



June 2022

A Message to Our New Licensees from Our Presiding Officer. Dr. David Yu, DDS, MS

Congratulations, graduates, I am so proud of each one of you!

Actor Milton Berle once said that “if opportunity doesn’t knock, build a door.” What you make out of your chosen career in dentistry is your own. We at the Dental Board are here to support you and to help ensure that you maintain your license on your own terms. Your accomplishments to reach this step have required a tremendous amount of work, dedication and grit. I still remember the pride I felt when I walked on stage and received my doctorate degree nearly 25 years ago. You will never lose that feeling.

Every patient you encounter for the rest of your career is a privilege. Practice with integrity and never stop learning and improving. Remember that your patients put their trust in you. Your license is a privilege, not a right. It is incumbent on you to learn and understand your career manual - the TSBDE rules and regulations. In fact, bookmark it and the TSBDE [website](#) on your taskbar right now. This will be your reference in every aspect of your practice, updates, renewal information and contacts to support your success. As you open the doors of your career, remember that the Dental Board is here to support you as you walk through them.

Welcome to the wonderful career of dentistry!

Sincerely,

David H. Yu, DDS, MS

LICENSING EXPO

JUNE 6TH & 7TH

The TSBDE is pleased to announce that we are hosting a Licensing Expo June 6th & 7th, 2022 for onsite application processing for both dental and dental hygiene graduates!

This event allows recent graduates the opportunity to have their application approved by TSBDE staff on the spot. Please see the attached fliers for additional information.

[June 6th Hygiene Graduates](#)

[June 7th Dental Graduates](#)

Please note: TSBDE respectfully requests that vendors, solicitors and volunteers not attend this event.

Anesthesia Advisory Committee Meeting Report

The TSBDE Advisory Committee on Dental Anesthesia (ACDA) met on March 4, 2022, to discuss complaints resolved by the TSBDE involving anesthesia related issues from FY 2020 and FY 2021. The ACDA reviews de-identified data that remains confidential throughout the review process. The ACDA's function is to spot trends and provide recommendation and guidance to the TSBDE on anesthesia related issues.

The full report may be found here: [Public Reports – Texas State Board of Dental Examiners](#)

[Open Position on the Anesthesia Advisory Committee](#)

The Texas State Board of Dental Examiners is accepting applications for two new Anesthesia Advisory Committee members. The term will begin December 2022. Pursuant to Rule 100.12, the committee will require a periodontist and a pediatric dentist, with either a level 2 (no higher) sedation permit or level 3 (no higher) sedation permit.

For more information or to send your completed applications, please email Wendy Richardson at wrichardson@tsbde.texas.gov.

[Anesthesia Advisory Committee Application Form](#)

tsbde is moving

The TSBDE office is moving from the William P. Hobby building to the new George H.W. Bush building on July 11th! This move is part of the Texas Capitol Complex Master Plan; the new building will house over 20 state agencies. Please have patience with our staff during this transition as certain agency functions will be delayed. We appreciate your understanding and will work to restore all administrative functions as quickly as possible.

For more information please visit: [TFC | Texas Facilities Commission](#)
[TFC | Texas Facilities Commission](#)

New address: 1801 N Congress Avenue, Suite 8.600 Austin, TX 78701

Please note: The move date is tentative. Unanticipated changes may occur that might impact the information above. The TSBDE website will be updated throughout the move.

The new George H.W. Bush building:



Photo courtesy of the Texas Facilities Commission

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.

LICENSING CERTIFICATES

TSBDE no longer issues separate certificates of registration for the following dental acts;

- Coronal Polishing,
- Pit and Fissure Sealant, and
- Nitrous Oxide Monitoring

The dentist is responsible for all dental acts delegated to a registered dental hygienist and registered dental assistant. This includes ensuring the hygienist and dental assistant both have an active license or registration with the TSBDE.

- Dental assistants taking patient x-rays must hold a current registration from the TSBDE.
- Dental hygienists and Registered Dental Assistants monitoring nitrous oxide must be registered with TSBDE.
- An application process is required in order for the specific N20 monitoring designation to be listed on the hygiene or registered dental assistant registration renewal certificate.
- Dentists cannot delegate coronal polishing or pit & fissure sealants to dental assistants unless the dental assistant completed the required education and training prior to the delegation. Dentists are responsible for verifying that the dental assistant has at least 2 years' experience, current basic life support, and completed the required 8 hours didactic and clinical education in coronal polishing and/or pit and fissure sealants prior to delegating those procedures.

Coronal Polishing: [Board Rule §114.5](#)

Pit & Fissure Sealant: [Board Rule §114.3](#)

Nitrous Oxide Monitoring (NOM): Board Rules [§114.4](#) and [§115.2](#)

[Click here](#) to verify a dental hygiene license

[Click here](#) to verify a registered dental assistant

[Click here](#) to verify a dental license

LICENSING

Renewal Certificates

As of September 1, 2021, the Texas State Board of Dental Examiners no longer sends out printed renewal certificates and now dentists, hygienists, registered dental assistants, and dental laboratories can generate a digital copy of the renewal certificate online. The E-Certificate is available for printing 24-48 hours after the renewal application has been approved. It is not required to print a color copy. Be sure you are not on a hand held device; you need to be on a desktop or laptop. If you have a pop up blocker enabled it needs to be turned off.

<https://tsbde.texas.gov/ecertificate>

TSBDE will continue to print duplicate requests for those who submit the duplicate request form along with the required fee.

TSBDE is reporting over 7,000 canceled dental licenses, 5,700 canceled dental hygiene licenses, and over 53,500 canceled dental assistant registrations. A license or registration will remain in an expired status for up to one year before it cancels.

Dentists must perform ongoing due diligence to ensure that all team members working in the dentist's practice remain in compliance with the TSBDE's license and registration requirements.

Did you know ?

The following can be completed via your online licensing account portal:

- Renew your dental, dental hygiene, registered dental assistant license
- Update your address
- Submit your designation of records request (dentists only)
- Request for a verification of licensure - letter of good standing, from Texas to be sent to another state or organization (a fee is required)
- Submit your request for a name change (legal documentation required)
- and request for a duplicate license (a fee is required)

You may still print your e-renewal certificate for no fee at <https://tsbde.texas.gov/printcert/>.

Be sure you are not on a hand held device; you will need to be on a desktop or laptop. Also, if you have a pop up blocker enabled it will need to be turned off.

All of the above requires a registration to the Online Licensing System for Texas (<https://vo.licensing.hpc.texas.gov/>). If you have registered but have not accessed your account since 2011 or longer, you will need to re-register.

ANESTHESIA

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 permits.

Pursuant to 22 Tex. Admin. Code § 110.18, regardless of issue date, all Level 2, 3, and 4 permit holders will be subject to at least one inspection prior to September 1, 2022. 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.

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

ANESTHESIA

Reminder

Pursuant to 22 Tex. Admin. Code § 110.18 regarding the
Inactive and Exempt-location Status:

Inactive status:

Permit holder may forego an inspection if they submit a notarized, Board-issued affidavit that they will not administer levels 2, 3, or 4 sedation/anesthesia until first notifying the Board in writing that they wish to resume those activities. A permit holder must complete a compliance/Tier 1 inspection prior to resuming the administration of sedation/anesthesia at the inactive permit level. The permit holder must comply with continuing education and any other permit requirements during this time. During the period of inactive status, a permit holder may not delegate any inactive-status level of sedation/anesthesia to a certified registered nurse anesthetist or any other dental or medical professional except a dentist with a permit issued by the Board for the procedure being performed or a physician anesthesiologist licensed by the Texas Medical Board. If the permit holder is later found to have administered or delegated the administration of level 2, 3, or 4 sedation/anesthesia while in inactive status, the Board shall pursue revocation of their dental license.

Exempt-location status:

The Board shall not inspect a level 2, 3, or 4 permit holder who provides those services exclusively in a state-licensed hospital or state-licensed ambulatory surgery center. The permit holder must attest to that fact with a notarized, Board-issued affidavit and may not provide those services at a non-exempt location until first notifying the Board in writing and successfully completing a compliance/Tier 1 inspection. During the period of exempt-location status, a permit holder may not delegate the administration of any level of sedation/anesthesia to a dental or medical professional outside a state-licensed hospital or state-licensed ambulatory surgery center. If they are later found to have administered or delegated the administration of level 2, 3, or 4 sedation/anesthesia in a non-exempt location, the Board shall pursue revocation of their dental license.

ANESTHESIA

Anesthesia Application Document Requirements

The following is required to be mailed to the TSBDE:

1. Anesthesia Permit Application. Current application date is 9 November 2020.
2. Required fee.
3. Copy of current Basic Life Support CPR card and PALS or ACLS certification.
 - Nitrous Oxide/Oxygen Inhalation Sedation – Basic Life Support
 - Level 1: Minimal Sedation – Basic Life Support
 - Sedation Level 2, 3 & 4 – Basic Life Support and ACLS or PALS if treating adults and children 13 years of age or older (Note: PALS is required if treating children under the age of 13 years old).
4. Official proof of completion of a qualifying course and case management experience. Training and case management experience is found on each application. See TSBDE Rules and Regulations, Chapter 110 and/or the application for specific training requirements.
5. National Practitioner Data Bank (NPDB) Self-Query. All applicants are required to complete a self-query of the NPDB. The report results must remain in the original sealed envelope and be attached to your application to TSBDE. NPDB self-query reports are valid for 60 days. See application for more information.
6. Proof of Jurisprudence Assessment completion for dentist with sedation permit. Pursuant to 22 Tex. Admin. Code § 110.9, a permit holder for nitrous oxide, level 1, level 2, level 3, or level 4 sedation/anesthesia must take and pass the online jurisprudence examination of Chapter 110 (relating to Anesthesia and Sedation). An applicant for a sedation/anesthesia permit must have passed the Chapter 110 (relating to Sedation and Anesthesia) component of the jurisprudence examination, within one year immediately prior to application.
 - Follow-up Anesthesia Inspections: Compliance/Tier 1 Inspections where a recording violation was noted and a Violation of Recordings Affidavit was submitted to mitigate this violation will be scheduled for a Follow-up Inspection. Random scheduling for these Follow-up Inspections will start July 2022.

BOARD MEETING May 13, 2022

Proposed Rules

Please visit
[Proposed Rules – Texas State Board of Dental Examiners](#)
for updates

Adopted Rules

Rule 108.7 Minimum Standard of Care, General
[link to rule](#)

Rule 108.16 Teledentistry
[link to rule](#)

FRIENDLY REMINDER

This is a friendly reminder to all Texas dental and dental hygiene programs who provide screenings and/or limited treatment at outreach events:

- 1) Screenings: You must obtain minimal or limited medical history and consent.
- 2) Preventive and/or limited treatment such as cleanings, sealants, etc.: You must obtain medical history, diagnostic imaging, consent, and any other necessary components of a comprehensive exam pertinent to specific services, such as perio charting for adult cleanings.

How are we doing? The Texas State Board of Dental Examiners asks that you provide us with feedback by completing the following survey. [Please click here.](#)

Your response is appreciated.

Rule Reminders

§108.8 Records

- Records shall be kept a minimum of five years from the last date of treatment. If a patient was under 18 years of age when last treated, the records shall be maintained until the patient reaches age 21 or for five years from the date of last treatment, whichever is longer.
- Records must include: the patient's name, date of visit, reason for visit, vitals, medical history/limited physical, findings and charting of clinical and radiographic oral examination, documentation of tactile and visual examination of hard and soft tissues, diagnoses, treatment recommendations and options, treatment provided, medications and dosages, complications, written informed consent, controlled substances requirements, and confirmable identification of the provider.
- A dentist who leaves a location or practice shall maintain all dental records belonging to him or her, make a written transfer of records to the succeeding dentist, or make a written agreement for the maintenance of records. A dentist who enters into a written transfer of records agreement or records maintenance agreement shall notify the board within 15 days of the agreement.
- Dental records shall be made available for inspection and reproduction on demand of board employees.
- Copies of dental records shall be made available to the patient within 30 days upon request.

Rule Reminders

Board rules §108.7 (Minimum Standard of Care) and §108.8 (Records) are the baselines that all practices must adhere to. Below are summaries of both rules. To see the full rules, please visit the Laws & Rules page on the board website [here](#).

§108.7 Minimum Standard of Care

- Conduct your practice in a manner consistent with that of a reasonable and prudent dentist under the same or similar circumstances.
- Maintain patient records that meet the requirements in §108.8.
- Obtain, maintain, and review an initial medical history. The medical history shall include, but shall not necessarily be limited to, known allergies to drugs, serious illness, current medications, previous hospitalizations and significant surgery, and a review of the physiologic systems obtained by patient history. A "check list," for consistency, may be utilized in obtaining information. The dentist shall review the medical history with the patient at any time a reasonable and prudent dentist would do so under the same or similar circumstances. At a minimum, a medical history should be reviewed and updated annually.
- Perform and review a limited physical examination when a reasonable and prudent dentist would do so under the same or similar circumstances. At a minimum, a limited physical examination should be performed and reviewed annually.
- For office emergencies, dentists shall maintain a positive pressure breathing apparatus (including oxygen), emergency equipment and drugs, and provide staff training in emergency procedures.
- Complete a current course in basic cardiopulmonary resuscitation given or approved by either the American Heart Association or the American Red Cross.
- Maintain written informed consent for all treatment plans and procedures where a reasonable possibility of complications exist.
- Other provisions of this rule include requirements pertaining to infection control, drug inventory, self-report of death or hospitalization, abandonment, practice closure, and prescribing or administering Halcion.

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Reminder

Prior to prescribing or dispensing opioids, benzodiazepines, barbiturates, or carisoprodol, a dentist must access the patient's prescription drug history through the Texas Pharmacy Board's Prescription Monitoring Program (PMP) pursuant to board rule [111.3](#).

Additionally, a yearly self-query through PMP must be done pursuant to board rule [111.2](#).



Fiscal Year 2021 PMP Data

QUARTER 2



8,457,526

Controlled substances dispensed, as reported to the Texas Prescription Monitoring Program (PMP) in FY2021 - Q2

TOP 15 CONTROLLED SUBSTANCES DISPENSED

Controlled Substance	NUMBER OF Rx
HYDROCODONE	1,097,372
TRAMADOL	895,666
DEXTROAMPHETAMINE	758,053
CODEINE	694,044
ALPRAZOLAM	687,725
ZOLPIDEM	534,617
CLONAZEPAM	447,946
METHYLPHENIDATE	385,424
TESTOSTERONE	341,566
LORAZEPAM	321,354
AMPHETAMINE	311,767
PHENTERMINE	293,782
PREGABALIN	289,828
OXYCODONE	215,112
DIAZEPAM	154,743

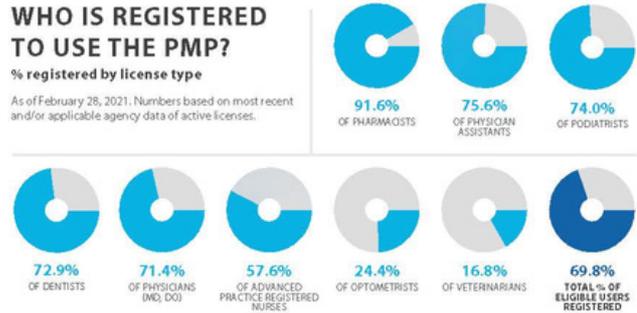


txpmp.org

WHO IS REGISTERED TO USE THE PMP?

% registered by license type

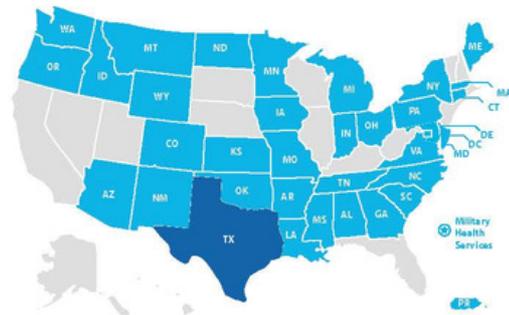
As of February 28, 2021. Numbers based on most recent and/or applicable agency data of active licenses.



From Q1 of FY2021 to Q2 of FY2021, the number of registrants increased by **4,070**.

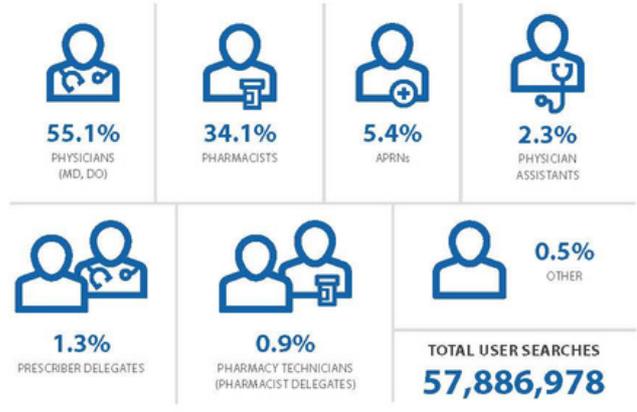
PARTNER STATES

Texas partners with 36 other states/entities to share data via the PMP Interconnect.



WHO USES THE TEXAS PMP?

% of user searches by license type

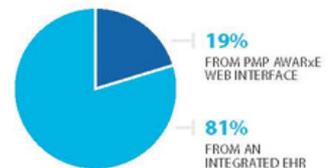


INTEGRATED ACCESS

Integration allows providers immediate access to the PMP through their EHR.

46,740,832

SEARCHES FROM AN INTEGRATED EHR



What would a reasonable and prudent dentist do?

At our recent board meeting we discussed the phrase 'reasonable and prudent dentist' as it applies to rules governing the standard of care and teledentistry. So, what does this mean and who sets the standard of care? The simple answer: the Dental Review Panel (DRP) determines what a reasonable and prudent dentist would do. This helps to establish the standard of care by our own peers. They base their interpretation on position statements of major organizations, generally accepted practices, and research papers that provide evidence for what is appropriate care under similar circumstances. An example would be having an appropriate radiograph prior to extracting a tooth or physically evaluating a patient prior to a certain type of intervention. Some standards of care will evolve over time while others will not.

Please consider joining our DRP. We are currently in need of Prosthodontists.

DRP APPLICATION

Robert G. McNeill, DDS, MD, MBA
State Board Member
Chair, Disciplinary Review Committee

Human Trafficking Prevention Training Required!

REMINDER

Beginning October 1, 2021, all initial applicants must complete a human trafficking prevention course that is approved by the Texas Health and Human Services Commission (HHSC) as a prerequisite for licensure or registration. The course must also be taken prior to renewing a license or registration.

Board staff is aware that some licensees are taking human trafficking prevention courses that are not approved by HHSC. Please ensure that the course is approved by HHSC before submitting your course completion certificate. Courses not approved by HHSC will not be accepted to fulfill this requirement. Information is available on the [TSBDE website](#).

The applicable rules are sections 101.1, 103.1, 104.1, 114.6, and 114.12 of the Texas Administrative Code.

You may find the rules here.

What constitutes a patient hospitalization for the purposes of a self-report?

Pursuant to board rule 22 Tex. Admin. Code § 108.6(2), a dentist must submit a written report to the board when a hospitalization of a dental patient occurs as a possible consequence of receiving dental services from the reporting dentist, and it must be reported within 30 days of the hospitalization or such a time as the dentist becomes aware of or reasonably should have become aware of the hospitalization.

According to the rule, the term “hospitalization” is defined as an examination at a hospital or emergency medical facility that results in an in-patient admission for the purpose of treatment and/or monitoring. The board interprets “in-patient admission” to mean a full admission to the hospital or emergency medical facility and not a 23-hour observation status.

If a hospitalized patient subsequently dies, the dentist must also report the patient’s death within 72 hours of the death, or such time as the dentist becomes aware or reasonably should have become aware of the death.

Attention Recent Graduates & Hiring Dental Offices

Dental and dental hygiene students who are not yet licensed by the TSBDE, may not treat patients outside of a clinical setting through a dental school or program. TSBDE has received reports that some dental offices are conducting “working interviews,” wherein the recent graduate treats a patient and has his/her work assessed as a prerequisite to employment. This is considered the unlicensed practice of dentistry if the recent graduate is not yet licensed. Please note that in accordance with sections 256.001 and 256.052 of the Dental Practice Act, a person may not practice dentistry or dental hygiene unless the person is licensed by TSBDE.

Practicing dentistry without a license is a third degree felony offense, and practicing dental hygiene without a license is Class A misdemeanor offense.

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

FRAUD ALERTS

Some stakeholders have received fraudulent calls or emails purporting to be from The Texas State Board of Dental Examiners (TSBDE). If you suspect any telephone call or correspondence from our agency is fraudulent, please notify us by emailing licensinghelp@tsbde.texas.gov.

Fraudulent Phone Calls

TSBDE urges you to be on the lookout for unexpected scam phone calls from anyone claiming to be from our office.

A caller from the TSBDE office will always:

Introduce himself or herself as a TSBDE employee.

Be able to verify specific details on prior notices or historical account information.

Explain your licensing or compliance fees.

Encourage you to call the telephone number(s) on our website if you have any questions about the process: tsbde.texas.gov/resources/agency-contacts/

A caller from the TSBDE office will never:

Threaten to bring in local police, FBI, immigration officers or other law-enforcement to have you arrested for not paying.

Pressure you to make a payment.

Ask for personal information not directly related to an agency transaction.

Ask for money outside of routine transactions made through Texas.gov or our secure vendors.

Ask for bank account information.

If you are unsure that the person calling you is from the TSBDE office, please hang up and call the appropriate number on our website:

<http://tsbde.texas.gov/resources/agency-contacts/>

Spoofed Emails / Recent Phishing Attempts

Cybercriminals have attempted to send spoofed (impersonated) emails — appearing to be from the TSBDE office. Our office, like other companies and government agencies, has unfortunately been the subject of a number of recent email fraud attacks, including:

Spoofed emails claiming to be from our office but using a domain not associated with the agency, urging recipients to click on a “secure message” but the attachment is malicious, intended to steal usernames and passwords. Emails should come from someone with our domain: jsmith@tsbde.texas.gov.

FRAUD ALERTS

Spoofer emails purporting to be from our office but using a fake agency email domain telling recipients to click on an attachment and sign in to receive a message. The attachment contains a fraudulent link designed to steal your login credentials.

Spoofer emails purporting to be from an authorized TSBDE email service but using a comcast.net email domain. The attached PDF instructs users to click on a "View Information" link which is designed to steal login credentials.

Please be advised that as a licensee of TSBDE, some of your practice information is published to the public. Be wary of this when someone claims to be from TSBDE. To see what information is available, you may visit: <https://tsbde.texas.gov/resources/public-license-search/>

Recent Phone Scam Attempts

August 2020: Two licensees have reported that a person called them purporting to be from TSBDE pressuring them about TSBDE investigations and requesting money. TSBDE will never pressure you for money over the phone. If you owe licensing or other fees to TSBDE, we have official channels to collect that money and will work with you if you have any questions.

These cybercriminals are putting your information at risk and trying to damage good customer relationships. That is why we are expanding our efforts to fight fraud and keep you safe and secure.

Please be advised that as a licensee of TSBDE, some of your practice information is published to the public. Be wary of this when someone claims to be from TSBDE. To see what information is available, you may visit: <https://tsbde.texas.gov/resources/public-license-search/>

If you are suspicious about an email or phone call that claims to be from the TSBDE office, follow these tips:

- Question whether the information should be requested via email or telephone.
- Be wary of links and attachments. Consider the context of the email, look for red flags such as poor grammar and/or sentence structure, and when in doubt, don't click.
- Use an email spam filter and up-to-date virus software and avoid public Wi-Fi.
- When suspicious, do not respond to the original email. Use independent sources to verify sender details and establish a new channel of communication to confirm with the sender.

If you suspect any communication from our agency is fraudulent, please notify us by emailing licensinghelp@tsbde.texas.gov.