

South Dakota State Board of Dentistry  
Notice of Public Hearing to Adopt Rules

A public hearing will be held at the Drifters Event Center, 325 Hustan Ave., Ft. Pierre, SD, on October 22, 2021, at 10:00 a.m. Central/9:00 a.m. Mountain, to consider the adoption and amendment of proposed Administrative Rules of South Dakota numbered

§§ 20:43:03:07; 20:43:09:01; 20:43:09:02; 20:43:09:03; 20:43:09:04; 20:43:09:04.01; 20:43:09:04.02; 20:43:09:04.03; 20:43:09:04.04; 20:43:09:04.05; 20:43:09:04.06; 20:43:09:05; 20:43:09:06; 20:43:09:06.02; 20:43:09:08; 20:43:09:09; 20:43:09:11; 20:43:09:12; 20:43:09:13; 20:43:09:13.01; 20:43:09:14; 20:43:09:17.

The effect of the rules will be to update regulations pertaining to the administration of sedation and anesthesia in a dental office; incorporate updated requirements, standards, and national guidelines; update anesthesia continuing education requirements to include new host permit; update definitions; update authority for advertising sedation and anesthesia to include new host permit; update general anesthesia and deep sedation permit requirements; update moderate sedation permit requirements; update pediatric moderate sedation permit requirements; update requirements for employing or contracting with a licensed anesthesia provider that provides general anesthesia, deep sedation or moderate sedation; clarify exemption for licensed ambulatory surgery center or hospital; incorporate and update moderate sedation course requirements; incorporate a new host permit and host permit requirements that will allow a dentist to utilize a licensed anesthesia provider; incorporate host permit course requirements; incorporate process for review of anesthesia or sedation education accepted in other jurisdictions; update nitrous oxide sedation and analgesia permit requirements for dentists, dental hygienists, and registered dental assistants and ensure consistency among rules; update minimal sedation as it relates to patients under 12 years of age; update permit renewal requirements and incorporate host permit; incorporate required annual sedation or anesthesia cases or continuing education for dentists that hold a general anesthesia and deep sedation or moderate sedation permit; incorporate required team training on emergency response protocols for dentists that hold a general anesthesia and deep sedation, moderate sedation, or host permit; update adverse condition reporting and incorporate host permit; update inspector requirements; update inspection requirements for dentists that hold a host permit, moderate sedation permit, or general anesthesia and deep sedation permit; update equipment requirements for moderate sedation; update equipment requirements for general anesthesia and deep sedation; update clinical guidelines; incorporate requirement that an emergency response protocol be in place for patients undergoing moderate sedation, deep sedation or general anesthesia; remove redundant regulations; remove obsolete provisions; and update references.

The reasons for adopting these rules are to update provisions and references, remove obsolete provisions, remove redundant regulation, provide clarity, update regulation to conform to current standards and national guidelines, incorporate a host permit for dentists that will only utilize a licensed anesthesia provider, and make administrative rules more uniform and accessible.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by mailing them to the South Dakota State Board of Dentistry, PO Box 1079, Pierre, South Dakota, 57501 or by emailing

contactus@sdboardofdentistry.com. Written comments must reach the Board of Dentistry office on or before October 13, 2021 to be considered.

After the public hearing, the Board will consider all written and oral comments it receives on the proposed rules. The Board of Dentistry may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

**For Persons with Disabilities:** This hearing will be located at a physically accessible place. Please contact the Board of Dentistry at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling 605-224-1282. You may also contact Telecommunication Relay Services for the Deaf at 1-800-877-1113.

Copies of the proposed rules may be obtained without charge from the South Dakota State Board of Dentistry website: <https://www.sdboardofdentistry.com/> or the South Dakota State Board of Dentistry, 1351 N. Harrison Ave., Pierre, SD 57501.

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