

RULE 1.13 BOARD REGULATION NUMBER 13--SUPERVISION AND DELEGATION OF DUTIES TO AUXILIARY PERSONNEL

Purpose: Pursuant to ~~the provisions of~~ Miss. Code Ann. §§ 73-9-3(i) and 73-9-5(2), and 73-9-13, to define dental auxiliaries, to define the type of supervision required for dental auxiliaries, and to further determine procedures which require the professional judgment and skill of a dentist and which, as such, may not be delegated to auxiliary personnel.

1. Supervision of Dental Auxiliaries

- ~~A. Miss. Code Ann. §§ 73-9-3(i) and 73-9-5(2) address areas of supervision of dental auxiliaries, and the following definitions apply to the supervision of dental auxiliaries: The work of dental assistants while working in the office of a regularly licensed dentist shall be under the direct supervision of the dentist. No licensed dental hygienist, under general supervision, may delegate or supervise any dental hygiene duties for a dental assistant.~~
- ~~B. The work of dental hygienists shall be under the direct supervision of the dentist, except as provided by and in conformity with this regulation.~~
- ~~C. Direct Supervision: Miss. Code Ann. §§ 73-9-3(i) and 73-9-5(2) state that the work of dental auxiliaries shall at all times be under the direct supervision of a licensed Mississippi dentist. This level of supervision of dental auxiliaries requires that a dentist be physically present in the dental office or treatment facility, personally diagnose the condition to be treated, authorize the procedures to be performed, remain in the dental office or treatment facility while the procedures are being performed by the auxiliary, and evaluate the performance of the dental auxiliary.~~
~~General Supervision of dental hygienists allows for treatment of patients of record according to a written treatment protocol in the dental office or treatment facility without the dentist physically present.~~
- ~~D.~~

2. General Supervision of Dental Hygienists

A. General Principles

- (1) A dental hygienist may work under the general supervision of a Mississippi licensed dentist only as authorized by Miss. Code Ann. § 73-9-5 and in conformity with the requirements herein.
- (2) A dental hygienist is authorized to practice under general supervision only in the following settings:
 - a. A dental office owned by a Mississippi licensed dentist or a group of Mississippi licensed dentists, or

b. In a setting operated by a nonprofit entity that meets the statutory, regulatory, and program requirements for grantees supported by the Public Health Service.

(3) The supervising dentist is responsible for all actions of the dental auxiliaries during treatment of patients under general supervision.

(4) A dental hygienist may not practice independently from a supervising dentist.

(5) A dental hygienist may not operate a practice primarily devoted to providing dental hygiene services.

B. A dental hygienist may only practice under general supervision upon obtaining a Registration to Practice under General Supervision from the Board and Authorization to Practice under General Supervision by a Supervising Dentist.

(1) Registration to Practice under General Supervision requires the following:

a. The dental hygienist must submit a complete application to the Board with payment of a one (1)-time \$25.00 registration fee.

b. The dental hygienist must submit to the Board verifiable documentation evidencing practice as a dental hygienist in Mississippi for a minimum of (5) years and a minimum of six thousand (6,000) hours.

(i) Affidavits by current and former employers that identify specific periods of the applicant's employment as a dental hygienist in Mississippi may be utilized to satisfy this practice requirement.

(ii) The Board may recognize employer affidavits evidencing the applicant's full-time employment as a dental hygienist in Mississippi over five (5) years as sufficient evidence of meeting this requirement

(iii) Unless otherwise indicated by the affiant, the Board shall consider one (1) year of full-time employment as a dental hygienist in Mississippi as equivalent to one thousand two hundred (1,200) hours.

(iv) Employer affidavits evidencing part-time employment should specifically identify the number of hours the applicant practiced during his or her employment as a dental hygienist in Mississippi.

c. The dental hygienist must submit evidence of current CPR certification, in compliance with Board Regulation 41.

d. The dental hygienist must submit evidence of completion within the previous twelve (12) months of three (3) hours of Board-

approved continuing dental education (CDE) focused on medical emergencies.

e. Upon the Board's verification of the dental hygienist meeting the requirements, the Board shall register the dental hygiene license as eligible to practice under the general supervision of a Mississippi licensed dentist.

f. Upon registration with the Board as eligible to practice under general supervision, the dental hygienist must obtain authorization to practice under general supervision from the supervising dentist.

(i) The dental hygienist may not practice under general supervision until he or she successfully registers with the Board and receives express authorization from the supervising dentist.

(ii) Express authorization by the supervising dentist shall be conferred to the dental hygienist exclusively through the Board's online licensure system.

(2) Authorization to Practice under General Supervision by a Supervising Dentist requires the following:

a. The supervising dentist must submit a complete application to the Board with payment of a \$25.00 registration fee for each dental hygienist he or she authorizes to practice under general supervision.

b. The supervising dentist may only authorize dental hygienists that are registered with the Board to practice under general supervision.

c. A supervising dentist may authorize no more than three (3) dental hygienists under general supervision at any time.

d. Express authorization by the supervising dentist shall be conferred to the dental hygienist exclusively through the Board's online licensure system.

C. Practice Considerations

(1) The supervising dentist shall establish written emergency protocols for general supervision, and the dental hygienist shall adhere to such protocols.

a. The emergency protocols shall be signed and dated by the supervising dentist and all dental hygienists practicing under his or her general supervision, indicating review of, the opportunity to ask questions, and agreement by all parties.

- b. A copy of the signed and dated emergency protocols shall be made available to Board representatives within twenty-four (24) hours of request by the Board.
- (2) The supervising dentist shall provide written treatment protocols for patients seen under general supervision, and the dental hygienist shall adhere to such protocols.
- (3) A dental hygienist may not administer nitrous oxide or local anesthesia under general supervision.
- (4) A dental hygienist may not treat a patient under general supervision:
 - a. That has not been examined by the supervising dentist within the previous seven (7) months or does not have a patient record;
 - b. Twice consecutively;
 - c. That is under eighteen (18) years of age; or
 - d. That has an American Society of Anesthesiologists (ASA) Physical Status Classification beyond ASA Class II.
- (5) Patients seen under general supervision must receive advance notification that the supervising dentist will not be present.
 - a. Such notification must be documented in the patient's record.
 - b. Advance notification cannot be same-day notification.
- (6) The practice of general supervision shall be restricted in the number of days practiced as follows.
 - a. The supervising dentist shall not:
 - (i) Permit the practice of dental hygiene under general supervision, unless and until the dental hygienist is registered with the Board to practice under general supervision and the supervising dentist authorizes the dental hygienist to practice under general supervision via the Board's online licensure system.
 - (ii) Supervise an individual dental hygienist under general supervision for more than twenty-four (24) total days per calendar year.
 - (iii) Practice general supervision for more than ten (10) consecutive business days, regardless of which dental hygienist(s) the supervising dentist supervises
 - b. The dental hygienist shall not:

- (i) Practice under general supervision for more than twenty-four (24) total days per calendar year, regardless of the specific supervising dentist.
- (ii) Practice under general supervision for more than ten (10) consecutive business days, regardless of the specific supervising dentist.

c. The practice of dental hygiene under general supervision for any period of time, no matter how brief, shall constitute one (1) full day of general supervision practice, as applied to both the supervising dentist and the dental hygienist.

d. The general supervision of up to three (3) dental hygienists by the same supervising dentist on the same day shall only constitute one (1) day of general supervision practice, as applied to both the supervising dentist and the dental hygienist(s).

~~A. General Supervision: Miss. Code Ann. § 73-9-5(2) provides for a limited scope of practice for dental hygienists employed by the Mississippi State Board of Health or public school boards who may be performing oral hygiene instruction and screening or making public demonstrations of dental hygiene for educational purposes, all while under the general supervision of a licensed Mississippi dentist. For this level of supervision and for the limits imposed by Miss. Code Ann. § 73-9-5(2), a dentist is not required to be in the dental office or treatment facility when procedures are being performed, and the dentist may or may not have personally diagnosed the condition to be treated, may or may not have personally authorized the procedures, and may or may not evaluate the performance of the dental hygienist. Furthermore, dental hygienists in the employ of the Mississippi State Board of Health may apply fluoride varnishes as part of any oral hygiene instruction and screening responsibilities while under the general supervision of a licensed Mississippi dentist.~~

2.3. Delegation of Duties to Dental Auxiliaries

The Board has determined that the following procedures may not be delegated to dental auxiliary personnel.

- A. Periodontal screening and probing, or subgingival exploration for hard and soft deposits and sulcular irrigations to dental assistants and/or dental hygienists not licensed by the State of Mississippi; may be performed by licensed Mississippi dental hygienists.
- B. The use of ultrasonic and/or sonic instruments to dental assistants and/or dental hygienists not licensed by the State of Mississippi; may be performed by licensed Mississippi dental hygienists.

- C. Pursuant to Miss. Code Ann. § 73-9-3, the removal of calcareous deposits with an instrument by anyone other than a licensed Mississippi dental hygienist.
- D. The taking of any impression of the human mouth or oral structure that will be used in the restoration, repair, or replacement of any natural or artificial teeth or for the fabrication or repair of any dental appliance. The Board has further determined that impressions for study models and opposing models, and the construction, adjustment, and cementation of temporary crowns (temporary means crowns placed while permanent restoration is being fabricated) do not require the professional judgment and skill of a dentist and may be delegated to competent dental auxiliary personnel in accordance with § 73-9-3.
- E. The placement, cementation, or final torquing of inlays, permanent crowns, fixed bridges, removable bridges, partial dentures, full dentures, or implant abutments.
- F. The equilibration or adjustment of occlusion on natural or artificial dentition, restoration, or sealants.
- G. The activation or adjustment of orthodontic appliances.
- H. Injections of drugs, medication, or anesthetics by those not authorized by Mississippi law and Rule 1.30 – Board Regulation 30 to administer such agents; except, a Mississippi licensed dental hygienist may administer local anesthetics under the supervision of a Mississippi licensed dentist physically on the premises, upon meeting the following conditions:
 - (1) The dental hygienist successfully completes an ADA CODA-accredited course in the administration of local anesthesia which includes didactic and clinical components covering block and infiltration techniques.
 - (2) The dental hygienist successfully completes an examination in local anesthesia administered by CDCA-WREB-CITA, or its successor examination, or other substantially equivalent state or regional examination as determined by the Board.
 - (3) The dental hygienist submits a complete application to the Board for certification to administer local anesthesia with payment of a \$50.00 initial certification fee. Renewal of the certification shall occur on a biennial basis concurrent with license renewal and shall be subject to the same conditions for renewal in Rule 1.37 – Board Regulation 37, subsection “1”. The fee for renewal shall be \$25.00.
 - (4) The Board issues the dental hygienist a certification to administer local anesthesia upon verification of the dental hygienist’s compliance with subsections “1” through “3” above.
 - (5) Administration of local anesthesia by the dental hygienist shall be documented in the patient’s record and include the following:
 - a. Name and amount of local anesthesia administered.
 - b. Date and time that local anesthesia was administered.
 - c. Name of the dental hygienist that administered the local anesthesia.

The authorization of the dental hygienist to administer local anesthesia shall not be interpreted to expand and/or amend the dental hygienist's scope of practice defined in Miss. Code Ann. § 73-9-5.

- I. Performing pulp capping, pulpotomy and other endodontic therapy.
- J. Intraoral restorative procedures.
- K. Placement of any subgingival medicated cords. However, the placement of periodontal treatment agents may be performed by licensed Mississippi dental hygienists.

History: *Regulation Thirteen adopted by the Mississippi State Board of Dental Examiners on September 9, 1976; amended December 17, 1976; amended April 27, 1977; amended September 4, 1988; amended September 25, 1992; amended June 1, 1993; amended July 30, 1993; amended March 8, 1996; amended September 18, 1998; amended October 22, 1999; amended November 3, 2000; amended September 13, 2002; amended November 3, 2006; amended June 22, 2007; amended October 19, 2007; amended August 19, 2011; amended January 13, 2023; amended June 13, 2025.-*

Source: Miss. Code Ann. §§ 73-9-13, 17