applicant is qualified to practice dental hygiene.

4303.2 An applicant under this section, in lieu of meeting the requirements of § 4302.1, shall do the following:

- (a) Submit to the Board an official transcript and a copy of the degree or diploma indicating that the applicant has completed a professional program in the field of dental hygiene in any country other than the United States or its territories, or the Dominion of Canada; and
- (b) Submit proof to the Board that the applicant has successfully completed the National Board of Dental Hygiene Examination.

4303.3 The Board may interview an applicant under this section to determine whether the applicant's education or training meets the requirements of the Act and this chapter.

4303.4 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

**4304 LICENSURE BY EXAMINATION**

4304.1 To qualify for a license by examination, an applicant shall:

- (a) Meet the education requirements set forth under § 4302.1 or § 4303 of this chapter; and
- (b) Receive a passing score on the following:
  - (1) The National Board of Dental Hygiene Examination;
  - (2) The Northeast Regional Board (NERB) examination; and
  - (3) The District of Columbia Dental Law Examination.

- 4304.2 To apply for a license by examination, an applicant shall:
- (a) Submit a completed application to the Board on the required forms and include:
    - (1) The applicant's social security number on the application; and
    - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2") which clearly expose the area from the top of the forehead to the bottom of the chin.
  - (b) Submit an official certificate of graduation in a sealed envelope from the educational institution(s) to the Board, which shall verify that the applicant meets the educational requirements set forth under § 4302.1 or 4303.1 of this chapter;
  - (c) Submit the applicant's examination results, which have been certified or validated by the NERB and the National Board of Dental Hygiene Examination;
  - (d) Pass the District of Columbia Dental Law Examination; and Pay all required fees; and
  - (e) Pay all required fees.

4304.3 The passing scores on the examinations shall be those established by the National Board of Dental Hygiene Examination and NERB on each test that forms a part of the examinations.

4304.4 An applicant who has successfully completed the NERB examination ten (10) or more years prior to the date of receipt by the Board of the application for licensure shall be required to retake the NERB examination, unless the applicant is applying for licensure by endorsement pursuant to § 4309 of this chapter

## **4305 DISTRICT OF COLUMBIA DENTAL LAW EXAMINATION**

4305.1 To qualify for a license under this chapter, all applicants without exception shall receive a passing score on a written examination developed by the Board on laws and rules pertaining to the practice of dentistry and dental hygiene (the District of Columbia Dental Law Examination)

4305.2 Repealed

4305.3 The District of Columbia Dental Law Examination may consist of questions on general District laws pertaining to dentistry and dental hygiene including the Act, this chapter, and chapters 40, 41, and 42 of this title.

**4306 CONTINUING EDUCATION REQUIREMENTS**

- 4306.1 Except as provided in § 4306.2, this section applies to applicants for the renewal, reactivation, or reinstatement of a license for a term expiring December 31, 2009.
- 4306.2 This section shall not apply to applicants for an initial license by examination or endorsement and shall not apply to applicants for the first renewal of a license granted by examination.
- 4306.3 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with § 4307.
- 4306.4 An applicant for renewal of a license shall submit proof pursuant to § 4306.7 of having completed fifteen (15) hours of approved continuing education credit, which shall include current CPR certification for healthcare providers at the basic level and two (2) hours of infection control training, obtained within the two (2) year period preceding the date the license expires.
- 4306.5 To qualify for a license, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11 (2001) who submits an application to reactivate a license shall submit proof pursuant to § 4306.7 of having completed fifteen (15) hours of approved continuing education credit, which shall include current CPR certification for healthcare providers at the basic level and two (2) hours of infection control training, obtained within the two (2) year period preceding the date of the application for reactivation of that applicant's license and an additional eight (8) hours of approved continuing education credit for each additional year that the applicant was in inactive status beginning with the third year.
- 4306.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof pursuant to § 4306.7 of having completed fifteen (15) hours of approved continuing education credit, which shall include current CPR certification for healthcare providers at the basic level and two (2) hours of infection control training, obtained within the two (2) year period preceding the date of the application for reinstatement of the applicant's license and an additional eight (8) hours of approved continuing education credit for each additional year that the license was expired beginning with the third year.
- 4306.7 An applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:
- (a) The name and address of the sponsor of the program;
  - (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
  - (c) The dates on which the applicant attended the program;

- (d) The hours of credit claimed; and
- (e) Verification by the sponsor of completion, by signature or stamp.

- 4306.8 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting this proof pursuant to § 4306.7 and by paying the required additional late fee.
- 4306.9 Upon submitting proof of having completed continuing education requirements and paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.
- 4306.10 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of applicant's license, the license shall be considered to have lapsed on the date of expiration.
- 4306.11 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause. As used in this section, "good cause" includes the following:
- (a) Serious and protracted illness of the applicant; and
  - (b) The death or serious and protracted illness of a member of the applicant's immediate family.
- 4306.12 Not more than eight (8) continuing education units ("CEUs") for approved internet continuing education courses may be accepted in any renewal period, or for reinstatement or reactivation of a license.
- 4306.13 Internet courses and programs shall not be used to satisfy the continuing education CPR certification requirement.

#### **4307 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES**

- 4307.1 The Board, in its discretion, may approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of dental hygiene and that meet the other requirements of this section.
- 4307.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of § 4307.3:
- (a) An undergraduate or graduate course given at an accredited college or university;

- (b) A seminar or workshop;
- (c) An educational program given at a conference; and
- (d) In-service training.

4307.3 To qualify for approval by the Board, a continuing education program shall do the following:

- (a) Be current in its subject matter;
- (b) Be developed and taught by qualified individuals; and
- (c) Meet one of the following requirements:
  - (1) Be administered or approved by a national, state, or local dentistry or dental hygiene organization recognized by the Board; health care organization; licensed health care facility; or a college or university that is accredited by an accrediting body recognized by the Secretary of the United States Department of Education or the Council on Postsecondary Accreditation; or
  - (2) Be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board.

4307.4 The Board may issue and update a list of approved continuing education programs.

4307.5 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program.

4307.6 The Board may approve the following continuing education activities by an applicant:

- (a) Serving as an instructor or speaker at a conference, seminar, workshop, or in-service training;
- (b) Publication of an article in a professional journal or publication of a book or a chapter in a book or publication of a book review in a professional journal or bulletin;
- (c) Serving as a clinical instructor for students of dental hygiene; and
- (d) Participation in research as a principal investigator or research assistant.

**4308 CONTINUING EDUCATION CREDITS**

- 4308.1 The Board may grant continuing education credit in whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.
- 4308.2 For approved undergraduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit..
- 4308.3 The Board may grant a maximum of seven (7) continuing education credits per year to an applicant who attends in-service education programs.
- 4308.4 The Board may grant credit to an applicant who serves as an instructor or speaker at an acceptable program for both preparation and presentation time, subject to the following restrictions:
- (a) The maximum amount of credit which may be granted for preparation time shall be twice the amount of the associated presentation time; and
  - (b) The maximum amount of credit which may be granted pursuant to this subsection shall be fifty percent (50%) of an applicant's continuing education requirement; and
  - (c) The presentation shall have been completed during the period for which credit is claimed.
- 4308.5 The Board may grant an applicant who is an author or editor of a published book fifteen (15) continuing education credits, if the book has been published or accepted for publication during the period for which credit is claimed, and the applicant submits proof of this fact in the application.
- 4308.6 The Board may grant an applicant who is an author of a published original paper five (5) continuing education credits, subject to the same restrictions set forth for books in § 4308.5.
- 4308.7 The Board may grant an applicant who is the sole author of a published book review, review paper, or abstract, two (2) continuing education credits, subject to the same restrictions set forth for books in § 4308.5.

**4309 LICENSURE BY ENDORSEMENT**

- 4309.1 An applicant is eligible to apply for licensure by endorsement in the District of Columbia if the applicant:
- (a) Meets the education requirements set forth under § 4302.1 or § 4303 of this chapter;
  - (b) Has successfully completed the National Board of Dental Hygiene Examination;

- (c) Is currently licensed, in good standing, to practice dental hygiene in another state of the United States; and
- (d) Has passed one of the following:
  - (1) The NERB examination;
  - (2) A regional board examination, other than the NERB examination, and meets the active practice requirement set forth in § 4309.3(f); or
  - (3) A state dental examination determined by the Board to be substantially equivalent, and meets the active practice requirements set forth in § 4309.3(f) of this chapter.

4309.2 An applicant, holding an active license to practice dental hygiene in any other U.S. state, who has passed the NERB examination, shall apply for licensure by endorsement as follows:

- (a) Submit a completed application to the Board on the required forms and include:
  - (1) The applicant's social security number on the application; and
  - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2") which clearly expose the area from the top of the forehead to the bottom of the chin.
- (b) Submit a copy of his or her current license with the application;
- (c) Obtain verification from each state in which the applicant holds or has ever held a professional health occupation license, that the license is current and in good standing, or if the license is no longer active, that it was in good standing immediately prior to its expiration. The licensure verification form shall be sent directly to the Board, by the verifying Board;
- (d) Submit the applicant's NERB examination results, which have been certified or validated by the NERB;
- (e) Submit the applicant's National Board of Dental Hygiene examination results, which have been certified or validated by the National Board of Dental Hygiene Examination;
- (f) Pass the District of Columbia Dental Law Examination; and
- (g) Pay all required fees.

4309.3 An applicant, holding an active license to practice dental hygiene in any other U.S. state, who has passed a regional board examination, other than the NERB examination, shall apply for licensure by endorsement as follows:

- (a) Submit a completed application to the Board on the required forms and include:
  - (1) The applicant's social security number on the application; and
  - (2) Two (2) recent passport-type photographs of the applicant's face measuring two inches by two inches (2" x 2") which clearly expose the area from the top of the forehead to the bottom of the chin.
- (b) Submit a copy of his or her current license with the application;
- (c) Obtain verification from each state in which the applicant holds or has ever held a professional health occupation license, that the license is current and in good standing, or if the license is no longer active, that it was in good standing immediately prior to its expiration. The licensure verification form must be sent directly to the Board, by the verifying Board;
- (d) Submit the applicant's regional board examination results, which have been certified or validated by the regional board;
- (e) Submit the applicant's National Board of Dental Hygiene examination results, which have been certified or validated by the National Board of Dental Hygiene Examination;
- (f) Submit evidence satisfactory to the Board establishing that the applicant has been actively engaged in the practice of dental hygiene in another U.S. state, in good standing, for the three (3) years immediately preceding the application, and has at least one hundred and fifty (150) hours of active dental hygiene practice. The practice of dental hygiene in the armed forces, state and federal programs, and intern and residency programs may be counted toward the required hours of active practice;
- (g) Pass the District of Columbia Dental Law Examination; and
- (h) Pay all required fees.

4309.4 In addition to the requirements set forth in this section, the Board may, in its discretion, require an applicant for licensure by endorsement to take and successfully complete a competency examination, or any portion thereof deemed necessary by the Board, as a prerequisite to licensure if the applicant's licensure in any state was ever denied, revoked, or suspended for incompetency or inability to practice in a safe manner.

4309.5 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.

4309.6 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify an applicant's current licensure standing in other

jurisdictions of the U.S. or to review disciplinary records.

## **4310 FUNCTIONS OF DENTAL HYGIENISTS**

4310.1 In accordance with 102(4) of the Act, D.C. Official Code § 3-1201.02(4) (2001), a dental hygienist may perform the following functions under the general supervision of a licensed dentist, in his or her office or any public school or institution rendering dental services:

- (a) A preliminary dental examination; a complete prophylaxis, including the removal of any deposits, diseased crevicular tissue, accretion, or stain from the surface of a tooth or a restoration; the polishing of a tooth or a restoration;
- (b) The charting of cavities during preliminary examination, prophylaxis, or polishing;
- (c) The application of a medicinal agent to a tooth for a prophylactic purpose;
- (d) The taking of a dental X-ray;
- (e) The instruction of individuals or groups of individuals in oral health care;
- (f) The application of pit and fissure sealants; and
- (g) The performing of a screening to identify indications of oral abnormalities.

4310.2 In addition to the functions listed in § 4310.1, a dental hygienist may perform the following functions under the direct supervision of a licensed dentist, as authorized by § 102(4)(A)(vi) of the Act, D.C. Official Code §3-1201.2 (4)(A)(vi) (2001):

- (a) Monitoring of nitrous oxide;
- (b) Administration of local anesthesia with board identified criteria and authorization;
- (c) Administration of nitrous oxide with board identified criteria and authorization;
- (d) Placement of periodontal dressings;
- (e) Placement of temporary restorations;
- (f) Removal of temporary restorations;
- (g) Removal of periodontal dressings;

- (h) Removal of sutures;
- (i) Taking of study cast impressions;
- (j) Placement and removal of rubber dams; and
- (k) Bleaching.

4310.3 A dental hygienist shall not perform the following functions:

- (a) Placement of sutures;
- (b) Application of cavity liners and bases;
- (c) Placement of amalgam restorations;
- (d) Carving amalgam restorations;
- (e) Finishing amalgam restorations;
- (f) Placement and finishing of composite resin/silicate restorations; and
- (g) Placement and removal of matrices; and
- (h) Any function that is defined as the practice of dentistry under the Act unless specifically authorized under this subchapter

4311 **ADMINISTRATION OF LOCAL ANESTHESIA AND NITROUS OXIDE BY DENTAL HYGIENISTS**

4311.1 A licensed dental hygienist authorized by the District of Columbia Board of Dentistry (“Board”) to administer local anesthesia or nitrous oxide pursuant to this section may administer local anesthesia or nitrous oxide in the District of Columbia.

4311.2 A licensed dental hygienist authorized by the Board to administer local anesthesia and nitrous oxide shall administer local anesthesia and nitrous oxide only under direct supervision of a dentist licensed under the Act.

4311.3 A licensed dental hygienist authorized by the Board to administer local anesthesia and nitrous oxide shall maintain current CPR certification for healthcare providers at the basic level. This training shall include use of either an automated external defibrillator or a defibrillator and electrocardiograph.

- 4311.4 An applicant for authorization to administer local anesthesia and nitrous oxide shall do the following:
- (a) Submit a completed application and pay the required fee;
  - (b) Submit a copy of a valid CPR certification for healthcare providers at the basic level; and
  - (c) Demonstrate to the satisfaction of the Board that he or she has:
    - (1) Applied for licensure under this chapter as a dental hygienist, or has been issued a license under this chapter as a dental hygienist;
    - (2) Satisfactorily completed a training program or course of study in a formal program in the administration of local anesthesia and nitrous oxide meeting the requirements set forth in § 4311.6; and
    - (3) Satisfactorily completed a written examination(s) in the administration of local anesthesia and nitrous oxide administered by the Northeast Regional Board of Dental Examiners (NERB), other regional board, state board, or any agency approved by the Board.
- 4311.5 An applicant who is authorized to administer local anesthesia and nitrous oxide in another state may apply for authorization to administer in the District by submitting the following:
- (a) A completed application and payment of the required fee;
  - (b) A copy of a valid CPR certification for healthcare providers at the basic level;
  - (c) Verification of his or her authorization to administer local anesthesia and nitrous oxide in the other state or jurisdiction; and
  - (d) Demonstrate to the satisfaction of the Board that he or she has:
    - (1) Applied for licensure under this chapter as a dental hygienist, or has been issued a license under this chapter as a dental hygienist;
    - (2) Satisfactorily completed a training program or course of study in a formal program in the administration of local anesthesia and nitrous oxide which is substantially similar to the training program requirements set forth in § 4311.7; and
    - (3) Satisfactorily completed a written examination(s), not more than ten (10) years prior to the date of the application, in the administration of local anesthesia and nitrous oxide administered by the Northeast Regional Board of Dental Examiners (NERB), other regional board, state board, or any agency recognized by the Board.

- 4311.6 The training program or course of study required in § 4311.4 shall meet the following requirements:
- (a) Be provided by a dental or dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association; or an entity certified by the American Dental Association Continuing Education Recognition Program (CERP) which;
  - (b) Consists of a minimum of twenty (20) didactic hours and twelve (12) clinical hours; and
  - (c) Has a curriculum that includes but is not limited to the following topics:
    - (1) Anatomy of head, neck and oral cavity;
    - (2) Nitrous oxide administration;
    - (3) Recordkeeping;
    - (4) Armamentarium exercise;
    - (5) Local anesthesia and nitrous oxide;
    - (6) Neurophysiology;
    - (7) Pharmacology of local anesthetics and nitrous oxide;
    - (8) Pharmacology of vasoconstrictors;
    - (9) Potential local and systematic complications;
    - (10) Recognition and management of post-injection complications and reactions to injections;
    - (11) Contraindications;
    - (12) Medical and dental history evaluation procedures including psychological evaluation;
    - (13) Proper infection control techniques and proper disposal of sharps; and
    - (14) Hands-on practice, under direct supervision, including at least three clinical experiences in each of the following:
      - (A) Basic injection techniques;
      - (B) Basic placement techniques;

- (C) Techniques of maxillary anesthesia;
- (D) Techniques of mandibular injections; and
- (E) Partner injections and partner administration of nitrous oxide;

## **4312 STANDARDS OF CONDUCT**

- 4312.1 A dental hygienist shall not accept or perform professional responsibilities which the dental hygienist knows or has reason to know that the dental hygienist is not competent to perform.
- 4312.2 A dental hygienist shall not willfully harass, abuse, or intimidate a patient either physically or verbally.
- 4312.3 Any holder of a license under this Chapter or any person authorized to practice dental hygiene under this Chapter shall comply with the Code of Ethics established by the American Dental Hygienists' Association as it may be amended or republished from time to time.

## **4399 DEFINITIONS**

- 4399.1 As used in this chapter, the following terms and phrases shall have the meanings ascribed:

**Applicant** – a person applying for a license to practice dental hygiene under this chapter.

**Board** – the Board of Dentistry, established by § 201 of the Act, D.C. Official Code § 3-1202.01 (2001).

**Dentist** – a person licensed to practice dentistry under the Act.

**Dental hygienist** – a person licensed to practice dental hygiene under the Act.

**Direct supervision** – supervision by a dentist who is in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the procedures, remains in the dental office or treatment facility while the procedures are being performed by the dental hygienist, and evaluates the performance of the dental hygienist before dismissal of the patient.

**General supervision** – supervision based on instructions given by a licensed dentist either in person or by a communications device, but not requiring the physical presence of the dentist on the premises at the time actions are performed.

**NERB**—North East Regional Board of Dental Examiners, Inc.

**NERB Examination**- the examination in dental hygiene offered by the North East Regional Board of Dental Examiners, Inc., or its successor.

**Regional Board-** the examination in dental hygiene offered by the North East Regional Board of Dental Examiners, Inc. or an equivalent national or regional clinical testing agency recognized by the Board.

4399.2           The definitions in § 4099 of Chapter 40 of this title are incorporated by reference and are made applicable to this chapter.