

Is it permissible for a dental hygienist to contract directly with a nursing home to provide diagnostic, preventative, therapeutic, and educational services to residents - Advisory Opinion.

There is nothing in the Dental Practice Act that prohibits such a contract. It is the opinion of the Board of Dentistry (“Board”) that if a dental hygienist is holding himself/herself out as a hygienist performing any diagnostic, therapeutic, preventative, or related educational services as outlined above, they are authorized to do so only under a collaborative agreement with a dentist pursuant to SDCL §§ 36-6A-40 and 36-6A-40.1 and in accordance with ARSD 20:43:10. To provide dental services without the appropriate level of oversight as required by the statute and rules would be a violation of the Dental Practice Act.

It is the responsibility of the hygienist along with the collaborating dentist to obtain verification that the client has been seen by a licensed dentist or has had an oral health review within the last 13 months as outlined in ARSD 20:43:04(c). This verification shall be obtained via licensee to licensee contact and with the information documented in the patient’s record.

This advisory opinion was rendered by the Board upon submission of a written request. Although advisory opinions are not judicially reviewable and do not have the force and effect of law, they do serve as a guideline for dental hygienists who wish to engage in safe dental hygiene practices. This advisory opinion was adopted at the meeting of the South Dakota Board of Dentistry on June 20, 2017.