

1 **CHAPTER 20:43:08**

2 **REGISTERED DENTAL ASSISTANTS AND DENTAL ASSISTANTS**

3 Section

4 20:43:08:01 Definitions.

5 20:43:08:02 Dental assistant – ~~Requirements~~ Scope of practice.

6 20:43:08:03 Registered dental assistant -- Requirements.

7 ~~20:43:08:04 — Qualifications by endorsement~~ Knowledge of infection control and applicable  
8 Occupational Safety and Health Administration standards.

9 20:43:08:05 ~~Approval of~~ Certificate of competency programs -- Application.

10 ~~20:43:08:06 — Certificate of competency — Examination~~ Repealed.

11 20:43:08:07 ~~Repealed~~ Student exemption.

12 20:43:08:08 ~~Application for registration~~ Repealed.

13 20:43:08:09 ~~Fee for registration —~~ Registered dental assistant - Renewal.

14 20:43:08:09.01. Registered dental assistant -- Continuing education requirements — ~~Registered~~  
15 ~~dental assistants.~~

16 20:43:08:10 ~~Delegation of duties — Supervision~~ Registered dental assistant – Scope of  
17 practice.

18 20:43:08:11 ~~Procedures that may not be delegated~~ Repealed.

19 **20:43:08 :01. Definitions.** Terms used in this chapter mean:

20 (1) "Registered dental assistant," a person registered as a registered dental assistant who is  
21 authorized to perform expanded functions under the direct supervision of a dentist as authorized  
22 by this article;

1 (2) "Expanded functions," reversible procedures which require professional proficiency and  
2 specific training, performed under the direct supervision of a dentist;

3 (3) "Certificate of competency," a certificate attesting that ~~a dental assistant~~ an individual  
4 is qualified to perform expanded functions ~~by~~ obtained by successfully completing a ~~registered~~  
5 ~~dental assistant examination program~~ as described in § 20:43:08:06 20:43:08:05.

6 **Source:** 19 SDR 32, effective September 6, 1992; 42 SDR 19, effective August 17, 2015.

7 **General Authority:** SDCL 36-6A-14(7), 36-6A-2641.

8 **Law Implemented:** SDCL 36-6A-14(7), 36-6A-41.

9 **20:43:08:02. Dental assistant – Requirements Scope of practice.** ~~The minimal~~  
10 ~~requirements for a dental assistant are graduation from high school or its equivalent of eighteen~~  
11 ~~years of age.~~

12 Subject to the supervising dentist exercising full responsibility, a dental assistant may  
13 perform duties or procedures incidental to patient care, including intraoral services or assisting in  
14 the performance of clinical or clinical-related duties, while operating under direct or indirect  
15 supervision of a dentist or personal supervision of a dental hygienist.

16 The following list of duties or procedures may not be performed by a dental assistant:

17 (1) Placing sealants;

18 (2) Placing or removing nonsurgical retraction materials for gingival displacement;

19 (3) Fabricating provisional restorations;

20 (4) Using electronic instruments for caries detection;

21 (5) Adjusting dentures or partials;

22 (6) Intraoral use of rotary hand instruments or ultrasonic instruments;

- 1           (7) Any duty or procedure that falls outside of the relevant education, training, and  
2                     experience of the dental assistant;
- 3           (8) Any procedure that cannot be performed by a registered dental assistant; and
- 4           (9) Other duties or procedures prohibited by the Board.

5           Subject to the supervising dentist exercising full responsibility, a dental assistant may  
6 perform the following duties or procedures if the supervising dentist is not present in the dental  
7 clinic, but has prior knowledge of and has authorized such:

- 8           (1) Taking alginate or digital records or impressions for casts and appliances;
- 9           (2) Creating or delivering vacuum-formed orthodontic retainers;
- 10          (3) Taking photographs extraorally or intraorally;
- 11          (4) Cutting long or broken wires;
- 12          (5) Removing loose bands, clasps, or brackets on orthodontic appliances or retainers;
- 13          (6) Removing and replacing existing ligature ties and arch wires on orthodontic  
14                     appliances;
- 15          (7) Removing and replacing existing elastic orthodontic separators;
- 16          (8) Recementing existing provisional restorations;
- 17          (9) Manipulating dental software for designing restorations;
- 18          (10)        Duties or procedures that involve infection control; and
- 19          (11)        Taking vital signs and updating health history.

20           A dentist or dental hygienist shall not allow professional incompetence by a dental  
21 assistant working under the supervision of the dentist or dental hygienist due to a deliberate act,  
22 negligent act, or failure to act.

23           **Source:** 19 SDR 32, effective September 6, 1992.

1       **General Authority:** SDCL 36-6A-14(1)(10), 36-6A-41, 36-6A-59.1(6).

2       **Law Implemented:** SDCL 36-6A-14(1)(10), 36-6A-41, 36-6A-59.1(6).

3       **20:43:08:03. Registered dental assistant -- Requirements.** ~~In addition to the minimum~~  
4 ~~requirements in § 20:43:08:02, a registered dental assistant must meet one of the following~~  
5 ~~requirements~~

6       ~~(1) Successfully complete a dental assisting program approved by the board pursuant to~~  
7       ~~§ 20:43:08:05;~~

8       ~~—— (2) Hold current credentials as a nationally certified dental assistant; or~~

9       ~~—— (3) Hold a certificate of competency from the board.~~

10       An applicant for a registration to practice as a registered dental assistant must be at least  
11 eighteen years of age and shall provide the following:

12       (1) A completed application form and an application fee of \$40;

13       (2) A copy of the applicant's birth certificate or equivalent documentation;

14       (3) Proof of graduation from high school or its equivalent;

15       (4) Proof of one of the following:

16           a. Graduation from an American Dental Association Commission on Dental  
17           Accreditation (CODA) accredited dental assisting program;

18           b. Current certification as a Certified Dental Assistant (CDA) through the Dental  
19           Assisting National Board, Inc. (DANB); or

20           c. Completion of a program approved pursuant to § 20:43:08:05 resulting in a  
21           registered dental assistant certificate of competency.

1       (5) A certified letter verifying the registration number and status of the registration from the  
2           Board of Dentistry in each state in which the applicant is or has been registered to  
3           perform expanded functions; and

4       (6) A copy of the applicant's current board approved cardiopulmonary resuscitation (CPR)  
5           card. The board accepts only the American Heart Association for the Healthcare  
6           Provider, American Red Cross for the Professional Rescuer, or an equivalent program  
7           approved by the board.

8       Applicants that have completed a CODA accredited dental assisting program or obtained a  
9       certificate of competency must apply within five years of completion of the program or, if the  
10       program was completed more than five years prior to application, must have legally provided  
11       expanded functions within five years preceding application. Written documentation verifying the  
12       current clinical proficiency of the applicant to provide expanded functions may be required from  
13       a dentist that has employed or supervised the applicant within the five years prior to application.

14       The board may issue a registration to practice as a registered dental assistant if an applicant  
15       meets the requirements in this rule. A registered dental assistant may perform expanded functions  
16       under the direct supervision of a dentist as authorized by this article.

17       **Source:** 19 SDR 32, effective September 6, 1992; 42 SDR 19, effective August 17, 2015.

18       **General Authority:** SDCL 36-6A-14(6) (7), 36-6A-50(15).

19       **Law Implemented:** SDCL 36-6A-14(6)(7), 36-6A-41, 36-6A-4250(15).

20       **20:43:08:04. Knowledge of infection control and applicable Occupational Safety and**  
21       **Health Administration standards –Qualifications by endorsement.** ~~A person who has a~~  
22       ~~current certificate to perform expanded functions issued by another state, jurisdiction, agency, or~~  
23       ~~recognized professional registry may, upon presentation of the certificate to the board be~~

1 considered to meet the requirements of § 20:43:08:03 if the board finds that the standards and  
2 procedures for qualification in the state, jurisdiction, agency, or recognized professional registry  
3 which issued the certificate are equivalent to the standards of this chapter. Dental assistants and  
4 registered dental assistants must be knowledgeable in the following:

- 5 (1) Occupational Safety and Health Administration Hazard Communication Standard as  
6 outlined in 29 CFR §1910.1200 (May 25, 2012);
- 7 (2) Occupational Safety and Health Administration Bloodborne Pathogens Standard as  
8 outlined in 29 CFR §1910.1030 (April 3, 2012); and
- 9 (3) Centers for Disease Control and Prevention Guidelines for Infection Control in  
10 Dental Health Care Settings, 2003.

11 **Source:** 19 SDR 32, effective September 6, 1992.

12 **General Authority:** SDCL 36-6A-14 (1)(7).

13 **Law Implemented:** SDCL 36-6A-14 (1)(7), 36-6A-41, 36-6A-42.

14 **Reference: Guidelines for Infection Control in Dental Health Care Settings, 2003, Center**  
15 **for Disease Control and Prevention.** Copies may be obtained from the Center for Disease  
16 Control and Prevention free of charge at <http://www.cdc.gov/>.

17 **20:43:08:05. Approval of Registered dental assistant training programs -- Application.**

18 ~~A~~ The Board may approve a program of learning leading to a registered dental assistant certificate  
19 of competency or registration as a registered dental assistant as required by § 20:43:08:03 may be  
20 approved by the board pursuant to § 20:43:08:03(4)(c) if the program meets the following  
21 standards requirements:

- 22 (1) ~~It constitutes an organized program of learning which contributes to the proficiency and~~  
23 ~~skills of the individual in training to become registered as a registered dental assistant performing~~

1 ~~expanded functions~~ The program is conducted by an entity that administers an American Dental  
2 Association Commission on Dental Accreditation (CODA) accredited dental assisting program or  
3 has applied for and is completing the application process to obtain CODA accreditation for its  
4 dental assisting program; and

5 (2) ~~It is conducted by individuals who are qualified by special education, training, and~~  
6 ~~experience to conduct the program of learning in expanded functions~~ The program verifies the  
7 competency of participants on areas generally included in the curriculum of a CODA accredited  
8 dental assisting program.

9 Application for approval of programs ~~of learning~~ shall be made to the board.

10 **Source:** 19 SDR 32, effective September 6, 1992; 42 SDR 19, effective August 17, 2015.

11 **General Authority:** SDCL 36-6A-14(7).

12 **Law Implemented:** SDCL 36-6A-14(7).

13 ~~— 20:43:08:06. Certificate of competency — Examination. An applicant for a certificate of~~  
14 ~~competency must pass a written examination on expanded functions administered by the board~~  
15 ~~or the dental assisting national board or any substantially similar test. The applicant must also~~  
16 ~~present to the board written documentation from a South Dakota dentist attesting to the clinical~~  
17 ~~proficiency of the applicant who has performed expanded functions under personal supervision~~  
18 ~~of the dentist for at least 180 days. The passing grade for the examination is 75.~~

19 **Source:** 19 SDR 32, effective September 6, 1992.

20 **General Authority:** SDCL 36-6A-14, 36-6A-41.

21 ~~— Law Implemented: SDCL 36-6A-14, 36-6A-42.~~

22 **20:43:08:07. Exemption to training requirements Student exemption.** ~~Repealed.~~ An  
23 individual that does not hold a registration to practice as a registered dental assistant may

1 perform dental assisting duties or procedures and expanded functions, if the following  
2 requirements are met:

3 (1) The individual is enrolled in an American Dental Association Commission on Dental  
4 Accreditation (CODA) accredited dental assisting program or board approved dental assisting  
5 educational program and performing the dental assisting duty, procedure, or expanded function  
6 under the auspices of that program;

7 (2) The duty, procedure, or expanded function is performed under the supervision of a  
8 faculty member of that program who is appropriately registered or licensed in the state where the  
9 program is located; and

10 (3) The faculty member authorizes the dental assisting duty, procedure, or expanded function  
11 to be performed, remains in the dental clinic while it is performed, and before dismissal of a  
12 patient the faculty member approves the work that was performed.

13 **Source:** ~~19 SDR 32, effective September 6, 1992; repealed, 26 SDR 37, effective~~  
14 ~~September 20, 1999.~~

15 **General Authority:** SDCL 36-6A-14(7), 36-6A-33(2)

16 **Law Implemented:** SDCL 36-6A-14(7), 36-6A-33(2)

17 **20:43:08:08. Application for registration.** ~~Each person desiring to engage in performing~~  
18 ~~expanded functions, except a licensed dentist or dental hygienist, shall apply for registration to~~  
19 ~~the board before engaging in such expanded functions. The application shall be made on a form~~  
20 ~~furnished by the board and shall be filled out completely. The application shall contain a~~  
21 ~~statement that the requirements of this chapter has been read and understood by the applicant and~~  
22 ~~shall document the training, experience, and education that qualify the applicant to engage in~~  
23 ~~performing expanded functions.~~

1           **Source:** 19 SDR 32, effective September 6, 1992.

2           ~~**General Authority:** SDCL 36-6A-14, 36-6A-41, 36-6A-42.~~

3           ~~**Law Implemented:** SDCL 36-6A-14, 36-6A-41, 36-6A-42.~~

4           **20:43:08:09. Fee for registration – Registered dental assistant - Renewal.** ~~If an applicant~~  
5 ~~meets the requirements of § 20:43:08:03, the board shall issue a registration as a registered dental~~  
6 ~~assistant upon payment of a fee of \$40 for initial registration.~~ Each person registered to practice as  
7 a registered dental assistant shall annually procure a certificate of registration from the board by  
8 July first. Each person registered as a registered dental assistant shall maintain a current board  
9 approved cardiopulmonary resuscitation (CPR) card. The board accepts only the American Heart  
10 Association for the Healthcare Provider, the American Red Cross for the Professional Rescuer, or  
11 an equivalent program approved by the board. A registered dental assistant shall pay an annual  
12 renewal fee of \$20. A registered dental assistant shall display the registration in the office.

13           **Source:** 19 SDR 32, effective September 6, 1992; 38 SDR 172, effective April 25, 2012;  
14 42 SDR 19, effective August 17, 2015; 45 SDR 35, effective September 19, 2018.

15           **General Authority:** SDCL 36-6A-14(6)(7), 36-6A-50(15)(17).

16           **Law Implemented:** SDCL 36-6A-14(6)(7), 36-6A-50(15)(17).

17           **20:43:08:09.01. Registered dental assistant - Continuing education requirements --**  
18 ~~**Registered dental assistants.**~~ A registered dental assistant shall complete at least 60 hours of  
19 board approved continuing education in each five-year licensure cycle. One hour of continuing  
20 education may be earned for each hour of attendance at a board approved continuing education  
21 course.

22           Credit for nutrition continuing education is limited to 15 hours per five-year licensure cycle.  
23           Credit for practice management continuing education is limited to 10 hours per five-year licensure

1 cycle. Credit for home study continuing education is limited to 30 hours per five-year licensure  
2 cycle. Credit for cardiopulmonary resuscitation continuing education is limited to 15 hours per  
3 five-year licensure cycle. Credit for clinical continuing education is unlimited per five-year  
4 licensure cycle. Up to five hours of clinical continuing education may be earned for attendance at  
5 exhibits at a state, regional, or national dental conference with a limit of 20 hours per five-year  
6 licensure cycle.

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

8 **Source:** Transferred from § 20:43:03:07.02, 45 SDR 35, effective September 19, 2018.

9 **General Authority:** SDCL 36-6A-14(1)(7), 36-6A-55.

10 **Law Implemented:** SDCL 36-6A-55.

11 **20:43:08:10. Delegation of duties—Supervision.** Subject to the dentist  
12 ~~exercising full responsibility, a dental assistant may perform duties and procedures incidental to~~  
13 ~~patient treatment while under the direct or indirect supervision of a licensed dentist or under~~  
14 ~~personal supervision of a licensed dental hygienist.~~ **Registered dental assistant – Scope of**  
15 **practice.** Subject to the supervising dentist exercising full responsibility, A a registered dental  
16 assistant may perform expanded function procedures functions only under the direct supervision  
17 of a dentist.

18 The following list of procedures may not be performed by a registered dental assistant:

- 19 (1) Irreversible procedures;  
20 (2) Cutting of hard or soft tissue;  
21 (3) Using lasers that are capable of altering, cutting, burning or damaging hard or soft  
22 tissue;  
23 (4) Intraoral placing, finishing, and adjusting of final restorations;

- 1           (5) Supra and subgingival scaling and periodontal probing as it pertains to dental hygiene  
2                   and those procedures allocated by SDCL 36-6A-40 and by § 20:43:04:04 to dental  
3                   hygienists with the exception of placing sealants and coronal polishing;
- 4           (6) Injecting medication other than as permitted in § 20:43:09:10.01;
- 5           (7) Administering nitrous oxide analgesia other than as permitted in § 20:43:09:06;
- 6           (8) Monitoring patients under general anesthesia, deep sedation, or moderate sedation  
7                   other than as permitted in § 20:43:09:10;
- 8           (9) Applying X-radiation to human teeth and supporting structures other than as permitted  
9                   in chapter 20:43:07;
- 10          (10) Establishment of a final diagnosis or treatment plan;
- 11          (11) Any procedure that falls outside of the relevant education, training, and experience  
12               of the registered dental assistant; and
- 13          (12) Other procedures prohibited by the Board.

14           A dentist shall not allow professional incompetence by a registered dental assistant  
15 working under the supervision of the dentist due to a deliberate act, negligent act, or failure to  
16 act.

17           **Source:** SL 1975, ch 16, § 1; 6 SDR 87, effective March 2, 1980; 12 SDR 151, 12 SDR 155,  
18 effective July 1, 1986; 14 SDR 118, effective March 24, 1988; transferred from § 20:43:04:05, 19  
19 SDR 32, effective September 6, 1992; 42 SDR 19, effective August 17, 2015.

20           **General Authority:** SDCL 36-6A-14(7)(10), 36-6A-2641, 36-6A-59.1(6).

21           **Law Implemented:** SDCL 36-6A-14(7)(10), 36-6A-2641, 36-6A-59.1(6).

1           **20:43:08:11. Procedures that may not be delegated.** The following list of procedures may  
2 not be delegated by a dentist or dental hygienist to either a dental assistant or a registered dental  
3 assistant:

4           — (1) The cutting of hard or soft tissue;

5           — (2) Intraoral procedures that will be used directly in the fabrication of a dental prosthesis;

6           — (3) Irreversible procedures;

7           — (4) The injection of medication other than as permitted in § 20:43:09:10.01;

8           — (5) The administration of nitrous oxide analgesia other than as permitted in § 20:43:09:06;

9           — (6) The placing, finishing, and adjusting of final restorations; and

10           (7) Those procedures allocated by SDCL 36-6A-40 and by §§ 20:43:04:04 and 20:43:04:06  
11 to dental hygienists with the exception of placement of sealants and coronal polishing  
12 following a prophylaxis by a dentist or dental hygienist.

13           **Source:** 6 SDR 87, effective March 2, 1980; 12 SDR 151, 12 SDR 155, effective July 1,  
14 1986; transferred from § 20:43:04:05.01, 19 SDR 32, effective September 6, 1992; 32 SDR 188,  
15 effective May 15, 2006; 42 SDR 19, effective August 17, 2015; 42 SDR 83, effective December  
16 3, 2015.

17           **General Authority:** SDCL 36-6A-14(10)(13).

18           — **Law Implemented:** SDCL 36-6A-14(10)(13).

19           **20:43:04:06. Additional duties of dental hygienist.** In addition to the duties prescribed  
20 in SDCL chapter 36-6A and § 20:43:04:04, a dental hygienist, ~~under direct supervision of a dentist,~~  
21 may perform all services permitted other registered dental assistants ~~and dental assistants~~ while  
22 operating under the level of supervision required of a registered dental assistant.

1           **Source:** SL 1975, ch 16, § 1; 6 SDR 87, effective March 2, 1980; 10 SDR 75, effective  
2   January 23, 1984; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 19 SDR 32, effective  
3   September 6, 1992; 26 SDR 37, effective September 20, 1999; 37 SDR 131, effective January 6,  
4   2011; 42 SDR 19, effective August 17, 2015.

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

6           **Law Implemented:** SDCL 36-6A-40.