

## CHAPTER 20-01-02 DEFINITIONS

Section  
20-01-02-01 Definitions

### 20-01-02-01. Definitions.

Unless specifically stated otherwise, the following definitions are applicable throughout this title:

1. "Advertising" means any public communication, made in any form or manner, about a licensee's professional service or qualifications, for the purpose of soliciting business.
2. "Aldrete score" means a measurement of recovery after anesthesia that includes gauging consciousness, activity, respiration, and blood pressure.

Aldrete Scoring Guidelines				
Activity	Respiration	Circulation	Consciousness	Oxygenation
2 Able to move four extremities voluntarily on command and/or returned to preprocedure level	2 Patient can cough and deep breathe on command and/or respirations unlabored, oxygen saturation at preprocedure level	2 Blood pressure and heart rate +/- 20 percent of pre sedation level and/or asymptomatic alteration	2 Fully awake (able to answer questions) or at preprocedure level	2 Able to maintain oxygen saturation greater than 92 percent or at preprocedure level  Pink or normal skin color
1 Able to move two extremities voluntarily on command and/or moves weakly, unable to stand	1 Dyspnea or limited breathing or requires oxygen greater than baseline level to maintain adequate saturation	1 Blood pressure and heart rate +/- 20 to 50 percent of pre-anesthetic level or mildly symptomatic alteration that requires fluid bolus intervention or dopamine at less than ten micrograms per kilogram per minute for heart failure patients	1 Arousable on calling (arousable only to calling)	1 Needs oxygen to maintain adequate oxygenation  Pale, dusky, blotchy, jaundiced, or other
0 Unable to move	0 Apneic or requires airway support	0 Blood pressure and heart rate greater than 50 percent +/- pre sedation levels and/or requires pharmacological intervention, or dopamine at greater than ten micrograms per kilogram per minute for heart failure patients	0 Unresponsive	0 Oxygen saturation less than 90 percent adult, less than 92 percent peds even with oxygen support.  Cyanotic
Target 2	Target 2	Target 1-2	Target 1-2	Target 2

A score of less than 8, re-evaluate q 15 minutes, greater than 8 discharge to recovery, or greater than or equal to discharge home

3. "Analgesia" means the diminution or elimination of pain.
4. "Anesthesia" means the art and science of managing anxiety, pain, and awareness. It includes analgesia, local anesthesia, minimal sedation, moderate sedation, deep sedation, and general anesthesia.
5. "Basic full upper and lower denture" means replacement of all natural dentition with artificial teeth. This replacement includes satisfactory tissue adaptation, satisfactory function, and satisfactory aesthetics. Materials used in these replacements must be nonirritating in character and meet all the standards set by the national institute of health and the bureau of standards and testing agencies of the American dental association for materials to be used in or in contact with the human body.
6. "Board certified" means the dentist has been certified in a specialty area in which there is a certifying body approved by an agency recognized by the United States department of education and is a diplomate of a nationally recognized certifying board that meets the criteria as provided by section 20-02-01-01.
7. "Board eligible" means the dentist has successfully completed a duly accredited training program or in the case of a dentist in practice at the time of the adoption of these rules has experience equivalent to such a training program in an area of dental practice in which there is a certifying body approved by an agency recognized by the United States department of education and is a diplomate of a nationally recognized certifying board that meets the criteria as provided by section 20-02-01-01.
8. "Bona fide specialties" means those specialties meeting the qualification as set forth in section 20-02-01-01.
9. "Capnography" means a process to determine the presence and percent of carbon dioxide in a patient's breath through the use of a carbon dioxide monitor, the noninvasive measurement of the partial pressure of carbon dioxide in exhaled breath expressed as carbon dioxide concentration over time and is graphically represented. Carbon dioxide measured at the airway can be displayed as a function of time (carbon dioxide concentration over time) or exhaled tidal volume (carbon dioxide concentration over volume).
10. "Cardiopulmonary resuscitation course" means the American heart association's health care provider course, the American red cross professional rescuer course, or an equivalent course.
11. "Certified dental assistant" means a dental assistant an individual who meets the education or experience prerequisites, or both, established by the dental assisting national board and passes the dental assisting national board's certified dental assistant examination, is currently cardiopulmonary resuscitation-certified, and continues to maintain the credential by meeting the dental assisting national board requirements. A certified dental assistant must be registered by the board ~~as a qualified dental assistant or registered dental assistant to provide any expanded duties prior to carrying out duties other than those listed in subsection one of section 20-03-01-01.~~
12. "Code of ethics" means the November 2020 version of the American dental association's principles of ethics and code of professional conduct.
13. "Complete evaluation" means an examination, review of medical and dental history, the formulation of a diagnosis, and the establishment of a written treatment plan, documented in a written record to be maintained in the dentist's office or other treatment facility or institution.

14. "Contiguous supervision" means that the dentist whose patient is being treated ~~and~~ has personally authorized the procedures to be performed. The supervising dentist is continuously onsite and physically present in the treatment facility while the procedures are performed by ~~the qualified~~ a trained dental sedation staff member or dental anesthesia assistant, and the dentist is capable of responding immediately in the event of an emergency. The term does not require a supervising dentist to be physically present in the operatory.
15. "Clinical continuing education" means information that relates to the assessment, diagnosis, or treatment of patients and may include the management and administration of a clinical dental practice.
16. "Coronal polishing" is the mechanical polishing of clinical crowns using a rubber cup or brush only and not to include any instrumentation. Coronal polishing may only include air polishing to the extent specifically set forth in section 20-03-01-01.
17. "Deep sedation" means a drug-induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.
- ~~18. "Dental anesthesia assistant" means an individual who possesses the expertise to provide supportive anesthesia care in a safe and effective manner. The anesthesia assistant is educated in the perioperative and emergent care management of patients undergoing dental office sedation and anesthesia.~~
- ~~19.~~ 18. "Direct supervision" means the dentist is physically present in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the procedures and remains in the dental office or treatment facility while the procedures are being performed by the dental hygienist or dental assistant, and before dismissal of the patient, evaluates the performance of the dental hygienist or dental assistant.
- ~~20.~~ 19. "Direct visual supervision" means the dentist is physically present to issue a verbal command and under direct line of sight.
- ~~21.~~ 20. "Evaluation" means the act or process by a dentist of assessing and determining the patient's oral health status, the progress of ~~dental therapy~~ the treatment, or the performance of the dental hygienist or dental assistant.
- ~~22.~~ 21. "General anesthesia" means a drug-induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to maintain ventilatory function is often impaired. Patients often require assistance in maintaining patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired.
- ~~23.~~ 22. "General supervision" means the dentist has authorized the procedures and they are carried out in accordance with the dentist's diagnosis, if necessary, and treatment plan. The dentist is not required to be in the treatment facility. A new patient who has not been examined by the authorizing dentist may be seen by a dental hygienist authorized to provide duties under general supervision. Limitations are contained in North Dakota Century Code section 43-20-03.
- ~~24.~~ 23. "Host dentist" is a dentist ~~authorized by permit who may provide~~ that provides treatment to a patient who is under moderate sedation, deep sedation, or general anesthesia that is administered either by a qualified dentist who holds a sedation permit issued by the board or by an independently practicing qualified anesthesia health care provider, such as an anesthesiologist or certified registered nurse anesthetist ~~administration of moderate, or deep sedation, or general anesthesia.~~ The host dentist is subject to site evaluations for the level of sedation provided as per subsection 5 or 6 of section 20-02-01-05, including the requirement

that they complete an –approved initial site evaluation- before treating patients under sedation.

- ~~25-24.~~ "Inactive status" means the licensee shall not engage in the practice of dentistry or dental hygiene in the state of North Dakota. The license that is placed on inactive status remains on that status until such time as the license is reinstated.
- ~~26-25.~~ "Incremental dosing" means administration of multiple doses of a single drug until a desired effect is reached, but not to exceed the maximum recommended dose at the recommended interval.
- ~~27-26.~~ "Indirect supervision" means that a dentist is in the dental office or treatment facility, has personally diagnosed the condition to be treated, authorizes the procedures, and remains in the dental office or treatment facility while the procedures are being performed by the dental hygienist or dental assistant.
- ~~28-27.~~ "Local ~~anesthesia~~anesthetic" means the elimination or diminution of sensations in one part of the body by regional injection of drugs without causing the loss of consciousness.
- ~~29-28.~~ "Maximum recommended dose" means the maximum recommended dose of a drug as printed in the United States food and drug administration's approved labeling for unmonitored home use.
- ~~30-29.~~ "Minimal sedation" means a drug-induced state during which patients respond normally to verbal commands. Although cognitive function and physical coordination may be impaired, airway reflexes and ventilatory and cardiovascular are unaffected. Minimal sedation may be achieved by the administration of a single drug administered in a single or divided dose not to exceed the maximum recommended dose for unmonitored home use during a single appointment. A permit is not required for minimal sedation.
- ~~31-30.~~ "Moderate sedation" means a drug-induced depression of consciousness during which a patient responds purposefully to verbal commands either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained. Administration of sedative drugs exceeding the maximum recommended dose for unmonitored home use during a single appointment or use of more than one enteral drug administered, with or without concomitant use of nitrous oxide is considered moderate sedation.
- ~~32-31.~~ "Nitrous oxide inhalation analgesia" means a technique in which the inhalation of nitrous oxide enables treatment to be carried out and in which purposeful verbal contact with the patient can be maintained or the patient responds appropriately to light tactile stimulation throughout the administration of nitrous oxide inhalation analgesia, and the drugs and techniques used have a margin of safety wide enough to render unintended loss of consciousness extremely unlikely.
- ~~33-32.~~ "Oral assessment" means the evaluation of data pertaining to the patient's condition to help identify dental problems leading to a professional treatment plan. The final diagnosis of disease or treatment plan is the sole responsibility of the supervising or collaborative dentist.
- ~~34-33.~~ "Oral hygiene treatment planning" is a component of a comprehensive treatment plan developed by the hygienist or dentist to provide the hygienist a framework for addressing the preventative, educational, and clinical treatment needs of the patient.
- ~~35-34.~~ "Parenteral moderate sedation" means the intravenous, intramuscular, intranasal, subcutaneous, sublingual, submucosal, transdermal, or rectal administration of pharmacological agents with the intent to obtain a depressed level of consciousness that meets the definition of moderate sedation.
- ~~36-35.~~ "Patient of record" means a patient who has undergone a complete dental evaluation, has had a medical and dental history completed and evaluated by a dentist, or a patient who has been

examined, and has had oral conditions diagnosed and a written plan developed by the dentist or dental hygiene treatment authorized by a dentist, and the patient has compensated the dentist or dental facility for a procedure.

~~37. "Pediatric patient" means a dental patient ten years of age or younger.~~

~~38-36.~~ "Primary practice site" means the office location that is to be considered the main location of the dental practice. This office location would be listed first on the biennial registration.

~~39. "Qualified dental assistant" means a dental assistant who has been employed and trained as a dental assistant and has received at least three hundred hours of on-the-job training, has successfully completed the national entry level dental assistant certification administered by the dental assisting national board or a board approved course, and has applied to the board and paid the certificate fee and met any other requirements of section 20-03-01-05."~~

~~40-37.~~ "Provisional license" means a license issued between board meetings by the executive director or a board member pursuant to delegated authority as authorized by subsection two of North Dakota Century Code section 43-51.1-03. Provisional licenses may be conditioned, or be restricted in scope or duration.

~~41-38.~~ "Qualified Trained dental sedation staff member" means an individual trained and competent in the use placing and using of monitoring and emergency equipment, identifying adverse changes in patient condition, ~~capable of initiating and~~ assisting with procedures and emergency incidents that may occur as a result of the sedation or secondary to the unexpected medical complication, and who has received documented training acquired directly by an employer- dentist or by a planned sequence of instruction in an educational institution and holds a current basic life support registration.

~~42-39.~~ "Registered dental assistant" means a dental assistant who is a graduate of a dental assistant program accredited by the commission on dental accreditation of the American dental association or a substantially equivalent curriculum approved by the board or has been certified by the dental assistant national board, and has applied to the board and paid the registration fee and met any other requirements of section 20-03-01-05.

~~39.~~ "Remedial education" means an educational intervention prescribed by the board that is designed to restore an identified practice deficiency of a licensee. Remediation may include successful demonstration by the licensee that the learned knowledge and skills have been incorporated into the licensee's practice.

~~43-40.~~ "Satellite office" means an office, building, or location used at any time by a dentist for the practice of dentistry other than the office listed on the dentist's biennial registration certificate.

~~44-41.~~ "Screening" means an inspection used for the early identification of individuals at potentially high risk for a specific condition or disorder and can indicate a need for further evaluation or preliminary intervention. A screening is neither diagnostic nor a definitive indication of a specific condition and does not involve making diagnoses that lead to treatment plans.

~~45-42.~~ "Self-study", for the purposes of continuing education requirements, means the licensee engages in obtaining education without direct supervision, without attendance in a classroom setting, or without a proctor during online education. A certificate of completion must be obtained as proof of education.

~~46-43.~~ "Time-oriented anesthesia record" means documentation at appropriate intervals of drugs, doses, and physiologic data obtained during patient monitoring.

~~47-44.~~ "Titration" means administration of incremental doses of an intravenous or inhalation drug until a desired effect is reached.

~~48.45.~~ "Topical anesthesia" means the elimination or diminution of sensation, especially pain, in one part of the body by application of a drug onto the skin or mucous membrane surface application of a drug.

~~49.46.~~ "Webinar", for the purposes of continuing education requirements, means the licensee engages in a live web-based seminar or presentation using video conferencing software. A webinar is interactive and has the ability to give, receive, and discuss information in real-time. A certificate of completion indicating "live webinar" or other evidence of attendance must be maintained as proof of continuing education.

**History:** Effective September 1, 1980; amended effective February 1, 1992; October 1, 1993; May 1, 1996; August 1, 1998; April 1, 2000; June 1, 2002; July 1, 2004; April 1, 2006; October 1, 2007; January 1, 2011; April 1, 2015; July 1, 2017; July 1, 2022; April 1, 2026.

**General Authority:** NDCC 43-20-10, 43-28-06

**Law Implemented:** NDCC 43-20-01.1, 43-20-03, 43-20-10, 43-20-12, 43-20-13, 43-28-06, 43-51.1-03