



April 2021

Becoming a COVID-19 Vaccine Provider



The latest amendment to the PREP Act expands qualified persons that may administer COVID-19 vaccines. Any dentist who has held an active license or certification within the last five years, which is inactive, expired or lapsed, so long as the license or certification was active and in good standing prior to the date it went inactive, expired or lapse and was not revoked or surrendered. Any dental student with appropriate training in administering vaccines as determined by his or her school or training program and supervision by a currently practicing healthcare professional experienced in administering intramuscular injections, subject to certain requirements.

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Registration for COVID-19 Vaccination Administration

Dentists and dental students must enroll in the Texas Department of State Health Services (DSHS) Immunization Program to be eligible to administer COVID-19 vaccines in Texas. The enrollment portal is now open. DSHS, our state's public health department, is responsible for the vaccine distribution.

Register here:

<https://enrolltexasiz.dshs.texas.gov/>

Learn more about becoming a COVID-19 vaccine provider here:

<https://www.dshs.texas.gov/coronavirus/immunize/provider-information.aspx>

Or refer to our website: <https://tsbde.texas.gov/administering-covid-19-vaccinations/>

Prescribing Waiver

Effective January 1, 2021, Texas Health and Safety Code § 481.0755 requires that prescriptions for controlled substances be issued electronically, except in limited circumstances, or unless a waiver has been granted by the appropriate agency. A dentist may apply for a waiver from the electronic prescribing requirement by submitting a waiver request to the TSBDE and providing required information.

Please visit <https://tsbde.texas.gov/e-prescribing-waiver/> for additional information.

The waiver form is available here: [Electronic Prescribing Waiver Form](#)

Once approved, waivers will be issued for a period of one year and verification of an approved waiver will be displayed on the TSBDE website. Dentists may apply for a subsequent waiver no more than 30 days before an active waiver expires. Once your application has been approved, you will find your name listed on the Approved Electronic Prescribing Waivers link.

<https://tsbde.texas.gov/e-prescribing-waiver/>

TSBDE will not send you a paper copy of this waiver; pharmacies refer to the TSBDE website to verify a prescriber's waiver status. Approved Electronic Prescribing Waivers link:

<https://tsbde.texas.gov/e-prescribing-waiver/>

Please contact waivers@tsbde.texas.gov, if you have any questions or need assistance.

MARCH 12, 2021 BOARD MEETING

ADOPTED RULES

Rule 108.7 Minimum Standard of Care, General
[Link to the Texas Register](#)

Rule 108.8 Records of the Dentist
[Link to the Texas Register](#)

Rule 108.54 Advertising of Specialties
[Link to the Texas Register](#)

Rule 119.10 Oral Medicine
[Link to the Texas Register](#)

Rule 119.11 Dental Anesthesiology
[Link to the Texas Register](#)

Rule 119.12 Orofacial Pain
[Link to the Texas Register](#)

PROPOSED RULES

Rules 101.2 and 103.2 Licensure by Examination (dental licensure and dental hygiene licensure): the proposed amendments reflect the North East Regional Board of Dental Examiners' (NERB) name change to The Commission on Dental Competency Assessments (CDCA), and the effective date of the name change.

FEBRUARY 19, 2021 BOARD MEETING

EMERGENCY RULE

Rule 108.7 Minimum Standard of Care, General
[Link to the Texas Register](#)

For your reference, this PDF includes the highlighted changes that were made to the updated emergency rule 108.7. A strikethrough indicates the language was removed:

[Emergency Rule 108.7 – strikethrough version](#)
(effective February 19, 2021)

CDCA membership update

TSBDE is officially a member state of the Commission on Dental Competency Assessment (CDCA). This membership allows Texas board members the opportunity to participate as examiners at CDCA-administered ADEX licensure examinations throughout the United States.

<https://www.cdcaexams.org/>

Human Trafficking Prevention Training Required!

Training Required: Human Trafficking Prevention Training for Health Care Practitioners

Beginning September 1, 2020, certain health care practitioners who provide direct patient care must complete an approved human trafficking prevention training course in order to renew their license. In order to satisfy the training requirement, the course must be approved by the Texas Health and Human Services Commission.

Health care practitioners are in a unique position to intervene in human trafficking, one of the most insidious and seemingly invisible public health challenges. This includes both labor and sex trafficking, and may involve people of any age, gender, race/ethnicity, nationality, immigration status, or sexual orientation. Victims and survivors of human trafficking may be seen at local clinics, emergency departments, or other medical settings and the health care team's actions at that moment can make a life-saving difference. This training is meant to provide you with a variety of resources to inform and support planning for that critical response.

[Click here for more information on the Human Trafficking Training](#)

Anesthesia Information

Reminder, pursuant to 22 Tex. Admin. Code § 110.13 Sedation and Anesthesia, Required Preoperative Checklist for Administration of Nitrous Oxide and Levels 1, 2, 3, and 4 Sedation/Anesthesia: a dentist administering nitrous oxide or Level 1, 2, 3, or 4 sedation/anesthesia must create, maintain, and include in the patient's dental records a document titled "preoperative sedation/anesthesia checklist." The checklist must be completed prior to commencing a procedure for which the dentist will administer nitrous oxide or Level 1, 2, 3, or 4 sedation/anesthesia. The checklist may be paper or electronic.

Pursuant to 22 Tex. Admin. Code § 110.18, TSBDE is conducting sedation and anesthesia compliance inspections. Failure to allow the inspection to take place may result in suspension in one or more of your permits.

Pursuant to 22 Tex. Admin. Code § 110.18, regardless of issue date, all Level 2, 3, and 4 permit holders will be subject to at least one inspection prior to September 1, 2022. All Level 2, 3, and 4 permit holders who received their initial permit after March 1, 2018, must be inspected within a year of receiving their permit.

Pursuant to 22 Tex. Admin. Code § 110.14 Sedation and Anesthesia, Emergency Preparedness Policies and Procedures: all permit holders, including nitrous oxide/oxygen inhalation sedation permit holders, must develop written emergency preparedness policies and procedures specific to the permit holder's practice setting that establishes a plan for the management of medical emergencies in each practice setting in which the dentist administers sedation/anesthesia. Make note from this rule the requirements of specific protocols, staff training log, emergency drug log, equipment readiness log, individual staff roles and responsibilities, and review requirements.

Texas dentists who hold a Level 2, 3, and 4 sedation permit, please ensure you have a current work address, phone number, and email on file with TSBDE. If you need to update your information, you may email the following information to anesthesiainfo@tsbde.texas.gov.

1. Full Name
2. Dental License Number
3. Work Address
4. Email
5. Phone Number
6. Indicate if your work address is your mailing address

The TSBDE answers your questions

Can I prescribe or dispense a drug for sedation without a level sedation permit?

No. Dentists prescribing medications for sedation below MRD must have a Level 1 Minimal Sedation permit. Minimal sedation is defined as a minimally depressed level of consciousness, produced by a pharmacological method, that retains the patient's ability to independently and continuously maintain an airway and respond normally to tactile stimulation and verbal command. You must have at least a Level 1 sedation permit to prescribe or dispense these medications to your patients and shall not exceed the maximum recommended doses under board rules §110.1 and §110.4.

What are the new requirements when sedating patients?

- 1) Pre-Operative Checklist: For all sedation levels including nitrous, a pre-op checklist must be completed prior to sedating a patient pursuant to board rule §110.13.
- 2) PMP Query: Prior to prescribing or dispensing certain medications, such as opioids or benzodiazepines, you must access the patient's prescription drug history through the Texas Pharmacy Board's Prescription Monitoring Program (PMP) pursuant to board rule §111.3. Additionally, a yearly self-query through PMP must be done pursuant to board rule §111.2.
- 3) Electronic prescriptions of all controlled substances are required pursuant to Texas Health and Safety Code § 481.0755. Dentists can apply for waivers in certain circumstances pursuant to board rule §111.5, see the TSBDE website.
- 4) Emergency preparedness: written policies and procedures must be reviewed and updated at least annually along with drug logs, staff training, and equipment readiness pursuant to board rule §110.14.
- 5) Inspections of all Level 2, 3, and 4 sedation permit holders are being held pursuant to board rule §110.18. New Level 2-4 permit holders must be inspected within a year of receiving their permit.
- 6) If you sedate high risk patients (board rule §110.16) or pediatric patients (board rule §110.17), you must have the respective certification.

I have a Level 3 sedation permit. Can I delegate a nurse anesthetist to sedate my patient?

You can delegate a nurse anesthetist to sedate only up to your sedation permit level (see board rules §110.3, §110.4, §110.5, §110.6). Even though the nurse anesthetist is trained for deep/general anesthesia, board rules do not allow for higher level sedation than your permit allows. The use of general or deep anesthetic agents (see board rule §110.10) by a nurse anesthetist is prohibited unless the dentist has a sedation Level 4 permit. A medical or dental anesthesiologist can independently administer sedatives at a higher level.



Fax Number Update!

For the Texas State Board of Dental Examiners

The Texas State Board of Dental Examiners is updating our Fax Service and will be replacing our old fax numbers with new fax numbers for every department and the agency's general line.

Beginning October 1, 2020, TSBDE will be using the New Numbers exclusively. Until the end of September, we will receive faxes from both numbers.

If you have any questions, please contact licensinghelp@tsbde.texas.gov.

Thank you for your time and patience as we upgrade!

| Department | Old Number | New Number |
|------------------|--------------|--------------|
| Agency (General) | 512-463-7452 | 512-649-0797 |
| Compliance | 512-682-0418 | 512-649-2791 |
| Enforcement | 512-692-2517 | 512-649-2732 |
| Legal | 512-305-9364 | 512-649-2482 |
| Licensing | 512-463-7452 | 512-649-1658 |

Did you know that all licensees or registrants are required to hold a current BLS CPR certification, which includes a demonstration of skills and a written evaluation?

Thinking about retiring? Among all other things that go with retirement, be sure to submit your retirement form to the board. Otherwise your license will expire and then cancel. Visit the board's website to obtain information on placing your dental or dental hygiene license on a retirement status.

<https://tsbde.texas.gov/licensing/dentists/dentist-retire-a-license/>.

TSBDE will be closed on the following holiday: Memorial Day - May 31, 2021

The Mission of the Texas State Board of Dental Examiners is to protect the public health and safety and promote high quality and safe dental care by providing enforcement, licensing, peer assistance, and related information services to licensees and their patients



What constitutes a patient hospitalization for the purposes of a self-report?

Pursuant to board rule 22 Tex. Admin. Code § 108.6(2), a dentist must submit a written report to the board when a hospitalization of a dental patient occurs as a possible consequence of receiving dental services from the reporting dentist, and it must be reported within 30 days of the hospitalization or such a time as the dentist becomes aware of or reasonably should have become aware of the hospitalization. According to the rule, the term “hospitalization” is defined as an examination at a hospital or emergency medical facility that results in an in-patient admission for the purpose of treatment and/or monitoring. The board interprets “in-patient admission” to mean a full admission to the hospital or emergency medical facility and not a 23-hour observation status.

Renewal Certificates

Effective September 1, 2021, TSBDE will eliminate the printing and mailing out of renewal certificates.

A licensee/registrant now has the ability to generate a digital copy of their renewed certificate online. Renewal certificates will be available for printing 24-48 hours after the renewal application has been approved. TSBDE will continue to print duplicate requests for those who submit the duplicate request form along with the required fee. It is not required to print a color copy.

<https://tsbde.texas.gov/ecertificate/>