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**Informational Letter Regarding Recently Enacted Laws and
Transition of the Certification Requirements Pursuant to Board Rule, Chapter 14**

There were several laws enacted during the 128th First Regular Session that directly impact the Maine Board of Dental Practice authorizing statute, Title 32 Chapter 143 "Dental Professionals." Below is a list and summary of those laws, including their effective dates and implementation status, if applicable.

New laws:

- Public Law 2017, chapter 213 "An Act to Clarify the Opioid Medication Prescribing Limit Laws" (emergency legislation effective June 16, 2017)
- Public Law 2017, chapter 186 "An Act to Inform Patients of the Dangers of Addicting Opioids" (effective November 1, 2017)
- Public Law 2017, chapter 210 "An Act to Update Professional and Occupational Licensing Laws" (effective November 1, 2017)
- Public Law 2017, chapter 139 "An Act to Amend the Requirements for Licensure as an Independent Practice Dental Hygienist" (emergency legislation - effective June 7, 2017)
- Public Law 2017, chapter 288 "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (emergency legislation effective July 15, 2017)

Summaries/Implementation:

- Public Law 2017, chapter 213 - amends the existing law such that it creates an exception to the 7-day period/7-day supply limitation for acute pain when the product has specific labeling as provided by the FDA. This law also adds an exception when prescribing is in connection with a surgical procedure.
- Public Law 2017, chapter 186 - creates a new requirement for licensed dentists whose scope of practice includes prescribing opioid medication to have a prescribing policy in place no later than January 1, 2018. The prescribing policy must include risk assessment, informed consent and counseling on the risk of opioid use.
- Public Law 2017, chapter 210 - restores the Board's authority to file a complaint in District Court if the board concludes that a suspension/revocation of a license is warranted.

- Public Law 2017, chapter 139 - amends the qualifications for an RDH to qualify for an independent practice dental hygienist authority by removing the timeframe to obtain the supervised experience, and by removing the number of hours based upon level of dental hygiene education. The Board is currently engaged in the rulemaking process to further implement this legislation.
- Public Law 2017, chapter 288 - technical amendment to Section 18371, subsection 4 to correct the word "subsections" to "subsection" for proper legal form.

Board Rule, Chapter 14 "Rules for Use of Sedation and General Anesthesia":

Revised rules regarding the use of sedation and general anesthesia were adopted by the Board and became effective August 27, 2017. Section V(H)(1) of the rule entitled "Life Support Certification(s)" requires the following:

- a. Dentists must ensure that all dental personnel successfully complete Basic Life Support for Healthcare Providers (BLS) certification and maintain current BLS certification when utilizing, administering, or monitoring local anesthesia, nitrous oxide analgesia, minimal sedation, moderate sedation, deep sedation, or general anesthesia.
- b. Any dentist applying for or maintaining a Moderate Sedation Permit or a Deep Sedation/General Anesthesia Permit must have successfully completed current Advanced Cardiac Life Support (ACLS) or Pediatric Advanced Life Support (PALS), as appropriate for the dentist's practice, and maintain continuous certification.
- c. Successful completion of PALS training and continuous certification are required for a dentist that provides pediatric sedation.

At its October 13, 2017 meeting, the Board recognized the difficulties dentists might face in attempting to comply immediately with these provisions and determined that it would postpone enforcing the requirements imposed by Board Rule, Chapter 14 Section V(H)(1) until **July 1, 2018**.

Should you have any questions regarding this notification, please contact board staff.

FMI:

Maine State Legislature: <http://legislature.maine.gov/>

State Agency Rulemaking: <http://www.maine.gov/sos/cec/rules/index.html>

Board's Website: <http://www.maine.gov/dental/>

Board staff email: dental.board@maine.gov