



VIA EMAIL

January 29, 2024

Mr. David Schaibley
Executive Director
North Dakota State Board of Dental Examiners
PO Box 7246
Bismarck, ND 58507

Dear Mr. Schaibley,

On behalf of the 9,000 members of the American Association of Oral and Maxillofacial Surgeons (AAOMS), and the 22 members practicing in North Dakota, we appreciate your outreach to solicit comments on the proposed changes to the state's dental regulations. We commend the North Dakota State Board of Dental Examiners for its thoughtful and balanced amendments. While we had no concerns with the presented edits, we would like to suggest two additional areas for the Board's consideration that would benefit the oral and maxillofacial surgery (OMS) community.

Office anesthesia inspection cycles

Currently, North Dakota maintains a three-year office anesthesia site inspection cycle, standing as the only state with such a duration. Most states operate on a five- to six-year renewal cycle. This duration often aligns with the AAOMS Office Anesthesia Evaluation (five years) or a multiple of their own state anesthesia permit renewal cycle (six years).

AAOMS and the North Dakota Society of Oral and Maxillofacial Surgeons (NDSOMS) recommend amending the state's inspection cycle to either a five- or six-year renewal cycle to align with other states' standards. Such a change is likely to optimize state resources, synchronize with practitioners' licensing timelines, adhere to national standards, and reduce administrative burdens without compromising patient safety.

Dental Anesthesia Assistant permits

Currently, North Dakota restricts dental anesthesia assistant roles to those achieving the status of a registered dental assistant (RDA) or qualified dental assistant (QDA). While acknowledging this career pathway for those initially serving as dental assistants, we propose expanding the eligibility to include healthcare professionals with advanced healthcare training, such as registered nurses (RNs) and emergency medical technicians (EMTs).

In previous discussions with the state, concerns were raised about the Dental Board dictating the practice of non-dental professionals. In response, NDSOMS proposes establishing a separate dental anesthesia assistant credential with education prerequisites limited to the completion of a board-approved dental anesthesia assistant education and training course. (For reference, the Dental Anesthesia Assistant National Certification Examination (DAANCE) – which is recognized by the Board – has historically been taken and passed by dental assistants, RNs and EMTs and these professionals actively practice alongside OMSs in other states around the country.) Individuals holding the dental anesthesia assistant credential under this proposal would only be authorized to perform dental anesthesia assistant functions, not those of an RDA or QDA, unless meeting the existing requirements for these professions as outlined in the state’s regulations.

This proposal maintains the state's current requirements while restructuring the regulatory chapter to accommodate non-dental auxiliary personnel with the necessary training. It aligns North Dakota with other states that allow non-dental assistants to serve in similar roles with appropriate training. Moreover, it provides a valuable pathway for paraprofessionals to address widespread dental assistant shortages. NDSOMS is eager to engage in further discussions with the Board on this proposal.

We appreciate the Board’s consideration of these points and express gratitude for the opportunity to comment. We anticipate ongoing discussions to mutually serve the citizens of North Dakota. For any inquiries, please contact Sandy Guenther, Manager of State Government Affairs and Advocacy Engagement, at sguenther@aaoms.org or 800-822-6637.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Egbert, DDS, FACS". The signature is written in a cursive, flowing style.

Mark A. Egbert, DDS, FACS
AAOMS President

CC: Michael G. McMahon, DDS, President, NDSOMS
Charles A. Crago, DMD, MD, FACS District V Trustee, AAOMS
Karin K. Wittich, CAE, Executive Director, AAOMS
William R. Sherwin, JD, Executive Director, NDDA
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