(d) (I) A dental assistant may perform intraoral and extraoral tasks and procedures necessary for the fabrication of a complete or partial denture under the direct supervision of a licensed dentist. These tasks and procedures shall include:
   (A) Making of preliminary and final impressions;
   (B) Jaw relation records and determination of vertical dimensions;
   (C) Tooth selection;
   (D) A preliminary try-in of the wax-up trial denture prior to and subject to a try-in and approval in writing of the wax-up trial denture by the licensed dentist;
   (E) Denture adjustments that involve the periphery, occlusal, or tissue-bearing surfaces of the denture prior to the final examination of the denture.

   (II) The tasks and procedures in subsection (3)(d)(I) of this section shall be performed in the regularly announced office location of a licensed practicing dentist, and the dentist shall be personally liable for all treatment rendered to the patient. A dental assistant performing these tasks and procedures shall be properly identified as a dental assistant. No dentist shall utilize more than the number of dental assistants the dentist can reasonably supervise.

   (III) Prior to any work being performed pursuant to subsection (3)(d)(I) of this section, the patient shall first be examined by the treating dentist licensed to practice in this state who shall certify that the patient has no pathologic condition that requires surgical correction or other treatment prior to complete denture service.

   (4) The board may make such reasonable rules as may be necessary to implement and enforce the provisions of this section.


Editor's note: This section is similar to former § 12-35-128 as it existed prior to 2019.

12-220-128. Interim therapeutic restorations by dental hygienists - permitting process - rules - subject to review - repeal. (1) Upon application, accompanied by a fee in an amount determined by the director, the board shall grant a permit to place interim therapeutic restorations to any dental hygienist applicant who:
   (a) Holds a license in good standing to practice dental hygiene in Colorado;
   (b) Has completed a course developed at the postsecondary educational level that complies with the rules adopted by the board. The course must be offered under the direct supervision of a member of the faculty of a Colorado dental or dental hygiene school accredited by the Commission on Dental Accreditation or its successor agency. All faculty responsible for clinical evaluation of students must be dentists with a faculty appointment at an accredited Colorado dental or dental hygiene school.
   (c) Carries current professional liability insurance in the amount specified in section 12-220-147; and
   (d) Has completed the following hours of dental hygiene practice as evidenced in documentation required by the board:
      (I) Two thousand hours of supervised dental hygiene practice after initial dental hygiene licensure;
      (II) Four thousand hours of unsupervised dental hygiene practice after initial dental hygiene licensure; or
(III) A combination of the hours specified in subsections (1)(d)(I) and (1)(d)(II) of this section as determined by the board by rule.

(2) The board may waive the requirement in subsection (1)(d) of this section for a dental hygienist who performs interim therapeutic restorations exclusively under the direct supervision of a dentist.

(3) A dental hygienist shall not use local anesthesia for the purpose of placing interim therapeutic restorations.

(4) (a) A dental hygienist may place an interim therapeutic restoration only after a dentist provides a diagnosis, treatment plan, and instruction to perform the procedure.

(b) If an interim therapeutic restoration is authorized by a supervising dentist at a location other than the dentist's practice location, the dental hygienist shall provide the patient or the patient's representative with written notification that the care was provided at the direction of the supervising dentist. The dental hygienist shall include in the written notification the dentist's name, practice location address, and telephone number.

(c) A dental hygienist who obtains a dentist's diagnosis, treatment plan, and instruction to perform an ITR utilizing telehealth by store-and-forward transfer shall notify the patient of the patient's right to receive interactive communication with the distant dentist upon request. Communication with the distant dentist may occur either at the time of the consultation or within thirty days after the dental hygienist notifies the patient of the results of the consultation.

(5) A dental hygienist who obtains a permit pursuant to this section may place interim therapeutic restorations in a dental office setting under the direct or indirect supervision of a dentist or through telehealth supervision for purposes of communication with the dentist.

(6) A dentist shall not supervise more than five dental hygienists who place interim therapeutic restorations under telehealth supervision. A dentist who supervises a dental hygienist who provides interim therapeutic restorations under telehealth supervision must have a physical practice location in Colorado for purposes of patient referral for follow-up care.

(7) A dental hygienist shall inform the patient or the patient's legal guardian, in writing, and require the patient or the patient's legal guardian to acknowledge by signature, that the interim therapeutic restoration is a temporary repair to the tooth and that appropriate follow-up care with a dentist is necessary.

(8) This section is repealed, effective September 1, 2021. Before the repeal, the permitting of dental hygienists to place interim therapeutic restorations is scheduled for review in accordance with section 24-34-104.


Editor's note: This section is similar to former § 12-35-128.5 as it existed prior to 2019.

12-220-129. Application of silver diamine fluoride by dental hygienists - authorization - limitations - rules - subject to review - repeal. (1) A dental hygienist may apply silver diamine fluoride if the dental hygienist:

(a) Holds a license in good standing to practice dental hygiene in Colorado;

(b) Has completed a postsecondary course or continuing education course developed at the postsecondary level that satisfies the requirements established by the board by rule and that provides instruction on the use and limitations of applying silver diamine fluoride;
(c) Is covered by professional liability insurance in the amount established by the board pursuant to section 12-220-147; and

(d) Has a collaborative agreement with a dentist that describes the silver diamine fluoride protocols, any restrictions or limitations, follow-up and referral mechanisms, and any other requirements established by the board by rule.

(2) (a) If the application of silver diamine fluoride is authorized by a supervising dentist at a location other than the dentist's practice location, the dental hygienist shall provide the patient or the patient's representative with written notification that the application of silver diamine fluoride is being provided in collaboration with the supervising dentist. The dental hygienist shall include in the written notification the dentist's name, practice location address, and telephone number.

(b) A dental hygienist who applies silver diamine fluoride in collaboration with a supervising dentist utilizing telehealth by store-and-forward transfer shall notify the patient or the patient's representative of the patient's right to receive interactive communication with the distant dentist upon request. Communication with the distant dentist may occur either at the time of the consultation or within thirty days after the dental hygienist notifies the patient of the results of the consultation.

(3) A dental hygienist who meets the requirements of subsections (1) and (2) of this section may apply silver diamine fluoride under the direct or indirect supervision of a dentist or through telehealth supervision for purposes of communication with the dentist.

(4) (a) The board shall promulgate rules to:

(I) Define requirements for the education course required in subsection (1)(b) of this section, including qualifications for entities offering the course and faculty oversight requirements; and

(II) Address appropriate indications and limitations for the application of silver diamine fluoride by a dental hygienist.

(b) The board may establish additional requirements for the collaborative agreement required by subsection (1)(d) of this section.

(5) This section is repealed, effective September 1, 2021. Before the repeal, the application of silver diamine fluoride by dental hygienists is scheduled for review in accordance with section 24-34-104.


Editor's note: This section is similar to former § 12-35-128.8 as it existed prior to 2019.

12-220-130. Grounds for disciplinary action - definition. (1) The board may take disciplinary action against an applicant or licensee in accordance with sections 12-20-404 and 12-220-131 for any of the following causes:

(a) Engaging in fraud, misrepresentation, or deception in applying for, securing, renewing, or seeking reinstatement of a license to practice dentistry or dental hygiene in this state, in applying for professional liability coverage required pursuant to section 12-220-147, or in taking the examinations provided for in this article 220;