



January 2021

# HAPPY NEW YEAR

## **Controlled Substance Electronic Prescribing Requirement**

Effective January 1, 2021, Texas Health and Safety Code § 481.0755 requires that prescriptions for controlled substances be issued electronically, except in limited circumstances, or unless a waiver has been granted by the appropriate agency.

A dentist may apply for a waiver from the electronic prescribing requirement by submitting a waiver request to the TSBDE and providing required information.

Please visit <https://tsbde.texas.gov/e-prescribing-waiver/> for additional information.

The waiver form is available here: [Electronic Prescribing Waiver Form](#)

Once approved, waivers will be issued for a period of one year and verification of an approved waiver will be displayed on the TSBDE website. Dentists may apply for a subsequent waiver no more than 30 days before an active waiver expires.

Please contact [waivers@tsbde.texas.gov](mailto:waivers@tsbde.texas.gov) if you have any questions or need assistance.

*The Mission of the Texas State Board of Dental Examiners is to protect the public health and safety and promote high quality and safe dental care by providing enforcement, licensing, peer assistance, and related information services to licensees and their patients*

## **Updated Emergency Rule §108.7**

### **(Link to the Texas Register)**

Dental Health Care Personnel (DHCP) may resume the use of ultrasonic devices for hygiene services. DHCP are no longer required to complete the full treatment of one patient before leaving the treatment area and on to another patient. DHCP are required to remove PPE before returning home, but are no longer required to change from scrubs to personal clothing. DHCP should maintain due diligence related to antiseptic control at all times.

At the December 11, 2020 board meeting, the board voted to extend the effective date of emergency rule §108.7. The rule is now effective through February 20, 2021.

## **ADOPTED RULES**

### **DECEMBER 11, 2020 BOARD MEETING**

#### **111.5 ELECTRONIC PRESCRIBING WAIVERS**

**[link to the Texas Register](#)**

#### **CONTINUING EDUCATION FOR DENTISTS AND RDHs**

**[link to the Texas Register](#)**

#### **CONTINUING EDUCATION FOR RDAs**

**[link to the Texas Register](#)**

*The information expressed in the newsletter is created or compiled by agency staff. It does not reflect the official position of the board or its members, and it should not be construed as legal advice.*

**PROPOSED RULES**  
**DECEMBER 11, 2020 BOARD MEETING**

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108.7 Minimum Standard of Care, General:

<https://texreg.sos.state.tx.us>

108.8 Records of the Dentist:

<https://texreg.sos.state.tx.us>

108.54 Advertising of Specialties:

<https://texreg.sos.state.tx.us>

119.10 Oral Medicine:

<https://texreg.sos.state.tx.us>

119.11 Dental Anesthesiology:

<https://texreg.sos.state.tx.us>

119.12 Orofacial Pain:

<https://texreg.sos.state.tx.us>

# PMP NOTICE

Beginning March 1, 2020, prescribers were required to check a patient's Texas Prescription Monitoring Program (PMP) history before dispensing or prescribing opioids, benzodiazepines, barbiturates, or carisoprodol.

Visit the [Texas PMP home page](#) for additional information and resources.

The Pharmacy Board also has a link to TMB's guidance on the use of [PMP](#),

Texas Medical Board Releases Initial Guidance on Physician Requirements to Check the [Texas PMP](#)

The Texas Medical Board (TMB) has released a statement outlining initial guidance regarding new physician requirements to check the [Texas Prescription Monitoring Program \(PMP\)](#) outlined in recent legislation.

## CE NOTICE

**Online or live interactive webinars count towards the required 16 hours of technical or scientific coursework. If the webinar is prerecorded or non-interactive, it will count towards the required 8 hours of self-study.**

New CE Requirements. **NEW – Pain Management** (104.1)(B) Effective January 1, 2021, a licensed dentist whose practice includes direct patient care must complete not less than 2 hours of continuing education annually, and not less than 4 hours for each biennial renewal, regarding safe and effective pain management related to the prescription of opioids and other controlled substances. These 4 hours may be used to satisfy the 16-hour technical and scientific requirement. The courses taken to satisfy the safe and effective pain management requirement must include education regarding:

- (i) reasonable standards of care;
- (ii) the identification of drug-seeking behavior in patients; and
- (iii) effectively communicating with patients regarding the prescription of an opioid or other controlled substance.

**NEW- Prescribing and Monitoring Controlled Substances** (111.1)

Effective until September 1, 2020, each dentist who is permitted by the Drug Enforcement Agency to prescribe controlled substances shall complete every three years a minimum of two hours of continuing education in the abuse and misuse of controlled substances, opioid prescription practices, and/or pharmacology. This continuing education may be utilized to fill the continuing education requirements of annual renewal.

## Human Trafficking Prevention Training Required!

### **Training Required: Human Trafficking Prevention Training for Health Care Practitioners**

**Beginning September 1, 2020**, certain health care practitioners who provide direct patient care must complete an approved human trafficking prevention training course in order to renew their license. In order to satisfy the training requirement, the course must be approved by the Texas Health and Human Services Commission.

Health care practitioners are in a unique position to intervene in human trafficking, one of the most insidious and seemingly invisible public health challenges. This includes both labor and sex trafficking, and may involve people of any age, gender, race/ethnicity, nationality, immigration status, or sexual orientation. Victims and survivors of human trafficking may be seen at local clinics, emergency departments, or other medical settings and the health care team's actions at that moment can make a life-saving difference. This training is meant to provide you with a variety of resources to inform and support planning for that critical response.

[Click here for more information on the Human Trafficking Training](#)



## **BOARD MEMBER SPOTLIGHT: Dr. Margo Melchor, RDH, MEd, EdD**

Dr. Melchor is the Director of Community Outreach and an Associate Professor at the UTHealth School of Dentistry (UTSD), University of Texas Health Science at Houston. She obtained her Bachelor of Science in Dental Hygiene from The University of Texas Health Science Center in Houston-Dental Branch. The degree of Master of Education and the degree of Doctor of Education were obtained from The University of Houston.

Dr. Melchor has been a proud faculty member of UTSD since 1997. Since teaching at UTSD, Dr. Melchor held the role of the Student American Dental Hygiene Association Faculty Advisor. In 1999, she began her role as the Faculty Advisor for the Hispanic Student Dental Association which is comprised of dental and dental hygiene students and promotes “team dentistry” and “inclusivity” and continues to do so to this day.

Serving as the faculty advisor of the HSDA led to active membership with the Hispanic Dental Association. Committee work then led to executive leadership, including President in 2011. As a past President, she now serves a board of director for the Hispanic Dental Association Foundation. Dr. Melchor is also a founding member of the Greater Houston Hispanic Dental Association and served as President. Also, throughout her professional career, she has been an active member and leader of other dental hygiene and dental organizations. UTSD committees or honorary positions include: Clinical Affairs Committee (current Chair), Dental Hygiene Admission and Curriculum, Student Evaluation & Promotion, Credentialing Committee, Appointment, Promotion and Tenure Committee, Search Committees (current Chair for the Dental Hygiene Program Director committee), and the Dean's Academy of Distinguished Scholars.

Currently, community or professional roles for Dr. Melchor include: Governor Abbott appointment to the Texas State Board of Dental Examiners, Advisory Board member for the Sesame Street Workshop Educational Outreach oral health initiatives program, Board member of San Jose Clinic-a ministry of the Archdiocese of Galveston-Houston who provide quality healthcare and education to those with limited access to such services in an environment which respects the dignity of each person. Past outside affiliations include: Advisory member of the American Dental Hygienists' Association Diversity Committee and Committee member for OSAP (Organization for Safety, Asepsis and Prevention) Symposium, Association for the Advancement of Mexican Americans, and the Galveston-Houston Catholic Archdiocese.

Dr. Melchor has presented at local and national meetings. Topics include: Dentinal Hypersensitivity, Cultural Awareness, Faculty Advisor/Mentorship, Aging/Oral Health, Community Outreach-Mobile Dental Van Program, and Diabetes associated with Periodontitis. She presents in the Pit and Fissure Sealant Certification course for the UTSD Continuing Education Department. She has also published in Modern Hygienist. She was featured as a Guest Editorial in Dimensions of Dental Hygiene Journal, feature article of the American Association of Dental Assistants publication and UTHealth Philanthropy Journal 2016.

In addition, Dr. Melchor works with the Office of Development in obtaining grants or donor support for “Improving oral health...improving overall health” for underserved populations such as geriatrics, veterans, victims of domestic violence or human trafficking and pediatrics. In addition, she leads the mobile dental van program which allows for needed dental care for patients identified via community partners. It allows enables community service learning for the UTSD dental and dental hygiene students-a wonderful educational/clinical experience to help those in need!

With the administrative role of Director of Community Outreach, she also teaches clinical dental hygiene. In addition, she co-leads an educational geriatric rotation for second year dental and dental hygiene students in which they provide a dental service to two retirement communities that provide experience with independent, assisted, healthcare and memory care.

Dr. Melchor has been awarded with local and national honors for outreach and leadership. Most recently, she was a recipient of the 2020 COMCAST Hispanic Hero award in celebration of Hispanic Heritage Month. The award is designed to pay tribute to outstanding individuals who are committed to making a difference in the community through volunteerism, mentorship, advocacy or civic engagement.

Dr. Melchor and her fiancée, Mr. John Hernandez reside in Houston. She loves watching sports such as football, baseball and tennis-a TEXANS and ASTROS fan! But most importantly, she is a proud citizen of the great state of TEXAS!

# CE NOTICE

## Controlled Substances

Each Dentist who is permitted by DEA to prescribe controlled substances shall conduct at least one self-query through the PMP of the Texas State Board of Pharmacy.

<https://www.pharmacy.texas.gov/PMP/>

Effective March 1, 2020, prior to prescribing or dispensing opioids, benzodiazepines, barbiturates, or carisoprodol, a dentist shall access the patient's prescription drug history report through the Texas State Board of Pharmacy's Prescription Monitoring Program (PMP)

<https://www.pharmacy.texas.gov/PMP/>

Beginning September 1, 2020, each dentist who is permitted by DEA to prescribe controlled substances must complete two (2) CE hours related to approved procedures of prescribing and monitoring controlled substances;

- For dentists authorized to prescribe controlled substances before 09/01/2020, the two (2) hours must be completed by 09/01/2021
- For dentists who are authorized to prescribe controlled substances on or after 09/01/2020, the two (2) CE hours must be completed by the first anniversary of obtaining the DEA permit.

Once a DEA permit holder has taken the two (2) hour course, they are not required to take the course again. The two (2) hours may be taken to satisfy the recordkeeping CE requirement.

Effective January 1, 2021, a licensed dentist whose practice includes direct patient care must complete at least four (4) CE hours for each biennial renewal, regarding safe and effective pain management related to the prescription of opioids and other controlled substances. The courses taken to satisfy the safe and effective pain management requirement must include education regarding the following:

- Reasonable standards of care
- The identification of drug-seeking behavior in patients, and
- Effectively communicating with patients regarding the prescription of an opioid or other controlled substance

These four (4) hours may be used to satisfy the technical and scientific requirement.

**Update:** TSBDE will count the two (2) hours of CE required for DEA permit holders towards the four (4) hours of CE required for all licensed dentists.

# Anesthesia Information

**Reminder, Pursuant to 22 Tex. Admin. Code § 110.13 Sedation and Anesthesia, Required Preoperative Checklist for Administration of Nitrous Oxide and Levels 1, 2, 3, and 4 Sedation/Anesthesia effective May 10, 2018 and amended to be effective March 20, 2019.**

**Pursuant to 22 Tex. Admin. Code § 110.18 TSBDE is conducting Sedation and Anesthesia Compliance inspections. Failure to allow the inspection to take place may result in suspension in one or more of your permit(s).**

**Pursuant to 22 Tex. Admin. Code § 110.18, regardless of issue date, all level, 3, and 4 permit holders will be subject to at least one inspection prior to September 1, 2022.**

**Reminder, Pursuant to 22 Tex. Admin. Code § 110.14 Sedation and Anesthesia, Emergency Preparedness Policies and Procedures, all permit holders, including nitrous oxide/oxygen inhalation sedation permit holders, must develop written emergency preparedness policies and procedures specific to the permit holder's practice setting that establish a plan for the management of medical emergencies in each practice setting in which the dentist administers sedation/anesthesia effective May 10, 2018 and amended to be effective March 20, 2019. Make note from this rule the requirement of specific protocols, staff training log, emergency drug log, equipment readiness log, individual staff roles and responsibilities, and review requirements.**

**All level 2, 3, and 4 permit holders who received their initial permit after March 1, 2018, must be inspected within a year of receiving their permit.**

**Texas Dentists who hold a Level 2, 3, and 4 Sedation Permit please ensure you have a current work address, phone number, and email on file with TSBDE. If you need to update your information, you may email the following information to [anesthesiainfo@tsbde.texas.gov](mailto:anesthesiainfo@tsbde.texas.gov).**

- 1. Full Name**
- 2. Dental License Number**
- 3. Work Address**
- 4. Email**
- 5. Phone Number**
- 6. Indicate if your work address is your mailing address**



# Fax Number Update!

For the Texas State Board of Dental Examiners

The Texas State Board of Dental Examiners is updating our Fax Service and will be replacing our old fax numbers with new fax numbers for every department and the agency's general line.

**Beginning October 1, 2020, TSBDE will be using the New Numbers exclusively.** Until the end of September, we will receive faxes from both numbers.

If you have any questions, please contact [licensinghelp@tsbde.texas.gov](mailto:licensinghelp@tsbde.texas.gov).

Thank you for your time and patience as we upgrade!

Department	Old Number	New Number
Agency (General)	512-463-7452	512-649-0797
Compliance	512-682-0418	512-649-2791
Enforcement	512-692-2517	512-649-2732
Legal	512-305-9364	512-649-2482
Licensing	512-463-7452	512-649-1658

**Did you know that all licensees or registrants are required to hold a current BLS CPR certification, which includes a demonstration of skills and a written evaluation?**

**TSBDE will be closed on the following holidays:**

**January 18, 2021 Martin Luther King Day**

**February 15, 2021 President's Day**

**Thinking about retiring? Among all other things that go with retirement, be sure to submit your retirement form to the board. Otherwise your license will expire and then cancel. Visit the board's website to obtain information on placing your dental or dental hygiene license on a retirement status.**



Always check our [Facebook page](#) for alerts and updates!