

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2729.01 of the Code of Virginia, relating to dental assistants;*
 3 *supraperingival scaling and coronal polishing; certification.*

4 [S 178]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-2729.01 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-2729.01. Practice of dental assistants.**

9 A. A person who is employed to assist a licensed dentist or dental hygienist by performing duties not
 10 otherwise restricted to the practice of a dentist, dental hygienist, or dental assistant II, as prescribed in
 11 regulations promulgated by the Board may practice as a dental assistant I.

12 B. A person who (i) has met the educational and training requirements prescribed by the Board; (ii) holds
 13 a certification from a credentialing organization recognized by the American Dental Association; and (iii) has
 14 met any other qualifications for registration as prescribed in regulations promulgated by the Board may
 15 practice as a dental assistant II. A dental assistant II may perform duties not otherwise restricted to the
 16 practice of a dentist or dental hygienist under the direction of a licensed dentist that are reversible, intraoral
 17 procedures specified in regulations promulgated by the Board.

18 *C. Notwithstanding subsections A and B, a dental assistant I or dental assistant II with a minimum of*
 19 *1,800 hours of clinical experience may obtain certification to provide additional treatments pursuant to*
 20 *subsection D, provided that:*

21 *1. The dental assistant I or dental assistant II has undergone training and obtained certification (i) from a*
 22 *licensed dentist or licensed dental hygienist employed or engaged by a licensed dentist and implementing an*
 23 *education curriculum provided by a statewide association that is exempt under 26 U.S.C. § 501(c)(6) of the*
 24 *Internal Revenue Code and primarily represents dentists licensed in the Commonwealth, (ii) from a federal*
 25 *program approved by or associated with the Indian Health Service or while serving on active military duty,*
 26 *or (iii) from an existing dental assistant education program; and*

27 *2. The licensed dentist who provides, supervises, or confirms the training of the dental assistant I or*
 28 *dental assistant II certifies under oath that the dental assistant I or dental assistant II has completed the*
 29 *training described in subdivision 1, as well as at least 20 supervised full-mouth supraperingival scaling*
 30 *procedures with consent of the patients. Documentation of such certification shall be maintained in writing*
 31 *or electronically by the licensed dentist and produced to the Board upon request. Such certifications and*
 32 *documentation thereof may be relied upon and maintained by subsequent employers of a dental assistant I or*
 33 *dental assistant II. A licensed dentist may certify any dental assistant I or dental assistant II who presents*
 34 *evidence of such training completed pursuant to clause (ii) of subdivision 1.*

35 *D. A dental assistant I or dental assistant II, upon obtaining certification and under indirect supervision*
 36 *of a licensed dentist, may perform (i) supraperingival scaling with hand and ultrasonic scalers and (ii) coronal*
 37 *polishing.*

38 *E. A licensed dentist shall not indirectly supervise more than two dental assistants at any given time while*
 39 *such dental assistants are performing supraperingival scaling or coronal polishing.*

40 **2. That regulations promulgated by the Board of Dentistry pursuant to this act shall be exempt from**
 41 **the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).**

ENROLLED

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