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Advocacy Spotlight: Important: State Issues Changes to Delegation of Duties Rules

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Important: State Issues Changes to Delegation of Duties Rules



By Neema Katibai, JD

The Michigan Board of Dentistry has updated the rules for delegating duties to dental auxiliaries, among other recent rule changes — be sure to take note of these changes and share them with your staff. An updated Delegation of Duties chart appears on the MDA website at michigandental.org/Delegation-of-Duties.

The changes include clarifying that individuals formerly identified as “dental assistants” or “on-the-job-trained assistants” are now referred to as “unregistered dental auxiliaries,” or UDAs. Other changes include changing supervision levels for certain tasks; providing guidance for UDAs to be trained to perform certain orthodontic duties; and adding and deleting certain duties. A list of the duties with substantive changes is included below:

Taking impressions or digital scans for study and opposing models and matrices for temporary crowns and bridges.

This duty was clarified to include digital scans and specify uses for scans or impressions.

- Supervision level required:
- UDA — General Supervision
- RDA — Assignment
- RDH — Assignment

Removing orthodontic bands, brackets, and adhesives with hand instruments only. Use of high-speed rotary instruments is not in the scope of a UDA, RDA, or RDH.

This duty was changed to specify that high-speed rotary instruments cannot be used by any dental auxiliaries. Under the previous rule, only non-tissue cutting instruments were prohibited, which allowed auxiliaries to use a much broader variety of tools and instruments.

- Supervision level required:
- UDA — Direct Supervision (*Previously, UDAs were not able to be delegated this duty.*)
- RDA — Direct Supervision
- RDH — Assignment

Polishing assigned teeth with a slow-speed rotary handpiece immediately before an acid-etch procedure.

This duty was clarified to require the delegating dentist to assign the teeth that need to be polished. Additionally, this language was amended to include any acid-etch procedure, rather than the limited procedures in the rule before.

- Supervision level required:
- UDA — Direct Supervision** (*See **, Page 66*)
- RDA — Assignment
- RDH — Assignment

Etching and placing adhesives before placement of orthodontic brackets and attachments for aligners.

This duty was not changed. However, UDAs are now able to perform this duty with specific training.

- Supervision level required:
- UDA — Direct Supervision**
- RDA — General Supervision
- RDH — General Supervision

Cementing orthodontic bands or initial placement of orthodontic brackets and attachments for aligners.

This duty was not changed. However, UDAs are now able to perform this duty with specific training.

- Supervision level required:
- UDA — Direct Supervision**
- RDA — Direct Supervision
- RDH — Direct Supervision

Removing excess cement from supragingival surfaces of a tooth with hand instruments only.

This duty was changed to limit registered dental assistants to using hand instruments only for this task. Under the previous rule, only non-tissue cutting instruments were prohibited, which allowed RDAs to use a much broader variety of tools and instruments. A separate, similar duty has been created for RDHs and can be found next on this list.

Supervision levels required:

- UDA — Not allowed
- RDA — Assignment
- RDH — Not allowed

Removing orthodontic or other cements from supragingival or subgingival surfaces with hand instruments or powered scaling instruments.

This duty was added to clarify how an RDH may remove cements from various surfaces. Notably, RDHs are able to remove cements from supra- and subgingival surfaces with either hand instruments OR powered scaling instruments.

Supervision levels required:

- UDA — Not allowed
- RDA — Not allowed
- RDH — Assignment

Providing nutritional counseling for oral health and maintenance.

This duty was not changed. However, UDAs are now able to perform this duty with specific training.

Supervision levels required:

- UDA — Direct Supervision**
- RDA — Assignment
- RDH — Assignment

Inspecting and charting of the oral cavity using a mouth mirror and radiographs including the classifying of occlusion.

This duty was clarified to include classification of occlusion. Under the previous rules, classification of occlusion was listed as an independent duty. The latest update eliminated the independent duty and included it with inspection and charting of the oral cavity.

Supervision levels required:

- UDA — Direct Supervision**
- RDA — Assignment
- RDH — Assignment

Applying anticariogenic agents including, but not limited to, sealants, fluoride varnish, and fluoride applications. UDAs may not place sealants.

This duty was expanded to allow UDAs to apply fluoride varnish and other applications. However, UDAs are expressly prohibited from applying sealants.

Supervision levels required:

- UDA — Direct Supervision**
- RDH — Assignment
- RDA — Assignment

Placing a nonmetallic temporary or sedative restoration with non-tissue cutting instruments.

This duty was changed to prohibit dental auxiliaries from removing temporary or sedative restorations with non-tissue cutting instruments.

Supervision levels required:

- UDA — Not allowed
- RDA — Assignment
- RDH — Assignment

Temporarily cementing and removing temporary crowns and bands.

This duty was not changed. However, UDAs are now able to perform this duty with specific training.

Supervision levels required:

- UDA — Direct Supervision**
- RDA — Assignment
- RDH — Assignment

Taking impressions for intraoral appliances including bite registrations.

This duty was not changed. However, UDAs now are able to perform this duty with specific training.

Supervision levels required:

- UDA — Direct Supervision**
- RDA — General Supervision
- RDH — Assignment

Before cementation by the dentist, adjusting and polishing contacts and occlusion of indirect restorations.

This duty was limited to being delegated before cementation of indirect restorations. Under the new rules, a dentist may not delegate removal of excess cement from around restorations.

Supervision levels required:

- UDA — Not allowed
- RDA — General Supervision
- RDH — General Supervision

Taking final impressions for indirect restorations and prosthesis including bite registration, intra-oral imaging, and in-office fabrication of restoration.

This duty was clarified to limit final impressions taken by RDAs to indirect restorations and prosthesis including bite registration, intra-oral imaging, and in-office fabrication of restorations. RDAs are no longer authorized take final impressions for direct restorations.

Supervision levels required:

(Continued on Page 66)

Monday, March 11, 2024: MDA Update with Eric Knudsen, DDS, and University of Michigan School of Dentistry Update and Vision with Jacques Nör, DDS, MS, PhD. Where: Weber's Inn, Ann Arbor. Sponsor: Washtenaw District Dental Society. Contact: Barbara Kolling at bcfkolling@gmail.com or 734-761-2445. One CE credit.

Tuesday, March 12, 2024: MDA President Visit and Fish Fry. Speaker: Eric Knudsen, DDS. Where: The Lake House Waterfront Grille and Event Center, Muskegon. Sponsor: Muskegon District Dental Society. Contact: Jacob Fischer, DDS, at jmfddsp LLC@gmail.com. One CE credit.

Wednesday, April 24, 2024: Dental Emergencies. Speaker: Joseph Larson, DMD, MD. Where: Delta Hotels by Marriott Muskegon Convention Center, Muskegon. Sponsor: Muskegon District Dental Society. Contact: Jacob Fischer, DDS, at jmfddsp LLC@gmail.com. One CE credit.

DETROIT MERCY DENTAL

These listings of next month's in-person courses and live webinars are provided by the University of Detroit Mercy Institute for Advanced Continuing Education. Visit dental.udmercy.edu/ce for a complete listing.

Advocacy Spotlight (cont'd)

UDA — Not allowed

RDA — Direct Supervision

RDH — Not allowed

Finally, the Board eliminated "Placing and removing surgical temporary sedative dressings" from the rules. This task must now be performed by a dentist.

In addition to updating the duties, the Board of Dentistry also included a new footnote, marked "***". The footnote outlines training standards that UDAs may complete to expand the duties that can be delegated to them (see below). Footnotes "*", "****", "*****" were not changed in the rules and can be found at the bottom of the Delegation of Duties Chart posted on the MDA website.

** A dentist shall delegate these procedures to a UDA only if the UDA has successfully completed an in-person or virtual training with performance evaluations on the following functions:

- Polishing assigned teeth with a slow-speed rotary handpiece immediately before an acid-etch procedure.
- Etching and placing adhesives before placement of orthodontic brackets and attachments for aligners.
- Cementing orthodontic bands or initial placement of orthodontic brackets and attachments for aligners.

Sunday, Dec. 3: Live Webinar — Improved Knowledge and Selection of Biomaterials to Achieve More Predictable Results after Periodontal Surgery. Speaker: Zeeshan Sheikh, Dip.Dh, BDS, MSc, PhD, M.Perio, FRCD(C). Where: Online course. One and one half CE credits.

Friday, Dec 8: Live Webinar — Oral Malignancies and Mimics. Speaker: Mark Lerman, DMD. Where: Online course. One CE credit.

Tuesday, Dec. 12: Live Webinar — Advancements in Digital Dentistry: The Benefits of Implementing a Digital Workflow in Dental Practice. Speaker: Luiz A. Pimenta, DDS, MS, MBA, PhD. Where: Online course. One CE credit.

UNIVERSITY OF MICHIGAN

These listings of next month's in-person courses and live webinars are provided by the University of Michigan School of Dentistry. Visit <https://dent.umich.edu/education/continuing-dental-education> for a complete listing.

No listings for December were posted online at press time. ●

■ Providing nutritional counseling for oral health and maintenance.

■ Inspecting and charting the oral cavity using a mouth mirror and radiographs including the classifying of occlusion.

■ Applying anticariogenic agents including, but not limited to, sealants, fluoride varnish, and fluoride applications.

■ Temporarily cementing and removing temporary crowns and bands.

■ Taking impressions for intraoral appliances including bite registrations.

Please remember that if a task not listed on the Delegation of Duties Chart is delegated, or delegated under improper supervision, the dentist may face sanctions against his or her license as well as liability for malpractice.

A printable version of the Delegation of Duties chart, which includes definitions for important terms, can be accessed on the MDA website at michigandental.org/Delegation-of-Duties. If you are ever unsure of whether you can delegate a duty, please check the chart. Please destroy any older Delegation of Duties charts. If you're still not sure whether a duty may be delegated, contact the MDA at 517-372-9070. ●