

Amend as follows:

20:43:09:06. Nitrous oxide sedation and analgesia permit requirements and authorization - - Dental hygienists, dental assistants and registered dental assistants. The State Board of Dentistry may issue a permit to a dental hygienist, dental assistant or a registered dental assistant to administer nitrous oxide sedation and analgesia to dental patients on an outpatient basis under the supervision of a dentist if the dental hygienist, dental assistant or registered dental assistant:

(1) Is certified in administering basic life support by the American Heart Association for the Healthcare Provider, the American Red Cross for the Professional Rescuer, or an equivalent program approved by the State Board of Dentistry; ~~and~~

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

(a) Completed the course within thirteen months prior to application for a permit; or

(b) Completed the course more than thirteen months prior to application for a permit, has legally administered nitrous oxide sedation and analgesia for a period of time during the three years preceding application, and provides written documentation from a dentist who has employed or supervised the applicant, attesting to the current clinical proficiency of the applicant to administer nitrous oxide sedation and analgesia; ~~and~~

(3) Has graduated from high school, or its equivalent, and attained the age of 18.

A dental hygienist, dental assistant or registered dental assistant who administers nitrous oxide sedation and analgesia shall use equipment with fail-safe features, a thirty-percent-minimum oxygen flow, and a scavenger system.

A dental hygienist, dental assistant or registered dental assistant with a permit to administer nitrous oxide sedation and analgesia may administer nitrous oxide sedation and analgesia to dental patients under the dentist's indirect supervision, as that term is defined in SDCL 36-6A-1.

A dental hygienist with a permit to administer nitrous oxide sedation and analgesia may administer nitrous oxide sedation and analgesia to dental patients eighteen years and older under the dentist's general supervision, as that term is defined in SDCL 36-6A-1, if the supervising dentist has authorized the administration and the authorization is included in the patient's record. If there has been a relevant change in the patient's medical history since the authorization, the dental hygienist must consult with the dentist before administering nitrous oxide sedation and analgesia. The dentist shall ensure a written emergency response protocol is in place for patients receiving nitrous oxide sedation and analgesia by the dental hygienist under general supervision.