

VIRGINIA BOARD OF DENTISTRY
**Policy on Administering Schedule II through VI Controlled Substances for Analgesia,
Sedation and Anesthesia in Dental Offices/Practices**

Administration

1. When used in the **Regulations Governing the Practice of Dentistry and Dental Hygiene**, the terms “administration”, “administer” and “administering” as defined in pertinent part in Va. Code § 54.1-3401 of the Virginia Drug Control Act, refers to the “direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient by (i) practitioner, or by his authorized agent and under his direction. . .”. The term “authorized agent”, as provided for in Va. Code § 54.1-3401, means “a nurse, physician assistant or intern” consistent with Va. Code § 54.1-3408(B) and more specifically, in the context of the practice of dentistry, a dental hygienist or dental assistant (I or II) as provided for in Va. Code 54.1-3408(J).
2. In the context of the administration of a controlled substance in a dental practice, the term “under his direction and supervision” as provided for in Va. Code §§54.1-3408.B and 54.1-3408.J respectively, means that the treating dentist has examined the patient prior to the administration of the controlled substance and is present for observation, advice and control of the administration consistent with the term “direction” as defined in 18 VAC60-20-10. A qualified dentist is responsible for providing the level of observation, advice and control:
 - a. appropriate to the planned level of administration (local anesthesia, inhalation analgesia, anxiolysis, conscious sedation or deep sedation/general anesthesia); and
 - b. appropriate to his education, training and experience and consistent with the scope of practice of the ancillary personnel (anesthesiologist, certified registered nurse anesthetist, nurse, dental hygienist or dental assistant).

The treating dentist may need to be physically present with the patient and the ancillary personnel to personally observe and direct actions in some instances and in others he may need to be in the office/facility and immediately available for oral communication with the ancillary personnel.

3. **LOCAL ANESTHESIA:**

A qualified dentist may administer or use the services of the following personnel to administer local anesthesia:

- A dentist;
- An anesthesiologist;
- A certified registered nurse anesthetist under his direction;
- A dental hygienist with the training required by 18VAC60-20-81 to parenterally administer Schedule VI local anesthesia to persons age 18 or older under his direction;
- A dental hygienist to administer Schedule VI topical oral anesthetics under his direction or under his order for such treatment under general supervision;

- A dental assistant to administer Schedule VI topical oral anesthetics under his direction; and
- A registered or licensed practical nurse to administer Schedule VI topical oral anesthetics under his direction.

4. ANXIOLYSIS:

- a. A qualified dentist may administer or use the services of the following personnel to administer anxiolysis:
 - A dentist;
 - An anesthesiologist; and
 - A certified registered nurse anesthetist under his direction.
- b. Preceding the administration of anxiolysis, a dentist may use the services of the following personnel to administer local anesthesia to numb an injection or treatment site:
 - A dental hygienist with the training required by 18VAC60-20-81 to administer Schedule VI local anesthesia to persons age 18 or older under his direction;
 - A dental hygienist to administer Schedule VI topical oral anesthetics under his direction;
 - A dental assistant to administer Schedule VI topical oral anesthetics under his direction; and
 - A registered or licensed practical nurse to administer Schedule VI topical oral anesthetics under his direction.
- c. If anxiolysis is self-administered by a patient before arrival at the dental office/facility, the dentist may only use the personnel listed in 4.a. to administer local anesthesia.

5. INHALATION ANALGESIA:

A qualified dentist may administer or use the services of the following personnel to administer inhalation analgesia:

- A dentist;
- An anesthesiologist;
- A certified registered nurse anesthetist under his direction; and
- A dental hygienist with the training required by 18VAC60-20-81 under his direction.

6. CONSCIOUS SEDATION:

- a. A dentist not qualified to administer conscious sedation shall only use the services of an anesthesiologist to administer conscious sedation in a dental office. In an outpatient surgery center or hospital, a dentist not qualified to administer conscious sedation shall use an anesthesiologist or a certified registered nurse anesthetist to administer conscious sedation.
- b. A qualified dentist may administer or use the services of the following personnel to administer conscious sedation:

- A dentist with the training required by 18VAC60-20-120(C) to administer by an enteral method;
 - A dentist with the training required by 18VAC60-20-120(B) to administer by any method;
 - An anesthesiologist; and
 - A certified registered nurse anesthetist under the direction of a dentist who meets the training requirements of 18VAC60-20-120(B).
- c. Preceding the administration of conscious sedation, a qualified dentist may use the services of the following personnel to administer local anesthesia to numb the injection or treatment site:
- A dental hygienist with the training required by 18VAC60-20-81 to parenterally administer Schedule VI local anesthesia to persons age 18 or older under his direction;
 - A dental hygienist to administer Schedule VI topical oral anesthetics under his direction;
 - A dental assistant to administer Schedule VI topical oral anesthetics under his direction; and
 - A registered or licensed practical nurse to administer Schedule VI topical oral anesthetics under his direction.

7. **DEEP SEDATION/GENERAL ANESTHESIA:**

- a. A dentist not qualified to administer deep sedation/general anesthesia shall only use the services of an anesthesiologist to administer deep sedation/general anesthesia in a dental office. In an outpatient surgery center or hospital, a dentist not qualified to administer conscious sedation shall use an anesthesiologist or a certified registered nurse anesthetist to administer deep sedation/general anesthesia.
- b. A qualified dentist may administer or use the services of the following personnel to administer deep sedation/general anesthesia:
- A dentist with the training required by 18VAC60-20-110;
 - An anesthesiologist; and
 - A certified registered nurse anesthetist under the direction of a dentist who meets the training requirements of 18VAC60-20-110.
- c. Preceding the administration of deep sedation/general anesthesia, a qualified dentist may use the services of the following personnel to administer local anesthesia to numb the injection or treatment site:
- A dental hygienist with the training required by 18VAC60-20-81 to parenterally administer Schedule VI local anesthesia to persons age 18 or older under his direction;
 - A dental hygienist to administer Schedule VI topical oral anesthetics under his direction;
 - A dental assistant to administer Schedule VI topical oral anesthetics under his direction; and
 - A registered or licensed practical nurse to administer Schedule VI topical oral anesthetics under his direction.

Assisting in Administration

1. When used in 18VAC60-20-135 of the **Regulations Governing the Practice of Dentistry and Dental Hygiene**, the phrase “to assist in the administration” means that a qualified treating dentist, consistent with the appropriate planned level of administration (local anesthesia, inhalation analgesia, anxiolysis, conscious sedation or deep sedation/general anesthesia) and appropriate to his education, training and experience, utilizes the services of a dentist, anesthesiologist, certified registered nurse anesthetist, dental hygienist, dental assistant and/or nurse to perform functions appropriate to such practitioner’s education, training and experience and consistent with that practitioner’s respective scope of practice.
2. The tasks that a dental hygienist, dental assistant or a nurse might perform under direction to assist in administration are:
 - Taking and recording vital signs
 - Preparing dosages as directed by and while in the presence of the treating dentist who will administer the drugs;
 - Positioning the container of the drugs to be administered by the treating dentist in proximity to the patient;
 - Placing a topical anesthetic at an injection or treatment site preceding the administration of sedative agents as follows:
 - A dental hygienist who meets the training requirements of 18VAC60-20-81 may parenterally administer Schedule VI local anesthesia to persons age 18 or older under direction;
 - A dental hygienist may administer Schedule VI topical local anesthetics under direction;
 - A dental assistant may administer Schedule VI topical oral anesthetics under direction; and
 - A registered or licensed practical nurse may administer Schedule VI topical oral anesthetics under direction.
 - Placing a face mask for inhalation analgesia on the patient;
 - Adjusting the flow of nitrous oxide machines as directed by and while in the presence of the treating dentist who initiated the flow of inhalation analgesia; and
 - Implementing assigned duties should an emergency arise.

Monitoring a Patient

1. When used in 18VAC60-20-135 of the **Regulations Governing the Practice of Dentistry and Dental Hygiene**, the term “to assist in monitoring” means that a dental hygienist, dental assistant or nurse who is under direction is continuously in the presence of the patient in the office, operatory and recovery area (a) before administration is initiated or immediately upon arrival if the patient self-administered a sedative agent; (b) throughout the administration of drugs; (c) throughout the treatment of the patient; and (d) throughout recovery until the patient is discharged by the dentist.
2. The person monitoring the patient:
 - has the patient’s entire body in sight,
 - is in close proximity so as to speak with the patient,
 - converses with the patient to assess the patient’s ability to respond in order to determine the patient’s level of sedation,
 - closely observes the patient for coloring, breathing, level of physical activity, facial expressions, eye movement and bodily gestures in order to immediately recognize and bring any changes in the patient’s condition to the attention of the treating dentist, and
 - reads, reports and records the patient’s vital signs.

Excerpts of Applicable Law, Regulations and Guidance

1. “Administer” means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient by (i) a practitioner or by his authorized agent and under his direction or (ii) the patient at the direction and in the presence of the practitioner. Va. Code §54.1-3401
 - A dentist may administer drugs and devices, or he may cause them to be administered by a nurse, physician assistant or intern under his direction and supervision. Va. Code §54.1-3408(B)
 - A dentist may cause Schedule VI topical drugs to be administered under his direction and supervision by either a dental hygienist or by an authorized agent of the dentist. Va. Code §54.1-3408(J)
 - A dentist may authorize a dental hygienist under his general supervision to possess and administer topical oral fluorides, topical oral anesthetics, topical and directly applied antimicrobial agents for treatment of periodontal pocket lesions. Va. Code §54.1-3408(J)
 - Statutes regarding the practice of dentistry (Title 54.1, Chapter 27) shall not apply to a nurse practitioner licensed by the Committee of the Joint Boards of Nursing and Medicine except that intraoral procedures shall be performed only under the direct supervision of a dentist. Va. Code §54.1-2701(2)
 - A dentist may 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. Va. Code §54.1-2722(D) & §54.1-3408(J)
 - To administer anxiolysis, a dentist shall have training in and knowledge of the appropriate dosages and potential complications of the medications and of the

- physiological effects and potential complications of nitrous oxide. Board of Dentistry Regulation 18VAC60-20-108(A)
- To administer deep sedation/general anesthesia, a dentist shall have completed (1) one calendar year of advanced training in anesthesiology and related academic subjects or (2) an ADA approved residency in a dental specialty which includes one calendar year of full-time training in clinical anesthesia and related clinical medical subjects. Board of Dentistry Regulation 18VAC60-20-110(A)
 - A dentist not qualified to administer deep sedation/general anesthesia may use the services of a qualified anesthesiologist or a qualified dentist to administer deep sedation/general anesthesia. Board of Dentistry Regulation 18VAC60-20-110(B)(1)
 - A qualified dentist may use the services of a certified registered nurse anesthetist to administer deep sedation/general anesthesia. Board of Dentistry Regulation 18VAC60-20-110(B)(2)
 - A dentist is automatically qualified to administer conscious sedation if he meets the requirements to administer deep sedation/general anesthesia. Board of Dentistry Regulation 18VAC60-20-120(A)
 - To administer conscious sedation by any method, shall have completed (1) training in a CODA accredited program or (2) 60 hours of acceptable continuing education plus the management of at least 20 patients consistent with ADA Guidelines. Board of Dentistry Regulation 18VAC60-20-120(B)
 - A dentist who self-certified prior to January 1989 may continue to administer conscious sedation. Board of Dentistry Regulation 18VAC60-20-120(B)(2)
 - To administer conscious sedation only enterally, a dentist shall have completed 18 hours of acceptable continuing education plus 20 clinically-oriented experiences. Board of Dentistry Regulation 18VAC60-20-120(C)
 - A dentist must hold current certification in advanced resuscitative techniques to administer deep sedation/general anesthesia and conscious sedation. Board of Dentistry Regulation 18VAC60-20-110(A)(2) and 18VAC60-20-120(D)
2. “Anxiolysis” means the diminution or elimination of anxiety through the use of pharmacological agents in a dosage that does not cause depression of consciousness. Board of Dentistry Regulation 18VAC60-20-10
 3. “Conscious sedation” means a minimally depressed level of consciousness that retains the patient’s ability to independently and continuously maintain an airway and respond appropriately to physical stimulation and verbal commands, produced by pharmacological or nonpharmacological methods, including inhalation, parenteral, transdermal or enteral, or a combination thereof. Board of Dentistry Regulation 18VAC60-20-10
 4. “Deep sedation/general anesthesia” means an induced state of depressed consciousness or unconsciousness accompanied by a complete or partial loss of protective reflexes, including the inability to continually maintain an airway independently and/or respond purposefully to physical stimulation or verbal command and is produced by a pharmacological or nonpharmacological method, or a combination thereof. Board of Dentistry Regulation 18VAC60-20-10
 5. “Direction” means the dentist examines the patient and is present for observation, advice, and control over the performance of dental services. Board of Dentistry Regulation 18VAC60-20-10

6. "Inhalation analgesia" means the inhalation of nitrous oxide and oxygen to produce a state of reduced sensibility to pain without the loss of consciousness. Board of Dentistry Regulation 18VAC60-20-10
7. "Local anesthesia" means the loss of sensation or pain in the oral cavity or the maxillofacial or adjacent and associated structures generally produced by a topically applied or injected agent without depressing the level of consciousness.
8. The treatment team for anxiolysis shall consist of the dentist and a second person in the operatory with the patient to assist, monitor and observe the patient. If inhalation analgesia is used, monitoring shall include observing the patient's vital signs and making the proper adjustments of nitrous oxide machines at the request of or by the dentist or by a qualified dental hygienist. Board of Dentistry Regulation 18VAC60-20-108.C
9. A dentist not qualified to administer deep sedation/general anesthesia may treat patients under deep sedation/general anesthesia if a qualified anesthesiologist or a qualified dentist is responsible for the administration, Board of Dentistry Regulation 18VAC60-20-110.B(1)
10. A qualified dentist may use the services of a certified registered nurse anesthetist to administer deep sedation/general anesthesia, Board of Dentistry Regulation 18VAC60-20-110.B(2)
11. Monitoring of the patient under deep sedation/general anesthesia, including direct, visual observation is to begin prior to induction and shall take place continuously during the procedure and recovery. Monitoring shall include: recording and reporting of blood pressure, pulse, respiration and other vital signs. Board of Dentistry Regulation 18VAC60-20-110.E
12. Monitoring of the patient under conscious sedation, including direct, visual observation of the patient is to begin prior to administration, or if self-administered, when the patient arrives and shall take place continuously during the procedure and recovery. Board of Dentistry Regulation 18VAC60-20-120.F
13. Dentists who employ ancillary personnel to assist in the administration and monitoring of any form of conscious sedation or deep sedation/general anesthesia shall maintain documentation that such personnel have training in basic resuscitation techniques or responding to a clinical emergency or are an anesthesia assistant certified by the American Association of Oral and Maxillofacial Surgeons or the American Dental Society of Anesthesiology. Board of Dentistry Regulation 18VAC60-20-135.
14. Only licensed dentists shall prescribe or parenterally administer drugs or medicaments with the exception that dental hygienists with appropriate training may parenterally administer Schedule VI local anesthesia to patients 18 years of age or older . Board of Dentistry Regulation 18VAC60-20-190
15. "Parenteral" means a technique of administration in which the drug bypasses the gastrointestinal tract (i.e. intramuscular, intravenous, intranasal, submucosal, subcutaneous, or intraocular). Board of Dentistry Regulation 18VAC60-20-10
16. A certified registered nurse anesthetist shall practice in accordance with the functions and standards defined by the American Association of Nurse Anesthetists andunder the medical direction and supervision of a dentist in accordance with rules and regulations promulgated by the Board of Dentistry. Board of Nursing Regulation 18VAC90-2-120(D)