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INDEPENDENT REGULATORY
REVIEW COMMISSION

August 7, 1998

Judith Pachter Schulder, Esq.
Counsel, State Board of Dentistry
116 Pine Street
P.O. Box 2649
Harrisburg, PA 17105-2649

RE: No. 16A-465 (Expanded Function Dental Assistant)

Dear Ms. Schulder:

The Pennsylvania Dental Hygienists' Association (hereinafter the "PDHA") has reviewed the above-proposed regulations, which were published July 11, 1998. Following are the PDHA's official comments to these proposed regulations. I thank you in advance for your consideration of these matters.

I. Licensure and Certification by Criteria Approval (§33.107)

While the PDHA supports criteria approval for out-of-state practitioners, such criteria should be explicitly set forth in the regulations.

II. First Certification Examination (§33.144)

Subsection (c) provides that Temporary Permit Holders who fail the first examination shall immediately cease practicing and return their temporary permits. This

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Subsection should also address the ability of a Temporary Permit Holder who fails the first examination to retake the examination at its next offering.

The PDHA recommends that a Temporary Permit Holder who fails the first examination be given two other opportunities to take and pass the examination.

Subsection (d) has an incorrect reference to "(d)." The correct reference should be "(e)."

III. Practice as an Expanded Function Dental Assistant (§33.205a)

The PDHA objects to the definition of expanded function dental assistant services as including placing and finishing composite resin restorations. (See Subsection (a)(1)(vii).)

The PDHA recommends changing this subsection to include "placing and finishing composite resin restoration and/or sealant material as a restorative procedure." This would bring the regulations in compliance with the Dental Duties Chart that was approved and adopted by the Board at its July 1998 meeting.

Respectfully submitted,



Anita Lantzy, RDH
President, Pennsylvania Dental
Hygienists' Association

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August 3, 1998

Dear Ms. Schulder:

Re: No. 16A-464 General Provisions for Continuing Education Guidelines

The following are comments to the proposed guidelines with regards to the Continuing Education Guidelines for Dental Professionals.

Comment #1: Under Subchapter F - Section 33.401 (a)

Since it is acceptable (in other states) to carry over credit hours obtained in a previous biennial period (if needed), I am in strong support of allowing credits in excess of minimum required that was obtained prior to the two year renewal period to be permitted as a carry over to the next biennial renewal period. (Rationale: There are many rural areas of this state that will produce hardship for some licensees to attend continuing education programs to fulfill at least 50% of mandatory lecture requirements.

** If the above request is not approved, I strongly feel that the Board should at least consider acceptance of c.e.u credits that all licensees have taken during the year 1998 to count towards the 2001 renewal. (For at least only this renewal period)*

(Rationale: Since the Law of mandated Continuing Dental Education was signed in 1996, but all dental licensees were never properly informed as to *when* the regulations would take effect, I believe it is only fair to permit consideration of all continuing education credits that were taken when licensees believed that the 1999 renewal period would be the expected period to record all required c.e.u hours.)

Comment #2: Under Subchapter F - Section 33.401 (d)

"Should the title 'Instructor' be further clarified to distinguish between those that teach in dental and dental hygiene programs from those that prepare and present continuing education programs?"

(Rationale: It would be relatively easy to fulfill the 50% ceu's for each biennial period since Instructors of dental school programs are teaching at all times, and can utilize these contact & preparatory hours to maintain license commitment without effort. Whereby, those presenting contemporary research and practice in continuing education seminars will be gaining knowledge and sharing with licensees newly updated clinical information)

Additional Comment - under same section:

Section 33.401 (d) should be amended to read:

A maximum of 50% of the required credit hours may be taken through individual study, serving as an instructor or author of a book, article or continuing education program *(relating to subject areas of section 33.402)*

Rationale: Those electing to take their 50% of c.e.u.'s in an alternative method may not comply to section 33.402.

Comment #3 Section 33.402 [Continuing Education Subject Areas]

Under section (b) (5) "Communication skills"

Although I strongly agree with the Board's decision to not allow subject areas that relate to practice building and financial strategies, I strongly disapprove of not allowing the subject area of "communication skills".

Rationale: When this law was signed, I do believe that the "consumer" was the Board's foremost concern when expecting all dental professionals to remain current in their clinical competency. One of the most important skills that a dental hygienist is educated to perform for the benefit of their patient is "*instruction of patient dental education*" to improve the overall oral health of the consumer. Without obtaining current educational tactics to improve this skill in areas related to methodology and compliance, I believe that this is a deficit to the clinical and preventive therapist (dental hygienists).

Comment #4 Section 33.403 [Program sponsors]

To add to section (a) (12) to read:

"Professional Journals in compliance with the Dental Associations listed in (a)(1-7) that offer independent continuing education articles through correspondence and appropriate post-testing examination for successful completion."

Rationale: If 50% of requirements will allow for independent study methods, then this needs to be addressed in the category of approved sponsors.

Comment #5

[49 PA. Code Ch. 33] Expanded Function Dental Assistants

Under Section 33.102 [relating to professional education]

(c)(1)(iii) Dental Assisting Programs should follow the same accreditation standards as those specified in section (c)(1)(ii) from CODA rather than exceptions which would permit those standards to be at the approval of the Board of Dentistry.

Under Section 33.103 [Examinations]

(d) [NERB] The board should not recognize the Dental Hygiene Examination of NERB (only) *unless* accompanied by the required additional 75 hours of EFDA training & education. If the dental hygiene program *includes* this EFDA education, does the candidate take Dental Hygiene NERB and also the EFDA examination to obtain a certificate as an EFDA ?

Under Section 33.114 [Relating to first certification examination]

There is no stated provision for what the candidate must do in the event that they have failed the first scheduled EFDA examination and would they need to do to prepare for a second examination?

Comment #6

Subchapter C. Minimum Standards of Conduct and Practice

Under Section 33.205a.

(a)[Scope of Professional practice]

Recommendation to amend (a)(1)(vii) to read:

"Placing and finishing composite resin restorations and/or sealant material as a restorative procedure".

Respectfully submitted for the Board's consideration,


Lillian Caperila

[Affiliations:]

PDHA Vice President (present)
Chairperson for PDHA Academy of Dental Hygiene Studies (1996-98)
Instructor, Harcum College Dental Hygiene Program (1993-present)
Clinical Practitioner - Periodontal Practice (1980-present)