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January 31, 2017

**Informational Letter Regarding Proposed Rules Changes to  
Board Rule, Chapter 14 "Rules for Use of Sedation and General Anesthesia"**

The Maine Board of Dental Practice is providing this informational letter to licensed dentists and interested parties to clarify proposed changes to Board Rule, Chapter 14. The Board wishes to further educate the public in anticipation of the public hearing as to what the rule actually proposes versus what it is not proposing.

**Not included in the proposal:**

- The proposal does not require legislative action, rather it is a state agency rulemaking effort. See link to state agency rulemaking process: <http://www.maine.gov/sos/cec/rules/index.html>.
- The proposal does not adopt by reference the American Dental Association's 2016 "Guidelines for the Use of Sedation and General Anesthesia by Dentists."
- The proposal does not adopt by reference the American Dental Association's 2016 "Guidelines for the Teaching Pain Control and Sedation to Dentists and Dental Students."
- The proposal does not increase or change the educational qualifications for sedation permits.
- The proposal does not change the classification of minimal or moderate sedation.
- The proposal does not limit the use of general anesthesia to hospital settings only.
- The proposal does not limit dosing in the administration minimal sedation.\*

\*Please note that recently enacted legislation does mandate limits on opioid prescribing – See link to review 32 M.R.S. §18308: <http://legislature.maine.gov/legis/statutes/32/title32ch143sec0.html>

**Included in the proposal:**

- The proposal does eliminate site permits.
- The proposal does eliminate temporary permits.
- The proposal does eliminate a board-required inspection prior to issuing permits.
- The proposal does eliminate the anesthesia committee.
- The proposal identifies a new permit type to be issued to qualifying dentists such that they can provide itinerate dental sedation and/or general anesthesia services.
- The proposal identifies the dentists' responsibilities when either providing the sedation services or when utilizing a sedation provider (e.g. patient monitoring, equipment, drugs, documentation, certifications, and personnel requirements).

**Informational Letter (cont.)**

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**Included (cont.):**

- The proposal does require dentist applicants to self-certify compliance with the sedation rule upon application to the Board.
- The proposal does require a 14 day notification to the Board prior to providing services as A sedation provider licensed by the Board.
- The proposal does transition the existing 5 year permits to a two year permit to align with the dentist licensure cycle.

Below is a link to the Rule-making Fact Sheet which provides a summary of the proposal, as well as the actual text of the Proposed Changes to Board Rule, Chapter 14. The publication appears under the header "Important Notices."

<http://www.maine.gov/dental/>

The Public Hearing for the proposed rule change is scheduled for **Friday, February 10, 2017 at 1 p.m.** If you are providing testimony at the hearing, please bring one copy of your testimony.

The deadline for submitting written comments to the Board is set for **March 13, 2017**. If you wish to file written comments to the Board, please submit them to the Agency Contact Person listed on the Fact Sheet attached.

Should you have any questions regarding this informational letter, please contact Penny Vaillancourt, Executive Director, by email at [penny.vaillancourt@maine.gov](mailto:penny.vaillancourt@maine.gov) or by using the contact information on the Board's website listed above.