



November 29, 2024

Texas State Board of Dental Examiners
1801 Congress Avenue, Suite 8.600
Austin, TX 78701

Re: Comments on proposed rule change 114.12 on Continuing Education for Dental Assistants

Dear TSBDE General Council

Thank you for the opportunity to provide comments on the recent TSBDE November 8, 2024 Board motion of a proposed rule change to 114.12 requiring dental assistants to complete two hours of CE every two years on laws and rules in Texas. The Texas Dental Assistants Association (TDAA) is opposed to the proposed rule 114.12 for several reasons.

- This would essentially quadruple the CE requirement of Jurisprudence for dental assistants in comparison to dentists and hygienists, who take the jurisprudence assessment every 4 years (which typically takes one hour to complete).
- The financial burden would be much more for the RDA, who is the lowest paid member of the dental team.
- Possible job loss if a dental assistant confronts an employer on a delegated duty in question.
- Exacerbate the shortage of dental assistants by adding additional requirements.
- Availability of dental assistant CE courses in Jurisprudence and maintain accuracy of material presented.

Dental Assistants

1 hour CE per year = 4 hours CE every four years vs. Jurisprudence assessment every 4 years
4 hours CE= \$80

Dentist & Hygienist

Jurisprudence Assessment=\$48

The Texas Dental Assistants Association is in full agreement that RDA's need to be fully informed, stay abreast of law/rule changes, and stay compliant under the supervision of a licensed Texas dentist, however we believe that the requirements should be equal to what is required for dentists and hygienists; a jurisprudence assessment every 4 years.

The financial burden would also be higher if you estimate that a 1 hour CE typically costs \$20 or more and multiply that by 4 years (\$80) versus the cost of the TSBDE Jurisprudence Assessment cost of \$48 every 4 years.

Based upon the committee meetings watched, it appears that TSBDE is concerned about dental assistants performing illegal tasks and trying to find ways for licensees to stay well-versed in

compliance regulations, which ultimately ensure patient safety. It is our opinion that the burden of policing the industry should be placed on the dentist, not the dental assistant. This proposed rule adds the burden to a dental assistant, which will bring conflict with their employer, or promote willful disobedience since many dental assistants will perform any duty their dentist delegates to them to keep their job. Job loss is a real threat to dental assistants who are delegated tasks that are questionable or illegal but must be done to keep their job.

This new rule will exacerbate the shortage of dental assistants by adding additional requirements to the RDA credential, both financial and time. There is no doubt that dental assistants are leaving the profession for a multitude of reasons, so adding another requirement will most likely have a negative effect on any resolution to this shortage.

Finally, it is our opinion that the Board should maintain control over any material aimed at educating the dental assistant in matters of Texas laws or TSBDE rules and regulations, as they do for dentists and hygienists with the jurisprudence assessment. The availability of Texas jurisprudence CE courses for dental assistants is very limited if any exist at all and would take time to develop and implement. Additional questions that will probably surface might be what objectives should a course cover specifically for dental assistants and how can the knowledge gained be assessed, or if the course must be “live” or by self-study? The TDAA believes that a dental assistant jurisprudence assessment administered by TSBDE would not only maintain control of the accuracy of material presented but could also focus on what information the Board would like the dental assistant to learn.

Thank you again for the opportunity to submit comments and input on matters that directly affect the dental assisting profession. The TDAA is opposed to the proposed rule 114.12 and believes that the Board requirements for RDAs should be equal and in line with what is required of dentists and hygienists by use of a dental assistant jurisprudence assessment. If TDAA could be of any further help, then please let us know how we could support and assist the TSBDE in any way.

Sincerely,

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