



## Exempt Action Final Regulation Agency Background Document

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| <b>Agency name</b>                                 | Board of Dentistry, Department of Health Professions                        |
| <b>Virginia Administrative Code (VAC) citation</b> | 18VAC60-20-10 et seq.   |
| <b>Regulation title</b>                            | Regulations Governing the Practice of Dentistry and Dental Hygiene          |
| <b>Action title</b>                                | Authority of dental hygienists to administer analgesia and local anesthesia |
| <b>Final agency action date</b>                    | 3/13/09   |
| <b>Document preparation date</b>                   | 3/13/09   |

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Pursuant to the 2006 Acts of the Assembly (Chapter 858), the Board of Dentistry has amended its regulations relating to acts restricted to the practice of dentists to conform to changes in the Drug Control Act in § 54.1-3408 J and in the Dental Practice Act in § 54.1-2722 permitting a dentist to authorize a dental hygienist under his direction to administer Schedule VI nitrous oxide and oxygen inhalation analgesia and, to persons 18 years of age or older, Schedule VI local anesthesia. Section 190, which sets out non-delegable duties, was not amended accordingly and has been conformed to the law in this action.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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On March 13, 2009, the Board of Dentistry acted to amend its regulations in Chapter 20 *Regulations Governing the Practice of Dentistry and Dental Hygiene* to conform acts restricted to the practice of dentists to changes in §§ 54.1-2722 and 54.1-3408 J of the Code of Virginia. The action is exempt in the Administrative Process Act under § 2.2-4006 of the Code of Virginia.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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This action has no impact on the institution of the family and family stability.