



PERMANENT ADMINISTRATIVE ORDER

OBD 2-2025

CHAPTER 818

OREGON BOARD OF DENTISTRY

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FILING CAPTION: The Board is amending nine rules in the Dental Practice Act.

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RULES:

818-001-0087, 818-012-0010, 818-035-0025, 818-035-0030, 818-042-0080, 818-042-0096, 818-042-0110, 818-042-0113, 818-042-0115

AMEND: 818-001-0087

REPEAL: Temporary 818-001-0087 from OBD 1-2025

RULE TITLE: Fees

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The Legislature approved the fee increases with approval of the OBD's 2025-2027 Budget.

RULE TEXT:

(1) The Board adopts the following fees:

(a) Biennial License Fees:

(A) Dental — \$490;

(B) Dental — retired — \$0;

(C) Dental Faculty — \$435;

(D) Volunteer Dentist — \$0;

(E) Dental Hygiene — \$279;

(F) Dental Hygiene — retired — \$0;

(G) Volunteer Dental Hygienist — \$0;

(H) Dental Therapy - \$279;

(I) Dental Therapy - retired - \$0;

(b) Biennial Permits, Endorsements or Certificates:

(A) Nitrous Oxide Permit — \$40;

(B) Minimal Sedation Permit — \$75;

(C) Moderate Sedation Permit — \$200;

(D) Deep Sedation Permit — \$400;

(E) General Anesthesia Permit — \$400;

- (F) Radiology — \$75;
- (G) Expanded Function Dental Assistant — \$50;
- (H) Expanded Function Orthodontic Assistant — \$50;
- (I) Instructor Permits — \$40;
- (J) Dental Hygiene Restorative Functions Endorsement — \$50;
- (K) Restorative Functions Dental Assistant — \$50;
- (L) Anesthesia Dental Assistant — \$50;
- (M) Dental Hygiene, Expanded Practice Permit — \$75;
- (N) Non-Resident Dental Background Check - \$100.00;
- (c) Applications for Licensure:
 - (A) Dental — General and Specialty — \$445;
 - (B) Dental Faculty — \$405;
 - (C) Dental Hygiene — \$210;
 - (D) Dental Therapy - \$210;
 - (E) Licensure Without Further Examination — Dental — \$890.
 - (F) Licensure Without Further Examination — Dental Hygiene and Dental Therapy — \$820
- (d) Examinations:
 - (e) Jurisprudence — \$0;
 - (f) Duplicate Wall Certificates — \$50.
- (2) Fees must be paid at the time of application and are not refundable.
- (3) The Board shall not refund moneys under \$5.01 received in excess of amounts due or to which the Board has no legal interest unless the person who made the payment or the person's legal representative requests a refund in writing within one year of payment to the Board.

STATUTORY/OTHER AUTHORITY: ORS 679, 680

STATUTES/OTHER IMPLEMENTED: ORS 293.445, 679.060, 679.115, 679.120, 679.250, 680.050, 680.075, 680.200, 680.205, 679.615

AMEND: 818-012-0010

RULE TITLE: Unacceptable Patient Care

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being expanded to include reference to storage of medications, injectables and written informed consent prior to administering botox products or dermal fillers.

RULE TEXT:

The Board finds, using the criteria set forth in ORS 679.140(4), that a licensee engages in or permits the performance of unacceptable patient care if the licensee does or permits any person to:

- (1) Provide treatment which exposes a patient to risk of harm when equivalent or better treatment with less risk to the patient is available.
- (2) Fail to seek consultation whenever the welfare of a patient would be safeguarded or advanced by having recourse to those who have special skills, knowledge and experience; provided, however, that it is not a violation of this section to omit to seek consultation if other competent licensees in the same locality and in similar circumstances would not have sought such consultation.
- (3) Fail to provide or arrange for emergency treatment for a patient currently receiving treatment.
- (4) Fail to exercise supervision required by the Dental Practice Act over any person or permit any person to perform duties for which the person is not licensed or certified.
- (5) Fail to ensure radiographic and other imaging are of diagnostic quality.
- (6) Render services which the licensee is not licensed to provide.
- (7) Fail to comply with ORS 453.605 to 453.755 or rules adopted pursuant thereto relating to the use of x-ray machines.
- (8) Fail to maintain patient records in accordance with OAR 818-012-0070.
- (9) Fail to provide goods or services in a reasonable period of time which are due to a patient pursuant to a contract with the patient or a third party.
- (10) Attempt to perform procedures which the licensee is not capable of performing due to physical or mental disability.
- (11) Perform any procedure for which the patient or patient's guardian has not previously given informed consent provided, however, that in an emergency situation, if the patient is a minor whose guardian is unavailable or the patient is unable to respond, a licensee may render treatment in a reasonable manner according to community standards.
- (12) Use the behavior management technique of Hand Over Mouth (HOM) without first obtaining informed consent for the use of the technique.
- (13) Use the behavior management technique of Hand Over Mouth Airway Restriction (HOMAR) on any patient.
- (14) Fail to determine and document a dental justification prior to ordering a Cone Beam CT series with field greater than 10x10 cm for patients under 20 years of age where pathology, anatomical variation or potential treatment complications would not be otherwise visible with a Full Mouth Series, Panoramic or Cephalometric radiographs.
- (15) Fail to advise a patient of any recognized treatment complications.
- (16) Fail to maintain proper storage or handling of medications, including injectables, according to federal regulations, guidelines, standards, and manufacturer recommendations.
- (17) Fail to obtain and maintain a written informed consent prior to administering Botulinum Toxin Type A or dermal fillers.

STATUTORY/OTHER AUTHORITY: ORS 679, 680

STATUTES/OTHER IMPLEMENTED: ORS 679.140(1)(e), 679.140(4), 680.100

AMEND: 818-035-0025

RULE TITLE: Prohibited Acts

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to include procedures and define prohibited practices.

RULE TEXT:

A dental hygienist may not:

- (1) Diagnose and treatment plan other than for dental hygiene services;
- (2) Cut hard or soft tissue with the exception of root planing, except as provided in OAR 818-035- 0065;
- (3) Extract any tooth;
- (4) Perform intraoral adjustment of fixed and removable prosthesis or appliances.
- (5) Prescribe, administer or dispense any drugs except as provided by OAR 818-035-0030, OAR 818-035-0040, OAR 818-026-0060(12), OAR 818-026-0065(12) and 818-026-0070 (12);
- (6) Place, condense, carve or cement permanent restorations except as provided in OAR 818- 035-0072, or operatively prepare teeth;
- (7) Irrigate or medicate canals; try in cones, or ream, file or fill canals;
- (8) Use the behavior management techniques of Hand Over Mouth (HOM) or Hand Over Mouth Airway Restriction (HOMAR) on any patient.
- (9) Place or remove healing caps or healing abutments, except under indirect supervision.
- (10) Place implant impression copings, except under indirect supervision.
- (11) Act in violation of Board statute or rules.

STATUTORY/OTHER AUTHORITY: ORS 679, 680

STATUTES/OTHER IMPLEMENTED: ORS 679.020(1)

AMEND: 818-035-0030

RULE TITLE: Additional Functions of Dental Hygienists

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to expand the scope of practice to include extraoral procedures.

RULE TEXT:

(1) In addition to functions set forth in ORS 679.010, a dental hygienist may perform the following functions under the general supervision of a licensed dentist:

- (a) Make preliminary intra-oral and extra-oral examinations and record findings;
- (b) Place periodontal dressings;
- (c) Remove periodontal dressings or direct a dental assistant to remove periodontal dressings;
- (d) Perform all functions delegable to dental assistants and expanded function dental assistants providing that the dental hygienist is appropriately trained;
- (e) Administer and dispense antimicrobial solutions or other antimicrobial agents in the performance of dental hygiene functions.
- (f) Prescribe, administer and dispense fluoride, fluoride varnish, antimicrobial solutions for mouth rinsing or other non-systemic antimicrobial agents.
- (g) Use high-speed handpieces to polish restorations and to remove cement and adhesive material.
- (h) Apply temporary soft relines after manufacturer required denture preparation to complete dentures for the purpose of tissue conditioning.
- (i) Perform all aspects of teeth whitening procedures.

(2) A dental hygienist may perform the following functions at the locations and for the persons described in ORS 680.205(1) and (2) without the supervision of a dentist:

- (a) Determine the need for and appropriateness of sealants or fluoride; and
- (b) Apply sealants or fluoride.

(3) In addition to functions set forth in ORS 679.010, a dental hygienist may perform the following functions under the indirect supervision of a licensed dentist:

- (a) Upon successful completion of a course in intravenous access or phlebotomy approved by the Board, a dental hygienist may initiate an intravenous (IV) infusion line for a patient being prepared for IV medications, sedation, or general anesthesia under the indirect supervision of a dentist holding the appropriate anesthesia permit.
 - (b) Upon successful completion of a course in intravenous access or phlebotomy approved by the Board, a dental hygienist may perform a phlebotomy blood draw under the indirect supervision of a dentist. Products obtained through a phlebotomy blood draw may only be used by the dentist, to treat a condition that is within the scope of the practice of dentistry.
- (4) Perform extraoral adjustment of fixed and removable prosthesis or appliances.

STATUTORY/OTHER AUTHORITY: ORS 679, 680

STATUTES/OTHER IMPLEMENTED: ORS 679.025(2)(j)

AMEND: 818-042-0080

REPEAL: Temporary 818-042-0080 from OBD 1-2025

RULE TITLE: Certification — Expanded Function Dental Assistant (EFDA)

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to clarify criteria for certification.

RULE TEXT:

The Board may certify a dental assistant as an expanded function assistant:

- (1) By credential in accordance with OAR 818-042-0120, or
- (2) If the assistant submits a completed application, pays the fee and provides evidence of;
 - (a) Certification of Radiologic Proficiency (OAR 818-042-0060); and satisfactory completion of a course of instruction in a program accredited by the Commission on Dental Accreditation; or
 - (b) Certification of Radiologic Proficiency (OAR 818-042-0060); and passage of the Oregon Expanded Functions with Infection Control examination, or equivalent successor examinations, administered by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board, or prior passage of the Certified Dental Assistant examination or Infection Control Examination and passage of the Oregon Expanded Functions General Dental Assisting exam, or equivalent successor examinations, administered by DANB or any other testing entity authorized by the Board; and certification by an Oregon licensed dentist that the applicant has successfully removed supra-gingival excess cement from four (4) crowns and/or fixed partial dentures (bridges) with hand instruments; placed temporary restorative material in three (3) teeth; preliminarily fitted four (4) crowns to check contacts or to adjust occlusion outside the mouth; removed four (4) temporary crowns for final cementation and cleaned teeth for final cementation; fabricated four (4) temporary crowns and/or fixed partial dentures (bridges) and temporarily cemented the crowns and/or fixed partial dentures (bridges); polished the coronal surfaces of teeth with a brush or rubber cup as part of oral prophylaxis in six (6) patients; placed matrix bands on four (4) teeth prepared for Class II restorations. The dental assistant must submit within six months' certification by a licensed dentist that the dental assistant is proficient to perform all the expanded function duties in subsection (b). If no expanded function certificate is issued within the six months, the dental assistant is no longer able to continue to perform expanded function duties until EFDA certification is achieved.

STATUTORY/OTHER AUTHORITY: ORS 679

STATUTES/OTHER IMPLEMENTED: ORS 679.250(7)

AMEND: 818-042-0096

RULE TITLE: Local Anesthesia Functions of Dental Assistants

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to clarify and expand the criteria to earn this certificate.

RULE TEXT:

- (1) The Board shall issue a Local Anesthesia Functions Certificate (LAFC) to a dental assistant who holds an Oregon EFDA Certificate, and has successfully completed a Board approved curriculum from a program accredited by the Commission on Dental Accreditation of the American Dental Association or other course of instruction approved by the Board.
- (2) The Board shall issue a Local Anesthesia Functions Certificate (LAFC) to a dental assistant who holds an Oregon Certified Anesthesia Dental Assistant Certificate, and has successfully completed a Board approved curriculum from a program accredited by the Commission on Dental Accreditation of the American Dental Association or other course of instruction approved by the Board.
- (3) A dental assistant may administer local anesthetic agents and local anesthetic reversal agents under the indirect supervision of a licensed dentist. Local anesthetic reversal agents shall not be used on children less than 6 years of age or weighing less than 33 pounds.

STATUTORY/OTHER AUTHORITY: ORS 679, ORS 679.500

STATUTES/OTHER IMPLEMENTED: ORS 679.500

AMEND: 818-042-0110

REPEAL: Temporary 818-042-0110 from OBD 1-2025

RULE TITLE: Certification — Expanded Function Orthodontic Dental Assistant (EFODA)

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to clarify the criteria needed to earn the certificate.

RULE TEXT:

The Board may certify a dental assistant as an expanded function orthodontic assistant:

(1) By credential in accordance with OAR 818-042-0120, or

(2) Completion of an application, payment of fee and satisfactory evidence of;

(a) Completion of a course of instruction in a program in dental assisting accredited by the American Dental Association Commission on Dental Accreditation; or

(b) Passage of the Oregon Orthodontic Expanded Functions with Infection Control examination, or equivalent successor examinations, administered by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board, or prior passage of the Certified Dental Assistant, Certified Orthodontic Assistant or Infection Control Examination administered by DANB and passage of the Oregon Expanded Functions Orthodontic Assisting exam, or equivalent successor examinations, administered by DANB, or any other testing entity authorized by the Board; and certification by an Oregon licensed dentist that the applicant has successfully placed and ligated orthodontic wires on ten (10) patients and removed bands/brackets and remaining adhesive using an ultrasonic, hand scaler or a slow speed hand piece from teeth on four (4) patients. The dental assistant must submit within six months' certification by a licensed dentist that the dental assistant is proficient to perform all the expanded function duties in subsection (b). If no expanded function orthodontic certificate is issued within the six months, the dental assistant is no longer able to continue to perform expanded orthodontic function duties until EFODA certification is achieved.

STATUTORY/OTHER AUTHORITY: ORS 679

STATUTES/OTHER IMPLEMENTED: ORS 679.250(7)

AMEND: 818-042-0113

REPEAL: Temporary 818-042-0113 from OBD 1-2025

RULE TITLE: Certification — Expanded Function Preventive Dental Assistants (EFPDA)

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to clarify the criteria needed to earn the certificate.

RULE TEXT:

The Board may certify a dental assistant as an expanded function preventive dental assistant:

(1) By credential in accordance with OAR 818-042-0120, or

(2) If the assistant submits a completed application, pays the fee and provides evidence of;

(a) Certification of Radiologic Proficiency (OAR 818-042-0060); and satisfactory completion of a course of instruction in a program accredited by the Commission on Dental Accreditation of the American Dental Association; or

(b) Certification of Radiologic Proficiency (OAR 818-042-0060); and passage of the Oregon Expanded Functions with Infection Control examination; or passage of the Coronal Polishing with Infection Control examination, or equivalent successor examinations, administered by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board, or prior passage of the Infection Control Examination and passage of the Oregon Expanded Functions General Dental Assisting exam or Coronal Polishing exam, or equivalent successor examinations, administered by DANB, or any other testing entity authorized by the Board; and certification by an Oregon licensed dentist that the applicant has successfully polished the coronal surfaces of teeth with a brush or rubber cup as part of oral prophylaxis to remove stains on six (6) patients. The dental assistant must submit within six months' certification by a licensed dentist that the dental assistant is proficient to perform all the expanded function preventive duties in subsection (b). If no expanded function preventive certificate is issued within the six months, the dental assistant is no longer able to continue to perform expanded function preventive duties until EFPDA certification is achieved.

STATUTORY/OTHER AUTHORITY: ORS 679

STATUTES/OTHER IMPLEMENTED: ORS 679

AMEND: 818-042-0115

RULE TITLE: Expanded Functions – Certified Anesthesia Dental Assistant

NOTICE FILED DATE: 08/25/2025

RULE SUMMARY: The rule is being amended to clarify the criteria needed to earn the certificate.

RULE TEXT:

(1) A dentist holding the appropriate anesthesia permit may verbally authorize a Certified Anesthesia Dental Assistant, who possesses a Certified Anesthesia Dental Assistant certificate from the Oregon Board of Dentistry to:

(a) Administer medications into an existing intravenous (IV) line of a patient under sedation or anesthesia under direct visual supervision.

(b) Administer emergency medications to a patient in order to assist the licensee in an emergent situation under direct visual supervision.

(c) Perform phlebotomy for dental procedures in accordance with OAR 818-042-0117.

(2) A dentist holding the appropriate anesthesia permit may verbally authorize a Certified Anesthesia Dental Assistant to dispense to a patient, oral medications that have been prepared by the dentist and given to the anesthesia dental assistant by the supervising dentist for oral administration to a patient under Indirect Supervision.

STATUTORY/OTHER AUTHORITY: ORS 679

STATUTES/OTHER IMPLEMENTED: ORS 679.020(1), 679.025(1), 679.250(7)