

1       **20:43:03:07. Continuing education requirements -- Dentists.** A dentist shall complete at  
2 least 100 hours of board-approved continuing education in each five-year licensure cycle. One  
3 hour of continuing education may be earned for each hour of attendance at a board-approved  
4 continuing education course.

5       Fifty hours of the required 100 hours must be academic. Academic hours must directly  
6 relate to the provision of clinical dental services and meet one of the following criteria:

7       (1) The course must be taken physically at a dental school accredited by the American  
8 Dental Association Commission on Dental Accreditation;

9       (2) The course presenter ~~must~~ shall be affiliated with a dental school accredited by the  
10 American Dental Association Commission on Dental Accreditation;

11       (3) The provider organization ~~must~~ shall be approved by the American Dental Association  
12 Continuing Education Recognition Program; or

13       (4) The provider organization ~~must~~ shall be approved by the Academy of General  
14 Dentistry Program Approval For Continuing Education.

15       Credit for nutrition continuing education is limited to 15 hours per five-year licensure  
16 cycle. Credit for practice management continuing education is limited to ~~10~~ ten hours per five-  
17 year licensure cycle. Credit for home study continuing education is limited to 30 hours per five-  
18 year licensure cycle. Credit for cardiopulmonary resuscitation continuing education is limited to  
19 15 hours per five-year licensure cycle. Credit for clinical continuing education is unlimited per  
20 five-year licensure cycle. Up to five hours of clinical continuing education may be earned for  
21 attendance at exhibits at a state, regional, or national dental conference.

1 Dentists holding a general anesthesia and deep sedation ~~or~~ moderate sedation, or host  
2 permit must complete an additional 25 hours of continuing education in anesthesia-related topics  
3 per five-year licensure cycle.

4 The board's continuing education guidelines shall be reviewed annually.

5 **Source:** SL 1975, ch 16, § 1; 5 SDR 68, effective February 13, 1979; 6 SDR 87, effective  
6 March 2, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 13 SDR 23, effective  
7 September 3, 1986; 18 SDR 132, effective February 17, 1992; 20 SDR 166, effective April 11,  
8 1994; 26 SDR 37, effective September 20, 1999; 35 SDR 67, effective September 25, 2008; 37  
9 SDR 131, effective January 6, 2011; 38 SDR 172, effective April 25, 2012; 45 SDR 35, effective  
10 September 19, 2018.

11 **General Authority:** SDCL 36-6A-14(1)(3)(11)(14)(20), ~~36-6A-55~~.

12 **Law Implemented:** SDCL 36-6A-14(1)(3)(11)(13)(22), 36-6A-55.

## 13 **CHAPTER 20:43:09**

### 14 **ANESTHESIA AND ANALGESIA**

#### 15 Section

16 20:43:09:01 Definitions.

17 20:43:09:02 Prohibitions.

18 20:43:09:03 General anesthesia and deep sedation permit requirements.

19 20:43:09:04 Moderate sedation permit requirements.

20 20:43:09:04.01 Employing or contracting with licensed anesthesia provider that provides  
21 general anesthesia, deep sedation, or moderate sedation in dental office.

22 20:43:09:04.02 Utilizing licensed anesthesia provider for general anesthesia and deep sedation  
23 or moderate sedation in ambulatory surgery center or hospital.

- 1 20:43:09:04.03 Moderate sedation course requirements.
- 2 20:43:09:04.04 Host permit requirements.
- 3 20:43:09:04.05 Host course requirements.
- 4 20:43:09:04.06 Anesthesia or sedation education -- Other.
- 5 20:43:09:05 Nitrous oxide ~~inhalation~~ sedation and analgesia permit requirements -- Dentists.
- 6 20:43:09:06 Nitrous oxide ~~inhalation~~ sedation and analgesia permit requirements -- Dental
- 7 hygienists and registered dental assistants.
- 8 20:43:09:06.01 Local anesthesia permit requirements -- Dental hygienists.
- 9 20:43:09:06.02 Minimal sedation.
- 10 20:43:09:07 Noncompliance.
- 11 20:43:09:08 Application for permits -- Renewal.
- 12 20:43:09:09 Reports of adverse conditions.
- 13 20:43:09:10 Permit requirements to monitor patients under general anesthesia, deep
- 14 sedation, or moderate sedation.
- 15 20:43:09:10.01 Delegation of injection of medication.
- 16 20:43:09:10.02 Injecting medication.
- 17 20:43:09:11 Inspection ~~of facilities~~.
- 18 20:43:09:12 Requirements of inspection.
- 19 20:43:09:13 Equipment -- Moderate sedation.
- 20 20:43:09:13.01 Equipment -- General anesthesia and deep sedation.
- 21 20:43:09:14 Clinical guidelines.
- 22 20:43:09:15 Intravenous line.
- 23 20:43:09:16 Anesthesia credentials committee.

1 20:43:09:17 Emergency response protocol.

2 **20:43:09:01. Definitions.** Terms As used in this chapter mean:

3 (1) ~~"Minimal sedation," a minimally depressed level of consciousness, produced by a single~~  
4 ~~enteral drug administered in a dose appropriate for the unsupervised treatment of anxiety,~~  
5 ~~insomnia, or pain that does not exceed the maximum recommended dose. Incremental dosing may~~  
6 ~~be utilized. Patient retains the ability to independently and continuously maintain an airway and~~  
7 ~~respond normally to tactile stimulation and verbal command. Although cognitive function and~~  
8 ~~coordination may be modestly impaired, ventilatory and cardiovascular functions are unaffected;~~

9 ~~—— (2) "Nitrous oxide inhalation analgesia," the administration by inhalation of a combination~~  
10 ~~of nitrous oxide and oxygen producing an altered level of consciousness that retains the patient's~~  
11 ~~ability to independently and continuously maintain an airway and respond purposefully to physical~~  
12 ~~or verbal command;~~

13 ~~—— (3) "Moderate sedation," a drug induced depression of consciousness during which patients~~  
14 ~~respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation.~~  
15 ~~Reflex withdrawal from a painful stimulus is not considered a purposeful response. No~~  
16 ~~interventions are required to maintain a patent airway and spontaneous ventilation is adequate.~~  
17 ~~Cardiovascular function is usually maintained. Moderate sedation can be administered either orally~~  
18 ~~or parenterally;~~

19 ~~—— (4) "Deep sedation," a drug induced depression of consciousness during which patients~~  
20 ~~cannot be easily aroused but respond purposefully following repeated or painful stimulation. The~~  
21 ~~ability to maintain ventilatory function independently may be impaired. Reflex withdrawal from a~~  
22 ~~painful stimulus is not considered a purposeful response. Patients may require assistance in~~

1 ~~maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular~~  
2 ~~function is usually maintained;~~

3 ~~—— (5) "General anesthesia," a drug-induced loss of consciousness during which patients are~~  
4 ~~not arousable, even by painful stimulation. The ability to maintain ventilatory function~~  
5 ~~independently is often impaired. Patients frequently require assistance maintaining a patent airway,~~  
6 ~~and positive pressure ventilation may be required because of depressed spontaneous ventilation or~~  
7 ~~drug-induced depression of neuromuscular function. Cardiovascular function may be impaired;~~

8 ~~—— (6) "Incremental dosing," administration of multiple doses of a drug until a desired effect is~~  
9 ~~reached;~~

10 ~~—— (7) "Maximum recommended dose," maximum FDA recommended dose of a drug, as~~  
11 ~~printed in FDA-approved labeling for unmonitored home use;~~

12 ~~—— (8) "Accredited," a program accredited by the American Dental Association Commission~~  
13 ~~on Dental Accreditation.~~

14 (1) "Accredited" means a program accredited by the American Dental Association  
15 Commission on Dental Accreditation;

16 (2) "Deep sedation" means a drug-induced depression of consciousness during which  
17 patients cannot be easily aroused but respond purposefully following repeated or painful  
18 stimulation. The ability to independently maintain ventilatory function may be impaired. Patients  
19 may require assistance in maintaining a patent airway, and spontaneous ventilation may be  
20 inadequate. Cardiovascular function is usually maintained;

21 (3) "General anesthesia" means a drug-induced loss of consciousness during which patients  
22 are not arousable, even by painful stimulation. The ability to independently maintain ventilatory  
23 function is often impaired. Patients often require assistance in maintaining a patent airway, and

1 positive pressure ventilation may be required because of depressed spontaneous ventilation or  
2 drug-induced depression of neuromuscular function. Cardiovascular function may be impaired;

3 (4) "Incremental dosing" means administration of multiple doses of a drug until a desired  
4 effect is reached but not to exceed the maximum recommended dose;

5 (5) "Maximum recommended dose" means the maximum U.S. Food and Drug  
6 Administration recommended dose of a drug, as printed in U.S. Food and Drug Administration  
7 approved labeling for unmonitored home use;

8 (6) "Minimal sedation" means a minimally depressed level of consciousness, produced by  
9 a pharmacological method, that retains the patient's ability to independently and continuously  
10 maintain an airway and respond normally to tactile stimulation and verbal command. Although  
11 cognitive function and coordination may be modestly impaired, ventilatory and cardiovascular  
12 functions are unaffected;

13 (7) "Moderate sedation" means a drug-induced depression of consciousness during which  
14 patients respond purposefully to verbal commands, either alone or accompanied by light tactile  
15 stimulation. Reflex withdrawal from a painful stimulus is not considered a purposeful response.  
16 No interventions are required to maintain a patent airway and spontaneous ventilation is adequate.  
17 Cardiovascular function is usually maintained; and

18 (8) "Nitrous oxide sedation and analgesia" means the administration, by inhalation, of a  
19 combination of nitrous oxide and oxygen producing a minimally depressed level of consciousness  
20 that retains the patient's ability to independently and continuously maintain an airway and respond  
21 normally to tactile stimulation and verbal command.

1           **Source:** 9 SDR 49, effective October 25, 1982; 12 SDR 151, 12 SDR 155, effective July 1,  
2 1986; transferred from §§ 20:43:04:08 and 20:43:04:10, 19 SDR 32, effective September 6, 1992;  
3 37 SDR 131, effective January 6, 2011.

4           **General Authority:** SDCL 36-6A-14(1)(20).

5           **Law Implemented:** SDCL 36-6A-14(1)(13)(14)(22).

6           **20:43:09:02. Prohibitions.** A dentist licensed in this state may not administer general  
7 anesthesia and deep sedation, moderate sedation, or nitrous oxide ~~inhalation~~ sedation and  
8 analgesia unless the dentist has obtained the permit required in § 20:43:09:03, 20:43:09:04, or  
9 20:43:09:05.

10           Any dentist who advertises sedation using terms other than minimal sedation or nitrous  
11 oxide ~~inhalation~~ sedation and analgesic must have a general anesthesia and deep sedation ~~or,~~  
12 moderate sedation, or host permit.

13           **Source:** 19 SDR 32, effective September 6, 1992; 37 SDR 131, effective January 6, 2011.

14           **General Authority:** SDCL 36-6A-14(1)(20).

15           **Law Implemented:** SDCL 36-6A-14(1)(13)(14)(22), ~~36-6A-16.~~

16           **20:43:09:03. General anesthesia and deep sedation permit requirements.** The board  
17 may issue a permit to a licensed dentist to ~~use~~ administer general anesthesia and deep sedation  
18 ~~for~~ to dental patients on an outpatient basis if the dentist ~~meets the following requirements:~~

19           (1) Has successfully completed an accredited advanced dental education residency  
20 program in oral and maxillofacial surgery or dental anesthesiology that provides comprehensive  
21 and appropriate training necessary to administer general anesthesia or deep sedation ~~as evidenced~~  
22 ~~by:~~

23           — (a) Designation as a diplomate of the American Board of Oral and Maxillofacial  
24 Surgery;

1 ~~———— (b) Designation as a member of the American Association of Oral and Maxillofacial~~  
2 ~~Surgeons;~~

3 ~~———— (c) Designation as a fellow of the American Dental Society of Anesthesiology;~~

4 ~~———— (d) Completion of an accredited residency in oral and maxillofacial surgery; or~~

5 ~~———— (e) Completion of an accredited residency in dental anesthesiology;~~

6 . If the residency was completed more than 12 months before application for a permit, the  
7 applicant shall also:

8 (A) Hold a permit to administer general anesthesia and deep sedation, or an equivalent  
9 permit, in another state and have completed a minimum of 50 general anesthesia or deep sedation  
10 cases in the 12 months before application; or

11 (B) Undergo a review by the board of the applicant’s recent training and experience and  
12 complete supplemental training, education, evaluation, or remediation required by the board.

13 The applicant shall pay all costs of the training, education, evaluation, remediation, and  
14 proceedings;

15 (2) ~~Meets-Has met~~ the requirements ~~of~~ outlined in §§ 20:43:09:12 and 20:43:09:13.01;  
16 and

17 (3) Is certified in administering ~~advanced cardiovascular life support~~ Advanced  
18 Cardiovascular Life Support by the American Heart Association or an equivalent program  
19 approved by the board and, if providing general anesthesia or deep sedation to a patient under 12  
20 years, is certified in Pediatric Advanced Life Support by the American Heart Association or an  
21 equivalent program approved by the board; ~~and~~

22 ~~———— (4) Employs auxiliary personnel who hold a permit to monitor patients under general~~  
23 ~~anesthesia, deep sedation, or moderate sedation. \_\_\_\_\_~~



1 \_\_\_\_\_ A dentist with a general anesthesia and deep sedation permit may not administer general  
2 anesthesia or deep sedation ~~or monitor a patient~~ without the presence and assistance of ~~qualified~~  
3 ~~auxiliary personnel~~ at least two individuals who hold a permit to monitor patients under general  
4 anesthesia, deep sedation, or moderate sedation, or are otherwise authorized by law to monitor  
5 patients under general anesthesia, deep sedation, or moderate sedation.

6 A dentist administering general anesthesia or deep sedation shall be proficient in airway  
7 management and advanced cardiac life support; shall be capable of providing intravenous access;  
8 shall continuously evaluate the patient's blood pressure, pulse, respiratory function and cardiac  
9 activity; and shall apply the current standard of care to continuously monitor and evaluate the  
10 patient's blood pressure, pulse, respiratory function, and cardiac activity.

11 A general anesthesia and deep sedation permit ~~precludes the need for~~ incorporates the  
12 authority granted by a moderate sedation or permit, a nitrous oxide ~~inhalation~~ sedation and  
13 analgesia permit, and a host permit.

14 **Source:** 9 SDR 49, effective October 25, 1982; 12 SDR 151, 12 SDR 155, effective July  
15 1, 1986; transferred from § 20:43:04:08, 19 SDR 32, effective September 6, 1992; 26 SDR 37,  
16 effective September 20, 1999; 37 SDR 131, effective January 6, 2011; 42 SDR 83, effective  
17 December 3, 2015.

18 **General Authority:** SDCL 36-6A-14(1)(3)(13)(14)(20).

19 **Law Implemented:** SDCL 36-6A-14(1)(3)(13)(14)(22).

20 **20:43:09:04. Moderate sedation permit requirements.** The board may issue a permit to  
21 a licensed dentist to ~~use~~ administer moderate sedation for to dental patients 12 years and older on  
22 an outpatient basis if the dentist meets the following requirements:

1 (1) Has successfully completed a board-approved moderate sedation course that meets  
2 the objectives and content as described in Part 5 of the Guidelines for Teaching Pain Control and  
3 Sedation to Dentists and Dental Students. A board-approved course must include a minimum of  
4 60 hours of instruction plus management of at least 20 patients and clinical experience in  
5 management of the compromised airway and establishment of intravenous access; approved by  
6 the board pursuant to § 20:43:09:04.03. If the course was completed more than 12 months  
7 before application, the applicant shall also:

8 (A) Hold a permit to administer moderate sedation, or an equivalent permit, in another  
9 state and have completed a minimum of 12 moderate sedation cases in the 12 months before  
10 application; or

11 (B) Undergo a review by the board of the applicant's recent training and experience and  
12 complete supplemental training, education, evaluation, or remediation required by the board.  
13 The applicant shall pay all costs of the training, education, evaluation, remediation, and  
14 associated proceedings;

15 (2) ~~Meets~~ Has met the requirements outlined in §§ 20:43:09:12 and 20:43:09:13; and

16 (3) ~~Is certified in administering advanced cardiovascular life support~~ Advanced  
17 Cardiovascular Life Support by the American Heart Association or an equivalent program  
18 approved by the board; ~~and~~

19 ~~— (4) Employs auxiliary personnel who hold a permit to monitor patients under general~~  
20 ~~anesthesia, deep sedation, or moderate sedation. \_\_\_\_\_~~

21 ~~\_\_\_\_\_ A dentist with a moderate sedation permit may not administer moderate sedation or~~  
22 ~~monitor a patient without the presence and assistance of qualified auxiliary personnel at least one~~  
23 ~~individual who holds a permit to monitor patients under general anesthesia, deep sedation, or~~

1 moderate sedation, or is otherwise authorized by law to monitor patients under general  
2 anesthesia, deep sedation, or moderate sedation.

3 ~~A dentist using a parenteral route of administration must limit the use of pharmacological~~  
4 ~~agents to those for which there are reversal agents~~ administering moderate sedation may not use  
5 general anesthetics; shall be proficient in airway management and advanced cardiac life support;  
6 shall be capable of providing intravenous access; shall continuously evaluate the patient's blood  
7 pressure, pulse, respiratory function, and cardiac activity; and shall apply the current standard of  
8 care.

9 ~~A dentist providing that meets the requirements of this section may only be authorized by~~  
10 ~~the board to administer moderate sedation to a child under 12 years of age must also document~~  
11 ~~appropriate training in pediatric sedation techniques, according to the Guidelines for Monitoring~~  
12 ~~and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic~~  
13 ~~Procedures, and in pediatric resuscitation, including the recognition and management of pediatric~~  
14 ~~airway and respiratory problems and must sign an affidavit certifying that the dentist understands~~  
15 ~~the requirements of the Guidelines for Monitoring and Management of Pediatric Patients During~~  
16 ~~and After Sedation for Diagnostic and Therapeutic Procedures- if the dentist has successfully~~  
17 completed an accredited advanced dental education residency program that provides  
18 comprehensive and appropriate training necessary to administer and manage pediatric moderate  
19 sedation and is certified in Pediatric Advanced Life Support by the American Heart Association  
20 or an equivalent program approved by the board. A dentist that does not meet these  
21 requirements by June 30, 2022, may not administer moderate sedation to a child under 12 years.

22 ~~A dentist using moderate sedation must adhere to the standards of the Guidelines for the~~  
23 ~~Use of Sedation and General Anesthesia by Dentists.~~\_\_\_\_\_

1 ~~\_\_\_\_\_ A dentist intending to produce a given level of sedation must~~ who administers moderate  
2 sedation shall maintain a margin of safety and a level of consciousness in the patient that does  
3 not approach general anesthesia or deep sedation and shall be able to rescue a patient whose level  
4 of sedation becomes deeper than initially intended. ~~A dentist using moderate sedation must be~~  
5 ~~proficient in airway management and advanced life support and capable of providing intravenous~~  
6 ~~access. A dentist using moderate sedation shall apply the current standard of care to continuously~~  
7 ~~monitor and evaluate the patient's blood pressure, pulse, respiratory function, and cardiac~~  
8 ~~activity.~~\_\_\_\_\_

9 \_\_\_\_\_If moderate sedation results in a general anesthetic state, the requirements outlined in  
10 § 20:43:09:03 for general anesthesia and deep sedation apply.

11 A moderate sedation permit ~~precludes the need for~~ incorporates the authority granted in a  
12 nitrous oxide ~~inhalation~~ sedation and analgesia permit and host permit. A dentist that holds a  
13 moderate sedation permit and utilizes a licensed anesthesia provider to administer general  
14 anesthesia, deep sedation, or moderate sedation to a patient under 12 years shall also be certified  
15 in Pediatric Advanced Life Support by the American Heart Association or an equivalent program  
16 approved by the board.

17 **Source:** 9 SDR 49, effective October 25, 1982; 12 SDR 151, 12 SDR 155, effective July  
18 1, 1986; transferred from § 20:43:04:11, 19 SDR 32, effective September 6, 1992; 37 SDR 131,  
19 effective January 6, 2011; 42 SDR 83, effective December 3, 2015.

20 **General Authority:** SDCL 36-6A-14(1)(3)(13)(14)(20).

21 **Law Implemented:** SDCL 36-6A-14(1)(3)(13)(14)(22).

22 \_\_\_\_\_**References:** "~~Guidelines for Teaching Pain Control and Sedation to Dentists and Dental~~  
23 ~~Students,~~" 2012 Edition, American Dental Association. ~~Copies may be obtained from the~~

1 American Dental Association at [www.ada.org](http://www.ada.org) free of charge. "Guidelines for the use of Sedation  
2 and General Anesthesia by Dentists," 2012 Edition, American Dental Association. Copies may  
3 be obtained from the American Dental Association at [www.ada.org](http://www.ada.org) free of charge. "Guidelines  
4 for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic  
5 and Therapeutic Procedures: An Update," 2011 Edition, American Academy of Pediatrics.  
6 Copies may be obtained from the American Academy of Pediatrics at [www.aapd.org](http://www.aapd.org) free of  
7 charge.

8 **20:43:09:04.01. Employing or contracting with licensed anesthesia provider that**  
9 **provides general anesthesia, deep sedation, or moderate sedation in dental office.** If a A  
10 dentist ~~employs or contracts with~~ that holds a general anesthesia and deep sedation, moderate  
11 sedation, or host permit and utilizes a licensed anesthesia provider that provides to administer  
12 general anesthesia, deep sedation, or moderate sedation for dental patients in a dental office or  
13 facility on an outpatient basis ~~the dentist must~~ to a dental patient on whom the dentist is  
14 performing a dental procedure shall:

15 (1) Have a written contract or written agreement with the licensed anesthesia provider  
16 ~~stating that the licensed anesthesia provider must~~ that outlines the appropriate roles and  
17 responsibilities of the dentist, licensed anesthesia provider, and clinical staff, for the  
18 administration of sedation or anesthesia, that shall include requirements that the licensed  
19 anesthesia provider:

20 (A) Collaborate with the dentist on patient selection based on clearly defined patient  
21 selection criteria;

22 (B) Be continuously be present during the administration of the anesthetic and remain;

23 (C) Remain with the patient until the patient is communicating effectively;

1            (D) Transfer care of the patient to an individual who holds a permit to monitor patients  
2 under general anesthesia, deep sedation, or moderate sedation, or is otherwise authorized by law  
3 to monitor patients under general anesthesia, deep sedation, or moderate sedation; and

4            (E) Remain on the premises of the facility where the anesthesia was administered until  
5 the anesthetized patient is fully recovered and discharged from the facility to a responsible adult;

6            (2) Notify the board ~~that~~ of the location of any dental office or facility where general  
7 anesthesia, deep sedation, or moderate sedation services are being ~~are being~~ will be provided ~~and the~~  
8 ~~location of the facility where such services are being provided;~~

9            (3) ~~Employ~~ Ensure the availability of auxiliary personnel that are certified in  
10 administering basic life support by the American Heart Association for the Healthcare Provider,  
11 the American Red Cross for the Professional Rescuer, or an equivalent program approved by the  
12 board;

13            (4) ~~Meet the equipment~~ Verify that the requirements for the level of anesthesia or sedation  
14 being provided, as required in § 20:43:09:13 or 20:43:09:13.01, are satisfied;

15            (5) Hold a general anesthesia and deep sedation, moderate sedation, or host permit and  
16 have completed the inspection, as required in § 20:43:09:12;

17            (6) Ensure that the licensed anesthesia provider holds a license in good standing in South  
18 Dakota; ~~and~~

19            (7) ~~Ensure that the licensed anesthesia provider holds anesthesia privileges at a licensed~~  
20 ~~ambulatory surgery center or licensed hospital.~~ Ensure that the licensed anesthesia provider's  
21 qualifications and competency to deliver the necessary sedation or anesthesia services have been  
22 meaningfully verified; and

1           (8) Ensure that the licensed anesthesia provider is not administering general anesthesia and  
2 deep sedation without the presence and assistance of at least one individual, other than the dentist  
3 completing the dental procedure, who holds a permit to monitor patients under general  
4 anesthesia, deep sedation, or moderate sedation, or is otherwise authorized by law to monitor  
5 patients under general anesthesia and deep sedation.

6           **Source:** 37 SDR 131, effective January 6, 2011; 42 SDR 83, effective December 3, 2015.

7           **General Authority:** SDCL 36-6A-14~~(1)(13)(14)~~(20).

8           **Law Implemented:** SDCL 36-6A-14(1)(13)(14)(22).

9           **20:43:09:04.02. Utilizing licensed anesthesia provider for general anesthesia and**  
10 **deep sedation or moderate sedation in ambulatory surgery center or hospital.** No permit is  
11 required if a dentist utilizes the services of a licensed anesthesia provider for dental patients in ~~an~~  
12 a licensed ambulatory surgery center or hospital.

13           **Source:** 37 SDR 131, effective January 6, 2011.

14           **General Authority:** SDCL 36-6A-14~~(1)~~(20).

15           **Law Implemented:** SDCL 36-6A-14~~(1)(13)(22)~~, ~~36-6A-16~~.

16           **20:43:09:04.03. Moderate sedation course requirements.** The board may approve a  
17 moderate sedation training course as referenced in subdivision 20:43:09:04(1) if the course meets  
18 the following requirements:

19           (1) The course satisfies all objectives and content as described in Part 5 of the Guidelines  
20 for Teaching Pain Control and Sedation to Dentists and Dental Students;

21           (2) The course includes a minimum of 60 clock hours of coursework that is provided  
22 through didactic instruction;

1           (3) The course includes the administration of moderate parenteral sedation via the  
2 intravenous route to at least 20 individually managed live patients of the appropriate age. The  
3 course participant must be listed on the anesthesia record, administer the drugs, and document  
4 the administration and physiologic findings on the anesthesia record;

5           (4) The course includes clinical experience in the management of the compromised  
6 airway and establishment of intravenous access;

7           (5) The course is directed by a dentist or physician qualified by experience and training,  
8 including the following:

9                   (A) The course director has not been disciplined for conduct that, in the opinion of  
10 the board, would jeopardize the safety of the public or patients;

11                   (B) The course director holds a current permit or license to administer general  
12 anesthesia and deep sedation or moderate sedation in at least one state; and

13                   (C) The course director has at least three years of experience administering general  
14 anesthesia and deep sedation or moderate sedation, including formal postdoctoral  
15 residency training in anxiety and pain control;

16           (6) The course has a clinical participant-faculty ratio of not more than four-to-one;

17           (7) The course includes a mechanism for the course participant to evaluate the  
18 performance of individuals presenting the course material, a summary of which is maintained  
19 and available for review;

20           (8) The course provides additional clinical experience if the course participant has not  
21 achieved competency within the time allotted for the course; and

22           (9) The course director certifies the competency of a course participant in each moderate  
23 sedation technique, including instruction, clinical experience, managing the airway, intravascular



1 or intraosseous access, and reversal drugs, before the course participant is issued documentation  
2 verifying successful completion of the course.

3 The board shall conduct a review of moderate sedation courses annually and may only  
4 approve courses that have submitted documentation necessary to verify that the course  
5 requirements outlined in this section have been met. A course director may be required to  
6 participate in an interview as part of the course review before the board approves the course.

7 **Source:**

8 **General Authority:** SDCL 36-6A-14(20).

9 **Law Implemented:** SDCL 36-6A-14(1)(3)(13)(22).

10 **References:** "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental  
11 Students," 2016 Edition, American Dental Association. Copies may be obtained from the  
12 American Dental Association at [www.ada.org](http://www.ada.org) free of charge.

13 **20:43:09:04.04. Host permit requirements.** The board may issue a permit to a licensed  
14 dentist to utilize a licensed anesthesia provider to administer general anesthesia, deep sedation,  
15 or moderate sedation, in compliance with § 20:43:09:04.01 on an outpatient basis to a dental  
16 patient on whom the dentist is performing a dental procedure, if the dentist:

17 (1) Has successfully completed a course approved by the board that meets the criteria  
18 outlined in § 20:43:09:04.05. If the course was completed more than 12 months before  
19 application for a permit, the applicant must also hold a permit equivalent to the host permit in  
20 another state;

21 (2) Has met the requirements outlined in § 20:43:09:12;

22 (3) Has met the requirements outlined in § 20:43:09:13 or 20:43:09:13.01, based on the  
23 highest level of sedation or anesthesia that will be provided to a patient; and

1 (4) Is certified in administering Advanced Cardiovascular Life Support by the American  
2 Heart Association or an equivalent program approved by the board.

3 A dentist that holds a host permit is authorized to monitor a patient under general  
4 anesthesia, deep sedation, or moderate sedation. A dentist that holds a host permit and utilizes a  
5 licensed anesthesia provider to provide general anesthesia, deep sedation, or moderate sedation  
6 to a patient under 12 years shall also be certified in Pediatric Advanced Life Support by the  
7 American Heart Association or an equivalent program approved by the board.

8 **Source:**

9 **General Authority: SDCL 36-6A-14(20).**

10 **Law Implemented: SDCL 36-6A-14(1)(13)(14)(22).**

11 **20:43:09:04.05. Host course requirements.** The board may approve an educational  
12 course as referenced in subdivision 20:43:09:04.04(1) if the course meets the following  
13 requirements:

14 (1) The course provides instruction and an assessment of knowledge and skill in the  
15 following areas:

16 (A) Preoperative patient assessment;

17 (B) Emergency scenarios and rescue;

18 (C) Respiratory complications;

19 (D) Patient safety and monitoring;

20 (E) Airway assessment and management;

21 (F) Anesthetic drugs; and

22 (G) Recovery; and

23 (2) Upon completion, the course participant can:

- 1 (A) Identify a high-risk patient;
- 2 (B) Differentiate between levels of sedation;
- 3 (C) Monitor a patient receiving sedation or anesthesia; and
- 4 (D) Rescue a patient from a deeper-than-intended level of sedation.

5 The board shall conduct a review of courses annually and may only approve courses that  
6 have submitted documentation necessary to verify that the course requirements outlined in this  
7 section have been met. A course director may be required to participate in an interview as part  
8 of the course review before the board approves the course.

9 **Source:**

10 **General Authority:** SDCL 36-6A-14(20).

11 **Law Implemented:** SDCL 36-6A-14(1)(3)(13)(22).

12 **20:43:09:04.06. Anesthesia or sedation education -- Other.** At its discretion, in lieu of  
13 the requirement outlined in subdivision 20:43:09:03(1), 20:43:09:04(1), or 20:43:09:04.04(1),  
14 the board may consider training or experience accepted in any state or jurisdiction that resulted  
15 in an equivalent permit being issued to or maintained by the applicant. The board may deem  
16 such training or experience substantially equivalent and issue a permit or may require that the  
17 applicant complete supplemental training, education, evaluation, or remediation before a permit  
18 may be issued. The applicant shall pay all costs of the training, education, evaluation,  
19 remediation, or proceedings.

20 **Source:**

21 **General Authority:** SDCL 36-6A-14(20).

22 **Law Implemented:** SDCL 36-6A-14(1)(13)(22).

1           **20:43:09:05. Nitrous oxide ~~inhalation~~ sedation and analgesia permit requirements --**

2   **Dentists.** The board may issue a permit to a dentist to ~~use~~ administer nitrous oxide ~~inhalation~~  
3   sedation and analgesia sedation for to dental patients on an outpatient basis if the dentist ~~meets~~  
4   the following requirements:

5           (1) ~~Meets one of the following educational requirements:~~ Is certified in administering  
6   basic life support by the American Heart Association for the Healthcare Provider, the American  
7   Red Cross for the Professional Rescuer, or an equivalent program approved by the board; and

8   ———(a) ~~(2) Has successfully completed a board-approved course that meets the objectives~~  
9   and content as described in Part 4 of the Guidelines for Teaching Pain Control and Sedation to  
10   Dentists and Dental Students; or—————

11   ———(b) ~~Has taken a course in nitrous oxide inhalation sedation and analgesia sedation~~  
12   ~~while a student in an accredited school of dentistry; through an accredited dental school and~~  
13   either:

14   ———(A) Completed the course within 13 months before application for a permit; or

15   ———(B) Completed the course more than 13 months before application, has legally  
16   administered nitrous oxide sedation and analgesia for a period of time during the three years  
17   preceding application, and attests to the applicant's current clinical proficiency to administer  
18   nitrous oxide sedation and analgesia.

19   ———(2) ~~Has equipment for administering nitrous oxide inhalation analgesia with fail-safe~~  
20   ~~features and a 20 percent minimum oxygen flow;~~

21   ———(3) ~~Is certified in administering basic life support by the American Heart Association for~~  
22   ~~the Healthcare Provider, the American Red Cross for the Professional Rescuer, or an equivalent~~  
23   ~~program approved by the board; and~~

1 ———(4) Employs auxiliary personnel who are certified in administering basic life support by  
2 the American Heart Association for the Healthcare Provider, the American Red Cross for the  
3 Professional Rescuer, or an equivalent program approved by the board.

4 A dentist that administers nitrous oxide sedation and analgesia must use equipment with  
5 fail-safe features, a 30-percent-minimum oxygen flow, and a scavenger system.

6 A If a patient is 12 years or older, a dentist may administer nitrous oxide ~~inhalation~~  
7 sedation and analgesia in combination with a single enteral drug to achieve a ~~minimally~~  
8 ~~depressed level of consciousness~~ minimal sedation only if the maximum recommended dose of  
9 the enteral drug is not exceeded. Incremental dosing may be utilized. A dentist may not  
10 administer nitrous oxide ~~inhalation~~ sedation and analgesia used in combination with more than  
11 one enteral drug or by dosing a single enteral drug in excess of the maximum recommended dose  
12 unless the dentist holds the appropriate general anesthesia and deep sedation permit or moderate  
13 sedation permit.

14 **Source:** 9 SDR 49, effective October 25, 1982; 12 SDR 151, 12 SDR 155, effective July  
15 1, 1986; transferred from § 20:43:04:12, 19 SDR 32, effective September 6, 1992; 37 SDR 131,  
16 effective January 6, 2011; 42 SDR 83, effective December 3, 2015.

17 **General Authority:** SDCL 36-6A-14(1)(3)(13)(14)(20).

18 **Law Implemented:** SDCL 36-6A-14(1)(3)(13)(14)(22).

19 **Reference:** "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental  
20 Students," 2012 2016 Edition, American Dental Association. Copies may be obtained from the  
21 American Dental Association at [www.ada.org](http://www.ada.org) free of charge.

22 **20:43:09:06. Nitrous oxide ~~inhalation~~ sedation and analgesia permit requirements --**  
23 **Dental hygienists and registered dental assistants.** The board may issue a permit to a dental

1 hygienist or a registered dental assistant to ~~use~~ administer nitrous oxide ~~inhalation~~ sedation and  
2 analgesia for ~~to~~ dental patients on an outpatient basis under the direct supervision of a dentist if  
3 the dental hygienist or registered dental assistant ~~has met the following requirements:~~

4 (1) Is certified in administering basic life support by the American Heart Association for  
5 the Healthcare Provider, the American Red Cross for the Professional Rescuer, or an equivalent  
6 program approved by the board; and

7 (2) Has successfully completed a board--approved educational course that substantially  
8 meets the objectives and content as described in Part 4 of the Guidelines for Teaching Pain  
9 Control and Sedation to Dentists and Dental Students and either:

10 (aA) Completed the course within ~~thirteen~~ 13 months ~~prior to~~ before application for a  
11 permit; or

12 (bB) Completed the course more than ~~thirteen~~ 13 months ~~prior to~~ before application,  
13 has legally administered nitrous oxide ~~inhalation~~ sedation and analgesia for a period of time  
14 during the three years preceding application, and provides written documentation from a dentist  
15 that has employed or supervised the applicant, attesting to the current clinical proficiency of the  
16 applicant to administer nitrous oxide ~~inhalation~~ sedation and analgesia.

17 A dental hygienist or registered dental assistant that administers nitrous oxide sedation  
18 and analgesia must use equipment with fail-safe features, a 30-percent-minimum oxygen flow,  
19 and a scavenger system.

20 **Source:** 19 SDR 32, effective September 6, 1992; 32 SDR 188, effective May 15, 2006;  
21 37 SDR 131, effective January 6, 2011; 42 SDR 19, effective August 17, 2015; 42 SDR 83,  
22 effective December 3, 2015.

23 **General Authority:** SDCL 36-6A-14(1)(3)(7)(10)(13)(14)(20).

1           **Law Implemented:** SDCL 36-6A-14(1)(3)(7)(10)(13)(14)(22), 36-6A-40.

2           **Reference:** "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental  
3 Students," ~~2012~~ 2016 Edition, American Dental Association. Copies may be obtained from the  
4 American Dental Association at [www.ada.org](http://www.ada.org) free of charge.

5           **20:43:09:06.02. Minimal sedation.** ~~A~~ If a patient is 12 years or older, a dentist may  
6 administer an oral drug to achieve a state of minimal sedation without a permit. A dentist  
7 administering minimal sedation must have appropriate access to oxygen and suction and  
8 emergency drugs and must meet the standards of the Guidelines for the Use of Sedation and  
9 General Anesthesia by Dentists. If a patient is 12 years or older, A a dentist may ~~not~~ administer  
10 to the patient or prescribe for patient self-administration ~~more than~~ up to the maximum  
11 recommended dose of a single enteral drug ~~for a patient at the same setting unless the dentist~~  
12 ~~holds the appropriate~~ per visit, to achieve a state of minimal sedation without a general  
13 anesthesia and deep sedation permit or moderate sedation permit.

14           **Source:** 37 SDR 131, effective January 6, 2011; 42 SDR 83, effective December 3, 2015.

15           **General Authority:** SDCL 36-6A-14~~(1)(3)(13)(14)~~(20).

16           **Law Implemented:** SDCL 36-6A-14(1)(3)(13)(14)(22).

17           **Reference:** "Guidelines for the Use of Sedation and General Anesthesia by Dentists,"  
18 ~~2012~~ 2016 Edition, American Dental Association. Copies may be obtained from the American  
19 Dental Association at [www.ada.org](http://www.ada.org) free of charge.

20           **20:43:09:08. Application for permits -- Renewal.** The application for a ~~permit to~~  
21 ~~administer~~ general anesthesia and deep sedation ~~or,~~ moderate sedation, or host permit must  
22 include a fee of \$50. The application for a permit for a dentist, dental hygienist, or registered  
23 dental assistant to administer nitrous oxide ~~inhalation~~ sedation and analgesia must include a fee

1 of \$40. The application for a permit for a dental hygienist to administer local anesthesia must  
2 include a fee of \$40.

3 The board may issue a temporary permit to an applicant that has met the applicable  
4 requirements of this chapter, ~~but before all processing and any applicable inspection have been~~  
5 ~~completed~~. The duration of this temporary permit shall be determined by the board, but may not  
6 exceed one year. The temporary permit of an applicant who fails an inspection is automatically  
7 suspended. Upon suspension, the applicant may request another inspection.

8 A general anesthesia and deep sedation permit ~~or~~, moderate sedation permit, or host permit  
9 must be renewed annually. The annual fee for a general anesthesia and deep sedation permit ~~or~~, a  
10 moderate sedation permit, or a host permit is \$50. A re-evaluation of the credentials and facility  
11 of the permit holder may be conducted for permit renewal. Any ~~person~~ dentist renewing a  
12 general anesthesia and deep sedation permit or moderate sedation permit ~~must~~ shall be able to  
13 demonstrate continued competency as required by the board. A dentist that holds a general  
14 anesthesia and deep sedation permit shall complete at least 50 cases of general anesthesia or deep  
15 sedation annually. A dentist that holds a moderate sedation permit shall complete at least 12  
16 cases of moderate sedation annually. If a dentist is unable to complete the required number of  
17 annual sedation or anesthesia cases, the dentist may complete three hours of board-approved  
18 continuing education that pertain to the administration and management of the applicable level of  
19 sedation or anesthesia for each case not completed. This continuing education is in addition to  
20 other continuing education permit requirements. A dentist that holds a general anesthesia and  
21 deep sedation, moderate sedation, or host permit shall document completion of team training on  
22 emergency response protocols at least annually in the setting where the anesthesia or sedation is  
23 being provided. Documentation must be provided to the board upon request.



1 A nitrous oxide ~~inhalation~~ sedation and analgesia permit, local anesthesia permit, and  
2 permit to monitor patients under general anesthesia, deep sedation, or moderate sedation must be  
3 renewed annually. The annual fee for a nitrous oxide ~~inhalation~~ sedation and analgesia permit for  
4 a dentist is \$40. The annual fee for a nitrous oxide ~~inhalation~~ sedation and analgesia permit for a  
5 dental hygienist is \$20. The annual fee for a nitrous oxide ~~inhalation~~ sedation and analgesia  
6 permit for a registered dental assistant is \$20. The annual fee for a permit to administer local  
7 anesthesia for a dental hygienist is \$20. There is no annual fee for a permit to monitor patients  
8 under general anesthesia, deep sedation, or moderate sedation.

9 Failure to properly renew a general anesthesia and deep sedation permit, moderate  
10 sedation permit, host permit, nitrous oxide ~~inhalation~~ sedation and analgesia permit, local  
11 anesthesia permit, or a permit to monitor patients under general anesthesia, deep sedation, or  
12 moderate sedation constitutes an automatic suspension of the permit.

13 **Source:** 19 SDR 32, effective September 6, 1992; 37 SDR 131, effective January 6, 2011;  
14 38 SDR 172, effective April 25, 2012; 42 SDR 19, effective August 17, 2015; 42 SDR 83,  
15 effective December 3, 2015.

16 **General Authority:** SDCL 36-6A-14(9)(14)(20), 36-6A-50(12).

17 **Law Implemented:** SDCL 36-6A-14(9)(14)(22).

18 **20:43:09:09. Reports of adverse conditions.** All dentists must notify the board within 72  
19 hours after any death or any incident ~~which~~ that results in temporary or permanent physical or  
20 mental injury requiring medical treatment of the dentist's patient during, or as a result of, the  
21 administration of general anesthesia and deep sedation, moderate sedation, or nitrous oxide  
22 ~~inhalation~~ sedation and analgesia. A complete written report of the incident must be submitted to  
23 the board within 30 days. The report shall be submitted on a form provided by the board.

1 Failure to comply with reporting requirements constitutes an automatic suspension of the  
2 ~~permit to administer~~ general anesthesia and deep sedation, moderate sedation, host, or nitrous  
3 oxide ~~inhalation~~ sedation and analgesia permit.

4 **Source:** 19 SDR 32, effective September 6, 1992; 37 SDR 131, effective January 6, 2011.

5 **General Authority:** SDCL 36-6A-14(1)(2)(20).

6 **Law Implemented:** SDCL 36-6A-14(1)(2)(14)(22).

7 **20:43:09:11. Inspection of facilities.** ~~The board may at any time require an on-site~~  
8 ~~inspection of the facility, equipment, and personnel to determine if the requirements of this~~  
9 ~~chapter are being met. The dentist is~~ subject to an inspection shall be responsible for all costs  
10 associated with an inspection. The on-site inspection should shall be performed completed by  
11 two board approved inspectors. However, if utilizing two board approved inspectors presents a  
12 hardship, the board may allow the inspection to be performed by one board approved inspector.  
13 one or more inspectors approved by the board. Inspectors shall be individuals who are legally  
14 authorized to administer anesthesia or sedation at the level of the inspection being completed;  
15 have at least three years of experience administering dental anesthesia or sedation in a dental  
16 office; have not been disciplined for conduct that, in the opinion of the board, would jeopardize  
17 the safety of the public or patients; and abide by the inspection process approved by the board.

18 ~~Each A~~ A dentist who applies for a general anesthesia and deep sedation ~~or~~, moderate  
19 sedation, or host permit must have an on-site shall pass a facility inspection conducted at the  
20 primary office within twelve months of application or prior to expiration of the facility where  
21 anesthesia or sedation will be provided before a temporary general anesthesia and deep sedation,  
22 moderate sedation, or host permit may be issued.

1           A dentist who holds a temporary general anesthesia and deep sedation, moderate  
2 sedation, or host permit, whichever is earlier. The board may require inspection of a dentist's  
3 satellite office at any time. If the dentist does not have a primary office located in South Dakota,  
4 the on-site inspection may be conducted at a satellite office located in South Dakota. shall pass a  
5 full inspection before a general anesthesia and deep sedation, moderate sedation, or host permit  
6 may be issued.

7           ~~Following the initial inspection, each A dentist must have an on-site who holds a~~  
8 general anesthesia and deep sedation, moderate sedation, or host permit shall pass a full  
9 inspection conducted at the primary office at least once in each five-year licensure cycle to  
10 maintain the permit. If the dentist does not have a primary office located in South Dakota the  
11 dentist may submit, subject to board approval, a report from a successful inspection conducted at  
12 the primary office located in a different state. An on-site inspection of the satellite office may  
13 also be required by the board.

14           Failing an on-site inspection constitutes an automatic suspension of the permit and may  
15 subject the dentist to disciplinary proceedings.

16           **Source:** 9 SDR 49, effective October 25, 1982; 12 SDR 151, 12 SDR 155, effective July  
17 1, 1986; transferred from § 20:43:04:09, 19 SDR 32, effective September 6, 1992; 37 SDR 131,  
18 effective January 6, 2011; 42 SDR 83, effective December 3, 2015.

19           **General Authority:** SDCL 36-6A-14(1)(2)(13)(20).

20           **Law Implemented:** SDCL 36-6A-14(1)(2)(13)(22).

21           **20:43:09:12. Requirements of inspection.** ~~An~~ Each inspection shall must be completed  
22 for the dentist whose permit or application is under review using an inspection form and process  
23 approved by the board and shall must include an evaluation of the following:

1           ~~(1) The office facilities, records, and~~ For a facility inspection to obtain a temporary  
2 general anesthesia and deep sedation, moderate sedation, or host permit, an evaluation of:

3                   (A) The physical facility in which anesthesia or sedation will be provided;

4                   (B) The drugs, emergency medications, ~~including all staff, and equipment and the~~  
5 physical facility necessary for the safe administration of the level of anesthesia or  
6 sedation authorized by the permit; and

7                   (C) The technical competency of the permit holder and clinical office staff to  
8 effectively respond to anesthesia-related emergencies;

9 (2) For a full inspection to obtain and maintain a host permit, an evaluation of:

10                   (A) The physical facility in which anesthesia or sedation will be provided;

11                   (B) The drugs, emergency medications, staff, and equipment necessary for the  
12 safe administration of the level of anesthesia or sedation authorized by the permit;

13                   (C) The technical competency of the permit holder and clinical office staff to  
14 effectively respond to anesthesia-related emergencies; and

15                   (D) Appropriate patient anesthesia records;

16 (3) For a full inspection to obtain and maintain a general anesthesia and deep sedation or  
17 moderate sedation permit, an evaluation of:

18                   (A) The physical facility in which anesthesia or sedation will be provided;

19                   (B) The drugs, emergency medications, staff, and equipment necessary for the  
20 safe administration of the level of anesthesia or sedation authorized by the permit;

21                   (C) The technical competency of the permit holder and clinical office staff to  
22 effectively respond to anesthesia-related emergencies;

23                   (D) Appropriate patient anesthesia records; and

1                    (E) The technical competency of the permit holder to safely administer the level of  
2                    anesthesia or sedation authorized by the permit.

3                    ~~—— (2) A live dental procedure performed by the dentist whose facility is being examined~~  
4                    ~~utilizing the type of anesthesia or sedation for which the dentist is applying for a permit;~~

5                    ~~—— (3) Any anesthesia or sedation technique that is routinely employed during the~~  
6                    ~~administration of anesthesia or sedation;~~

7                    ~~—— (4) The appropriate monitoring of a live patient during anesthesia or sedation;~~

8                    ~~—— (5) The observation of a patient during recovery and the time allowed for recovery; and~~

9                    ~~—— (6) Simulated emergencies in the surgical areas of the dental office with participation by~~  
10                    ~~members of the staff that are trained to handle emergencies. Emergencies shall be listed on the~~  
11                    ~~board approved inspection form.~~

12                    **Source:** 37 SDR 131, effective January 6, 2011.

13                    **General Authority:** SDCL 36-6A-14(1)(20).

14                    **Law Implemented:** SDCL ~~36-6A-16~~ 36-6A-14(1)(13)(14)(22).

15                    **20:43:09:13. Equipment -- Moderate sedation.** Any dentist who administers moderate  
16                    sedation or who provides dental services to patients under moderate sedation ~~must~~ shall ensure  
17                    that the office or facility in which the work is performed:

18                    (1) Has an operatory of the appropriate size and design to permit access of emergency  
19                    equipment and personnel and to permit appropriate emergency management;

20                    (2) Has the following equipment:

21                    (~~a~~A) An automated external defibrillator or full function defibrillator that is  
22                    immediately accessible;

23                    (~~b~~B) A positive pressure oxygen delivery system and a backup system;

- 1 (eC) A functional suctioning device and a backup suction device;
- 2 (dD) Auxiliary lighting;
- 3 (eE) A gas storage facility;
- 4 (fF) A recovery area. Recovery may take place in the surgical suite. If a separate  
5 recovery area is utilized, it must be of the appropriate size for emergency access and  
6 management and must have resuscitative equipment present;

7 (gG) Methods to monitor respiratory and cardiac function, including all of the  
8 following:

- 9 (i1) Pulse oximetry; ~~and~~
- 10 (ii2) Electrocardiogram display;
- 11 (3) Precordial stethoscope;
- 12 (4) Measurement of EtCO2, capnography; and
- 13 (5) Blood pressure monitor; and

14 (hH) ~~A board-Board-approved emergency cart that must be available and readily~~  
15 ~~accessible and includes the necessary and appropriate~~ and readily available emergency drugs and  
16 appropriately sized equipment necessary to resuscitate a non-breathing and unconscious patient  
17 and provide continuous support while the patient is transported to a medical facility. ~~There must~~  
18 ~~be~~ The permit holder shall provide documentation that all emergency drugs and equipment and  
19 ~~drugs are checked~~ inspected and maintained on a prudent and regularly scheduled basis,  
20 according to manufacturer specifications where applicable.

21 **Source:** 37 SDR 131, effective January 6, 2011; 41 SDR 108, effective January 6, 2015.

22 **General Authority:** SDCL 36-6A-14~~(1)~~(20).

23 **Law Implemented:** SDCL ~~36-6A-16~~36-6A-14(1)(3)(13)(14)(22).

1           **20:43:09:13.01. Equipment -- General anesthesia and deep sedation.** Any dentist who

2 administers general anesthesia or deep sedation or who provides dental services to patients under  
3 general anesthesia or deep sedation ~~must~~ shall ensure that the office or facility in which the work  
4 is performed:

5           (1) Has an operatory of the appropriate size and design to permit access of emergency  
6 equipment and personnel and to permit appropriate emergency management;

7           (2) Has the following equipment:

8           (~~a~~A) An automated external defibrillator or full function defibrillator that is  
9 immediately accessible;

10           (~~b~~B) A positive pressure oxygen delivery system and a backup system;

11           (~~c~~C) A functional suctioning device and a backup suction device;

12           (~~d~~D) Auxiliary lighting;

13           (~~e~~E) A gas storage facility;

14           (~~f~~F) A recovery area. Recovery may take place in the surgical suite. If a separate  
15 recovery area is utilized, it must be of the appropriate size for emergency access and  
16 management and must have resuscitative equipment present;

17           (~~g~~G) Methods to monitor respiratory and cardiac function, including all of the following:

18           (~~i~~1) Pulse oximetry;

19           (~~ii~~2) Electrocardiogram display;

20           (~~iii~~3) Precordial or pretracheal stethoscope; ~~and~~

21           (~~iv~~4) Measurement of EtCO<sub>2</sub>, capnography; and

22           (5) Blood pressure monitor; and

1           (hH) ~~A board-Board-approved emergency cart that must be available and readily~~  
2 ~~accessible and includes the necessary and appropriate and readily available emergency~~ drugs and  
3 ~~appropriately sized equipment necessary~~ to resuscitate a non-breathing and unconscious patient  
4 and provide continuous support while the patient is transported to a medical facility. ~~There must~~  
5 ~~be~~ The permit holder shall provide documentation that all emergency drugs and equipment and  
6 ~~drugs are checked~~ inspected and maintained on a prudent and regularly scheduled basis,  
7 according to manufacturer specifications where applicable.

8           **Source:** 41 SDR 108, effective January 6, 2015.

9           **General Authority:** SDCL 36-6A-14~~(1)~~(20).

10          **Law Implemented:** SDCL ~~36-6A-16~~36-6A-14(1)(3)(13)(14)(22).

11          **20:43:09:14. Clinical guidelines.** A dentist who provides any level of sedation ~~must meet~~  
12 ~~the standards of the Guidelines for the Use of Sedation and General Anesthesia by Dentists for~~  
13 ~~thorough patient assessment, pre-operative preparation, recovery and discharge, and management~~  
14 ~~of emergencies or utilizes the services of a licensed anesthesia provider shall apply the current~~  
15 standard of care.

16          **Source:** 37 SDR 131, effective January 6, 2011.

17          **General Authority:** SDCL 36-6A-14~~(1)~~~~(3)~~(20).

18          **Law Implemented:** SDCL ~~36-6A-16~~36-6A-14(1)(3)(13)(14)(22).

19          ~~Reference:~~ "Guidelines for the Use of Sedation and General Anesthesia by Dentists,"  
20 2007 Edition, American Dental Association. Copies may be obtained from the American Dental  
21 Association at [www.ada.org](http://www.ada.org) free of charge.



1           **20:43:09:17. Emergency response protocol.** A dentist shall ensure a written  
2 emergency response protocol is in place for all patients undergoing moderate sedation, deep  
3 sedation, or general anesthesia.

4           **Source:**

5           **General Authority: SDCL 36-6A-14(20).**

6           **Law Implemented: SDCL 36-6A-14(1)(13)(14)(22).**