

3100.8400 ASSISTANTS WITHOUT A LICENSE.

Subpart 1. **Procedures under personal supervision.** An assistant without a license may perform the following supportive procedures if the dentist or dental therapist is personally treating a patient and concurrently authorizes the assistant without a license to aid in treatment:

- A. retract a patient's cheek, tongue, or other parts of tissue during a dental operation;
- B. assist with the placement or removal of devices or materials for isolation purposes as directed by the dentist or dental therapist during dental treatment;
- C. remove debris or water that is created during treatment rendered by a dentist or dental therapist using suction devices; and
- D. provide any assistance, including the placement of articles and topical medication in a patient's oral cavity during dental treatment.

Subp. 1a. **Procedures under general supervision.** An assistant without a license may apply fluoride varnish without the dentist or physician being present in the dental office or facility or on the premises if the licensed practitioner with prescribing authority has prior knowledge of and has consented to the procedure being performed and maintains appropriate patient records of the treatment.

Subp. 1b. **Procedures under direct supervision.** An assistant without a license may perform the following services if a dentist or dental therapist is in the dental office, personally authorizes the procedure, and evaluates the performance of the assistant before dismissing the patient:

- A. take digital impressions;
- B. take photographs extraorally or intraorally; and
- C. aid dental hygienists and licensed dental assistants in the performance of their delegated procedures defined in parts 3100.8500 and 3100.8700.

Subp. 1c. **Compliance with minimal requirements.** The dentist is responsible for ensuring that any assistant working under the dentist's or dental therapist's supervision pursuant to subparts 1 to 1b:

- A. completes a CPR certification course and maintains current CPR certification thereafter; and
- B. complies with the most current infection control practices for a dental setting.

Subp. 2. [Repealed, 10 SR 1612]

Subp. 3. **Other procedures prohibited.** An assistant must not perform any dental treatment or procedure on patients not otherwise authorized by this chapter.

Statutory Authority: *MS s 150A.04; 150A.06; 150A.08; 150A.10; 150A.11; 214.15; 319A.18*

History: *10 SR 1612; 20 SR 2316; 35 SR 459; 37 SR 1849; 46 SR 908; 48 SR 1089*

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