

## BORID Regulations Commonly Asked Questions

The Board of Registration in Dentistry (BORID) has approved updated regulations that go into effect on August 20, 2010. It is very important that you read these regulations in their entirety. The regulations are available on the Massachusetts Dental Society Web site at [www.massdental.org/newregulations](http://www.massdental.org/newregulations)



### **1. Do I need to buy an AED for my office?**

Most likely - 234 CMR 6.15 (p. 73 of August 20, 2010 regulations) specifies the equipment and supplies that are required where local anesthesia is administered, and an AED is one of the requirements. The Board understands that it may take some time for practices to obtain AEDs and train staff on how to use this equipment. They are planning to take this into account during the educational phase of implementation, and will assess the efforts of a licensee to achieve compliance with the regulations.

### **2. Do I need to obtain additional continuing education to administer anesthesia in my office?**

The Board has informed us that a dentist holding an Individual Anesthesia Permit issued on or before August 20, 2010, is exempt from any new educational requirements in 234 CMR 6.00 re. Anesthesia and Sedation, and will be permitted to renew their individual permits as usual. Facility permits issued before August 20, 2010, will also remain valid; however, facility permit holders will be expected to fully comply with the equipment, drugs, and staffing requirements of the regulations as soon as possible, certainly by the time the permit is renewed (March 31, 2012).

From August 20, 2010, on, biennial renewal of all licenses (dentists by March 31 of even years, hygienists by March 31 of odd years) will require completion of

- 1) continuing education in infection control in the dental health care setting, and
- 2) certification in CPR/AED or BLS at a minimum.

If a licensee holds an anesthesia permit pursuant to 234 CMR 6.00, then he/she will be required to maintain certification in ACLS or PAL in accordance with requirements for the level of anesthesia permit issued to the licensee. Check the regulations for the rescue requirements in 234 CMR 6.00 for the type of anesthesia permit you have. Individuals applying for a new anesthesia permit after August 20, 2010, will be expected to demonstrate compliance with the regulations to obtain approval of a permit.

### **3. How long do I need to keep patients' original dental records and original radiographs?**

A minimum of seven years from the date of the last patient treatment. In addition, the patient record of a minor shall be retained for a minimum of seven years from the date of the last patient treatment or three years from when the patient has reached the age of maturity, whichever is later. Refer to 234 CMR 5.15 (page 38).

**4. Does my office have to appoint a Dental Director?**

The Board informs us that if there are any non-owner dentists working in the practice (including full or part-time, or on a temporary basis or as an independent contractor), the owner is required to name a dental director who is responsible for implementing policies and procedures to ensure compliance with local ordinances and state and federal statutes and regulations governing the practice of dentistry in a number of areas specified in 234 CMR 5.02 (b) on page 27 of the regulations.

**5. I am a dentist, do I need to wear a name tag? Is my staff required to wear name tags?**

Yes, all licensees and dental auxiliaries providing dental services to a patient, or assisting a dentist in the direct care or treatment of a patient, shall wear a name tag with the individual's name and professional title and function. Refer to 234 CMR 5.03 (page 28). The Board informs us that first names only are OK, but the professional title and function is important so that patients know if he/she is a dentist, dental hygienist, or dental assistant.

**6. What duties can I delegate?**

Go to 234 CMR 5.11, 5.12, and 5.13 on pages 33-37 for a complete overview of delegation and delegable and non-delegable duties. Be sure to refresh your knowledge about the definitions of "supervision" in 234 CMR 2.03 on page 8.

**7. What is required to be in the patient records?**

Please refer to 234 CMR 5.15 (pages 38-42).

**8. Is there a requirement for a specific informed consent for specialized treatment (e.g. orthodontic services)?**

Yes. Please refer to 234 CMR 5.15 (page 40).

**9. Do I need a written emergency protocol for my office?**

Yes. Refer to 234 CMR 5.16 (page 42).

**10. Can my dental office be inspected without notice?**

Yes, The Board or its designee (s) may visit a dental practice at any time without notice and conduct an inspection to determine compliance. Refer to 234 CMR 5.18 (page 42).

**11. Has the CEU cycle changed for dentists?**

The Board has informed us that the license renewal cycles are the same - dentists must renew by March 31st of even-numbered years, and dental hygienists by March 31st of odd-numbered years. The requirements for CEUs are specified in 234 CMR 8.00 on pages 81-83 of the new regulations. Starting on April 1, 2012, for dentists, and April 1, 2013, for dental hygienists, the CEUs must be obtained within 24 months of renewal. PLEASE NOTE: For the 2010-2012 license renewal cycle for dentists, CEUs obtained from January 1, 2010 - March 31, 2012, will be accepted. For the 2009-2011 license renewal cycle for dental hygienists, CEUs obtained from January 1, 2009-March 31, 2011 will be accepted.