

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2023 to December 31, 2023**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A(5)*

**Agency name:** Department of Professional and Financial Regulation,  
**Board of Dental Practice**  
**Umbrella-Unit:** **02-313**  
**Statutory authority:** 32 MRS §§ 18324, 18379  
**Chapter numbers/titles:** **Ch. 14**, Rules for Use of Sedation and General Anesthesia  
**Filing numbers:** **2023-008**  
**Effective date:** 1/15/2023  
**Type of rules:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rules:**

1. Requires a dentist who applies for a permit to provide sedation and/or general anesthesia services to patients to obtain and maintain life support certification in basic life support (BLS), and advanced life support certification in Advanced Cardiac Life Support (ACLS). Advanced life support certification in Pediatric Advanced Life Support (PALS) is required when providing sedation services to pediatric patients and may be used in meeting the ACLS advanced life support certification requirements.
2. Requires an operating dentist who applies for a 14 Day Notification to utilize the services of a sedation provider to obtain and maintain life support certification in BLS, and advanced life support certification in Advanced Cardiac Life Support (ACLS). Advanced life support certification in Pediatric Advanced Life Support (PALS) is required when providing sedation services to pediatric patients and may be used in meeting the ACLS advanced life support certification requirements.
3. Clarifies that as part of the 14 Day Notification application requirements, a sedation provider must hold current life support certifications in BLS, ACLS and PALS. As noted in the previous sections, PALS certification is required only when providing sedation services to pediatric patients and may be used in meeting the ACLS advanced life support certification requirements.
4. Removes duplicative notification language when a dentist who holds a permit under Chapter 14 is part of a 14 Day Notification application. No additional application or notification is required by the dentist providing services as the sedation provider.
5. Other technical changes include clarification as follows:
  - a. An operating dentist must file an application when utilizing a sedation provider as part of a 14 Day Notification requirement;
  - b. Life support certification requirements for a permit renewal;
  - c. Online life support/advanced life support certification training not accepted unless hands-on participation with the instructor as a component of the training is verified; and
  - d. Removing sections from the rule referencing dates for compliance after the rule was last amended in 2017.

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**Basis statement:**

The Maine Board of Dental Practice ("the Board") is charged by the Legislature with the regulation of dentists, dental hygienists, denturists, dental radiographers, and expanded function dental assistants in the State of Maine for the sole purpose to protect the public health and welfare. The Legislature granted the Board rulemaking authority pursuant to 32 M.R.S. § 18324 to fully implement its statutory mandates.

This rulemaking change is to amend Board Rules, Chapter 14 "Rules for the Use of Sedation and General Anesthesia" specific to the life support certification requirements of a dentist, an operating dentist who utilizes a sedation provider, and a sedation provider who enters into a 14 Day Agreement with an operating dentist. This amendment provides technical clarification and removes duplicative language specific to the notification language required of a dentist as part of a 14 Day Notification application as outlined below:

1. Requires a dentist who utilizes sedation, an operating dentist who utilizes a sedation provider, and a sedation provider who enters into a 14 Day Agreement with an operating dentist to obtain and maintain life support certification in BLS, and advanced life support certification in Advanced Cardiac Life Support (ACLS). Advanced life support certification in Pediatric Advanced Life Support (PALS) is required when providing sedation services to pediatric patients and may be used in meeting the ACLS advanced life support certification requirements.
2. Removes duplicative notification language when a dentist who holds a permit under Chapter 14 is part of a 14 Day Notification application. No additional application or notification is required by the dentist providing services as the sedation provider.
3. Other technical changes include clarifying the application process as part of a 14 Day Notification, clarifying the life support certification for a permit renewal, and clarifying acceptable online life support certification training.

**Fiscal impact of rules:**

Most licensees are currently certified in basic life and advanced life support training as outlined in the proposed rule. There may be a small financial impact to a limited number of licensees who need to obtain additional certification.