

# Anesthesia and Sedation Administrative Rules


ARSD 20:43:09



SOUTH DAKOTA STATE BOARD OF DENTISTRY  
SIOUX FALLS, SD  
MAY 18, 2023

THIS IS AN EDUCATIONAL SUMMARY ONLY. PLEASE SEE ARSD 20:43:09 FOR SPECIFIC REQUIREMENTS AND INFORMATION.

DOCUMENTS CONTAINED IN THIS EDUCATIONAL SUMMARY ARE SUBJECT TO CHANGE. PLEASE VISIT THE BOARD'S WEBSITE TO ACCESS CURRENT APPLICATIONS, DOCUMENTS, AND INFORMATION.



ARSD 20:43:09: The rule promulgation process included multiple opportunities for stakeholders to submit feedback, revisions based on that feedback, formal public hearings, and completion of the statutorily prescribed rule promulgation process.

These administrative rules went into effect December 13, 2021.

#### Resources:

Applications, Inspection Documents, and Information:  
<https://www.sdboardofdentistry.org/Dentist/Apps/index.asp>

Administrative Rules:  
<https://www.sdboardofdentistry.org/dentist/statutesrules-dent.asp>

# General Anesthesia and Deep Sedation Permit Overview

- ▶ Authority: Authorizes a dentist to administer general anesthesia/deep sedation. Incorporates Moderate, Host and Nitrous Oxide authority
- ▶ Education: Completion of a CODA accredited residency in oral and maxillofacial surgery or dental anesthesiology that provides comprehensive training.
- ▶ Inspection: Temporary Permit/Facility Inspection (Dentist + Inspector) – then Full Inspection (Dentist + Team + Inspector).

# Ongoing Permit Requirements

## General Anesthesia and Deep Sedation Permit

- ▶ ACLS (patients 12 years and older) + PALS (patients under 12)
- ▶ 50 cases (Annual) or CE
- ▶ Team training on emergency response protocols (Annual)
- ▶ 25 hours of Anesthesia specific CE (5-year licensure/CE cycle)
- ▶ Full inspection (5-year licensure cycle)

# Moderate Sedation Permit Overview

- ▶ Authority: Authorizes a dentist to administer moderate sedation. Incorporates Host and Nitrous Oxide authority
- ▶ Education: Moderate Sedation Permit (patients 12 years and older) - Board approved course that meets the requirements outlined in administrative rule (ADA Guidelines/ARSD 20:43:09:04.03).
  - ▶ A list of approved courses can be found within the Application to Administer Moderate Sedation.
- ▶ Education: Moderate Sedation + Pediatric Permit (patients under 12): CODA Accredited Residency that provides comprehensive training.
- ▶ Inspection: Temporary Permit/Facility Inspection (Dentist + Inspector) – then Full Inspection (Dentist + Team + Inspector).

# Ongoing Permit Requirements

## Moderate Sedation Permit

- ▶ ACLS (patients 12 years and older) + PALS (patients under 12)
- ▶ 12 cases (Annual) or CE
- ▶ Team training on emergency response protocols (Annual)
- ▶ 25 hours of Anesthesia specific CE (5-year licensure/CE cycle)
- ▶ Full inspection (5-year licensure cycle)

# Host Permit Overview

- ▶ Authority: Authorizes a dentist to utilize a Licensed Anesthesia Provider (LAP) to administer anesthesia or sedation in compliance with ARSD 20:43:09:04.01. The Dentist cannot administer sedation or anesthesia.
- ▶ Education: Board approved course that meets the requirements outlined in administrative rule (ARSD 20:43:09:04.05).
  - ▶ *A list of approved courses can be found within the Host Permit Application.*
- ▶ Inspection: Temporary Permit/Facility Inspection (Dentist + LAP + Inspector) – then Full Inspection (Dentist + LAP + Team + Inspector).

# Ongoing Permit Requirements

## Host Permit

- ▶ ACLS (patients 12 years and older) + PALS (patients under 12)
- ▶ Team training on emergency response protocols (Annual)
- ▶ 25 hours of Anesthesia specific CE (5-year licensure/CE cycle)
- ▶ Full inspection utilizing LAP (5-year licensure cycle)

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



The background is a blurred image of a document. A silver pen is visible on the right side, pointing towards the center. A red tab is visible in the top right corner. The text 'Application and Inspection Process Overview' is overlaid in white. Below the title, the words 'Signature' and 'Date' are visible on the document, each followed by a horizontal line.

# Application and Inspection Process Overview

Signature \_\_\_\_\_

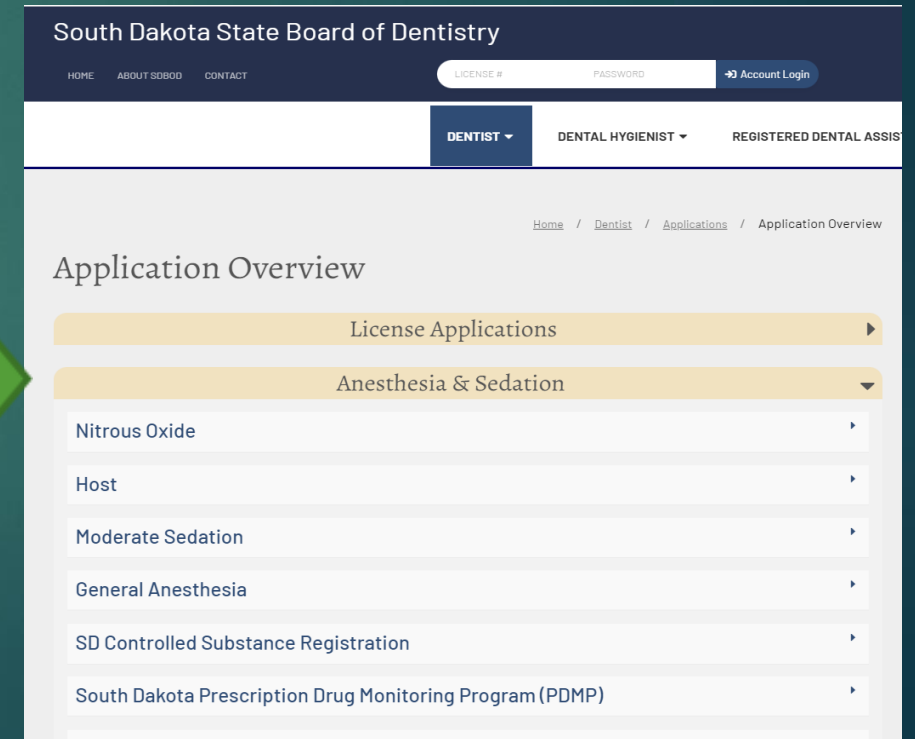
Date \_\_\_\_\_

# Application and Inspection Process

Visit [www.sdboardofdentistry.org](http://www.sdboardofdentistry.org)  
Click on the Anesthesia and Sedation link on the left.



Click on the second bar labelled  
Anesthesia & Sedation



# Application and Inspection Process

The inspection process for a Host, Moderate Sedation, and General Anesthesia Permit is similar. We will be using a Moderate Sedation Permit as an example.

Inspections for Host Permits include participation by both the Dentist and a Licensed Anesthesia Provider (LAP).



A screenshot of a web application titled 'Application Overview'. The page has a breadcrumb trail: Home / Dentist / Applications / Application Overview. On the right side, there is a sidebar with links: Licensee Login, Regulations: Dentists, Applications (with a dropdown arrow), Application Overview (highlighted in dark blue), Application Status, and Continuing Education. The main content area shows a list of application categories, each with a dropdown arrow: License Applications, Anesthesia &amp; Sedation (highlighted in yellow), Nitrous Oxide, Host, Moderate Sedation (highlighted in light blue), General Anesthesia, SD Controlled Substance Registration, South Dakota Prescription Drug Monitoring Program (PDMP), and Anesthesia Inspectors. On the right side of the main content area, there is a section titled 'LICENSE APPLICATIONS' with links: APPLICATION FOR NEW LICENSE, APPLICATION BY CREDENTIAL VERIFICATION, and CRIMINAL BACKGROUND CHECK. Below this, there is a section titled 'ANESTHESIA &amp; SEDATION' with links: VOLUNTEER REGISTRATION, DENTAL ENTITIES, and APPLICATION STATUS. At the bottom right, there is a small image of a dentist examining a child.

# Temporary Permit Application

To apply for a permit, a Dentist must submit:

1. A completed *application* and
2. *Form T1: Practitioner Anesthesia Inspection Checklist*
  - Office Facility and Equipment
  - Drugs
  - Emergencies/Protocol
  - Other/Attestations

Once those are received by Board Staff, an inspector is assigned that will complete Form T2.

Anesthesia & Sedation

Nitrous Oxide

Host

Moderate Sedation

A dentist that would like to administer moderate sedation must hold a moderate sedation permit.

**APPLICATION** - To apply for a moderate sedation permit, a Dentist must submit a completed application and pass a facility inspection. To initiate the facility inspection, a Dentist must complete *Form T1: Practitioner Anesthesia Inspection Checklist* and submit the Checklist to the Board office. The Dentist will then be assigned an Inspector.

[Dentist - Application to Administer Moderate Sedation](#)

[Form T1: Practitioner Anesthesia Inspection Checklist- Facility Only](#)

**FACILITY INSPECTION** - A facility inspection includes:

Dentist + Inspector: The Inspector and the Dentist schedule a time to complete the facility inspection. *Utilization of video conferencing to conduct a facility inspection is allowed if the Dentist is joining an established practice that has previously undergone a full inspection (i.e., a full inspection has been conducted in that facility in the prior 5 years).* During the facility inspection, the Inspector completes *Form T2: Facility Inspection/Temporary Permit Office Anesthesia Inspection Results Form*. The Inspector submits the completed form to the Board office after the facility inspection.

[Form T2: Facility Inspection/ Temporary Permit Office Anesthesia Inspection Results Form](#)

**TEMPORARY PERMIT** - Following passage of a facility inspection, a temporary moderate sedation permit may be issued for up to twelve months. During the term of the temporary permit, the Dentist must pass a full inspection to obtain a moderate sedation permit.

# Temporary Permit Inspection:



A Temporary Permit inspection includes:

- ▶ Inspector + Dentist (+ LAP, if applicable)
- ▶ Utilization of video conferencing to conduct the inspection is allowed if the Dentist is joining an established practice (5 year/inspection).
- ▶ The focus of this inspection is to verify the Dentist (and LAP, if applicable) is familiar with the facility and able to readily access emergency equipment and drugs. Emergency response scenarios are not part of the temporary permit inspection.
- ▶ Following passage, a temporary permit may be issued for up to 12 months.



# Full Inspection Overview

A full inspection required to obtain and maintain a sedation permit includes:

## Part 1

1. Dentist: The Dentist completes *Form 1: Practitioner Anesthesia Inspection Checklist* and mails the Checklist and **three redacted anesthesia records** to the Board office.
2. Inspector: An Inspector conducts a review of the Checklist and anesthesia records and completes *Form 2: Office Anesthesia Inspection Results Full Inspection (Checklist and Records Review)*.

## Part 2

1. Dentist + Inspector + Team: The Emergency Response Review can be conducted via video conferencing and does not include a patient procedure. This review must include participation by the Dentist and the entire team that will assist and respond to an emergency (Host Permit must also include a LAP). During the review, the Inspector completes *Form 3: Office Anesthesia Inspection Results Full Inspection (Emergency Response Review)*.

# Full Inspection Overview: Documents & Information

**FULL INSPECTION** - A full inspection required to obtain and maintain a moderate sedation permit includes the following steps:

1. Dentist: The Dentist completes *Form 1: Practitioner Anesthesia Inspection Checklist* and mails the completed form and anesthesia records to the Board office.

**Form 1: Practitioner Anesthesia Inspection Checklist- Full Inspection** 

2. Inspector: An assigned Inspector conducts a review of the Checklist and anesthesia records and completes the *Anesthesia Inspection Results Full Inspection (Checklist and Records Review)*. The Inspector submits the completed form to the Board office after the review.

**Form 2: Office Anesthesia Inspection Results- Full Inspection** 

3. Dentist + Inspector + Team: An Inspector and Dentist schedule a time to complete the Emergency Response Review. The Emergency Response Review can be conducted via video conferencing procedure. This review must include participation by the Dentist and the entire team that will administer moderate sedation. During the review, the Inspector completes *Form 3: Office Anesthesia Inspection Results (Emergency Response Review)*. The Inspector submits this completed form to the Board office after the review.

**Form 3: Office Anesthesia Inspection Results- Full Inspection** 

**PERMIT** - Upon passage of the full office anesthesia inspection, a moderate sedation permit can be issued. To maintain a moderate sedation permit, a Dentist must meet all requirements outlined in regulations including but not limited to:

- During each five-year licensure cycle: Pass a full office anesthesia inspection (20:43:09:11, 20:43:03:07).

# Inspection Information: Dentist's Online Account

Log in at

[www.sdboardofdentistry.org](http://www.sdboardofdentistry.org).

The Dentist's online account will include current information specific to an inspection, along with information relative to the Dentist's license.

The results of the inspection and new inspection cycle (5 years) will be posted in the Dentist's account.

Please reference this online account anytime and utilize it to update CPR/ACLS, contact information, CE, etc.

The screenshot displays the 'Account Dashboard' for 'Dr. Testing Dentistry'. It includes sections for 'License Details' (Original Issue Date: 07/01/2010, Valid Through Date: 7/1/2023, Date Last Renewal Received: 4/29/2022, Status: Active, License Number: TEST100, CPR Expires: 06/01/2022, ACLS Expires: 01/01/2021), 'Corporate Info' (Corporation Name: TEST CORP, Corporation Number: 407, Valid Through: 7/1/2020, Address: TEST, Original Registration Date: ), and 'Office Anesthesia Inspections'. A green arrow points from the 'License Details' section to the 'Office Anesthesia Inspections' section. The 'Office Anesthesia Inspections' section shows a table with columns for 'Inspection Details', 'Inspection VTD', and 'Inspection Results'. The table lists an 'Adult/Moderate Sedation' inspection on 07/01/2022 with a status of 'PENDING'. Below the table, there are sections for 'Assigned Inspectors' (Seth Bullock, Test Office Record, 1351 N Harrison Ave., Pierre, SD, 605-224-1282, Contactus@sdboardofdentistry.com) and 'Notes' (5/3/2022- Checklist review assigned to Dr. Bullock, ). A green arrow points from a red box containing text to the 'Notes' section.

Account Dashboard

Home / Account / Account Dashboard

Account Dashboard

Update Contact Info

Renewal

CPR/ACLS Info

Office Anesthesia Inspections

License Details: Dr. Testing Dentistry

Original Issue Date: 07/01/2010

Valid Through Date: 7/1/2023

Date Last Renewal Received: 4/29/2022

Status: Active

License Number: TEST100

CPR Expires: 06/01/2022

ACLS Expires: 01/01/2021

Date of Birth: 1/1/1954

CE Cycle Ends: 06/30/2024

Corporate Info

Corporation Name: TEST CORP

Corporation Number: 407

Valid Through: 7/1/2020

Address: TEST

Original Registration Date:

Office Anesthesia Inspections

Inspection Details	Inspection VTD	Inspection Results
Adult/Moderate Sedation	07/01/2022	PENDING

Assigned Inspectors:

Seth Bullock

Test Office Record

1351 N Harrison Ave.

Pierre, SD

605-224-1282

Contactus@sdboardofdentistry.com

Notes:

5/3/2022- Checklist review assigned to Dr. Bullock,

Facility Only Adult/Moderate Sedation

Assigned Inspectors:

Additional information for both parties can be found here.





South Dakota  
State Board of Dentistry  
[www.sdboardofdentistry.org](http://www.sdboardofdentistry.org)  
[contactus@sdboardofdentistry.com](mailto:contactus@sdboardofdentistry.com)  
605.224.1282

Applications, Inspection Documents, and Information: <https://www.sdboardofdentistry.org/Dentist/Apps/index.asp>  
Administrative Rules: <https://www.sdboardofdentistry.org/dentist/statutesrules-dent.asp>