

Part 1 General Provisions

58-69-101 Title.

This chapter is the "Dentist and Dental Hygienist Practice Act."

Enacted by Chapter 116, 1996 General Session

58-69-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Asynchronous technology" means store-and-forward technology that allows a licensed dental professional to transmit a patient's health information to a dentist for viewing at a later time.
- (2) "Board" means the Dentist and Dental Hygienist Licensing Board created in Section 58-69-201.
- (3) "Dental assistant" means an unlicensed individual who engages in, directly or indirectly, supervised acts and duties as defined by division rule made in collaboration with the board.
- (4) "Direct supervision" means the supervising dentist is present and available for face-to-face communication with the person being supervised when and where professional services are being provided.
- (5) "General supervision" means that the supervising dentist is available for consultation regarding work the supervising dentist has authorized, without regard as to whether the supervising dentist is located on the same premises as the person being supervised.
- (6) "Indirect supervision" means that the supervising dentist is present within the facility in which the person being supervised is providing services and is available to provide immediate face-to-face communication with the person being supervised.
- (7) "Practice of dental hygiene" means, regarding humans:
 - (a) under the general supervision of a dentist, or under a written agreement with a dentist licensed under this chapter, as provided in Section 58-69-801, to:
 - (i) perform preliminary clinical examination of human teeth and gums;
 - (ii) make preliminary instrumental examination of patients' teeth;
 - (iii) expose dental radiographs;
 - (iv) assess dental hygiene status and collaborate with the supervising dentist regarding a dental hygiene treatment plan for a patient;
 - (v) remove deposits, accumulations, calculus, and concretions from the surfaces of human teeth;
 - (vi) remove toxins and debris from subgingival surfaces;
 - (vii) provide dental hygiene care in accordance with a dentist's treatment plan for a patient;
 - (viii) take impressions of teeth or jaws except for impressions or registrations to supply artificial teeth as substitutes for natural teeth; or
 - (ix) engage in other practices of dental hygiene as defined by division rule;
 - (b) under the indirect supervision of a dentist to administer in accordance with standards and ethics of the professions of dentistry and dental hygiene:
 - (i) local anesthesia; or
 - (ii) nitrous oxide analgesia;
 - (c) to represent oneself by any title, degree, or in any other way as being a dental hygienist; or
 - (d) to direct a dental assistant when the supervising dentist is not on the premises.
- (8) "Practice of dentistry" means the following, regarding humans:

- (a) to offer, undertake, or represent that a person will undertake by any means or method, including teledentistry, to:
 - (i) examine, evaluate, diagnose, treat, operate, or prescribe therapy for any disease, pain, injury, deficiency, deformity, or any other condition of the human teeth, alveolar process, gums, jaws, or adjacent hard and soft tissues and structures in the maxillofacial region;
 - (ii) take an appropriate history and physical consistent with the level of professional service to be provided and the available resources in the facility in which the service is to be provided;
 - (iii) take impressions or registrations;
 - (iv) supply artificial teeth as substitutes for natural teeth;
 - (v) remove deposits, accumulations, calculus, and concretions from the surfaces of teeth; and
 - (vi) correct or attempt to correct malposition of teeth;
 - (b) to administer anesthetics necessary or proper in the practice of dentistry only as allowed by an anesthesia permit obtained from the division;
 - (c) to administer and prescribe drugs related to and appropriate in the practice of dentistry;
 - (d) to supervise the practice of a dental hygienist or dental assistant as established by division rule made in collaboration with the board; or
 - (e) to represent oneself by any title, degree, or in any other way that one is a dentist.
- (9) "Public health setting" means:
- (a) an individual's residence, if the individual is unable to leave the residence;
 - (b) a school, as part of a school-based program;
 - (c) a nursing home;
 - (d) an assisted living or long-term care facility;
 - (e) a community health center;
 - (f) a federally-qualified health center; or
 - (g) a mobile dental health program that employs a dentist who is licensed under this chapter.
- (10) "Supervising dentist" means a licensed dentist who has agreed to provide supervision of a dental hygienist or unlicensed individual in accordance with the provisions of this chapter.
- (11) "Synchronous technology" means two-way audiovisual technology that allows a licensed dental professional to see and communicate in real time with a patient who is located in a different physical location.
- (12) "Teledentistry" means the practice of dentistry using synchronous or asynchronous technology.
- (13) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501 and 58-69-501.
- (14) "Unprofessional conduct" means the same as that term is defined in Sections 58-1-501 and 58-69-502 and as may be further defined by rule.

Amended by Chapter 273, 2020 General Session