

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 5 DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)**  
**PART 14 DENTISTS, ADJUNCTIVE DENTAL SERVICES**

**16.5.14.1 ISSUING AGENCY:** New Mexico Board of Dental Health Care.  
[16.5.14.1 NMAC - N, 7/17/2013]

**16.5.14.2 SCOPE:** The provisions of Part 14 of Chapter 5 apply to all dentists for the administration of adjunctive dental services.  
[16.5.14.2 NMAC - N, 7/17/2013]

**16.5.14.3 STATUTORY AUTHORITY:** Part 14 of Chapter 5 is promulgated pursuant to the Dental Health Care Act, Section 61-5A-4, NMSA 1978, (Repl. Pamp. 1996).  
[16.5.14.3 NMAC - N, 7/17/2013]

**16.5.14.4 DURATION:** Permanent.  
[16.5.14.4 NMAC - N, 7/17/2013]

**16.5.14.5 EFFECTIVE DATE:** July 17, 2013, unless a later date is cited at the end of a section.  
[16.5.14.5 NMAC - N, 7/17/2013]

**16.5.14.6 OBJECTIVE:** To establish guidelines for the administration of the defined adjunctive dental services in a dental office located in New Mexico.  
[16.5.14.6 NMAC - N, 7/17/2013]

**16.5.14.7 DEFINITIONS:**

**A. “Adjunctive dental services”** means additional procedures, as recognized by the board, used for increasing efficiency, safety, outcome, or performance of dental treatment, including, but not limited to, cosmetic procedures or therapies.

**B. “Botulinum toxin”** means a neurotoxin that temporarily reduces muscle contraction.

**C. “Dermal fillers”** means a resorbable substance injected below the skin surface to reduce lines, wrinkles, or facial grooves, and for the purpose of this rule, are for the oral and maxillofacial regions of the body.

**D. “Obstructive sleep apnea”** means a spectrum of abnormal breathing during sleep that occurs when there is partial or complete collapse of the airway.

**E. “Sleep-related breathing disorders”** includes, for the purpose of this section, snoring, upper airway resistance syndrome, and obstructive sleep apnea. These disorders must be diagnosed by a physician.

**F. “Upper airway resistance syndrome”** is a partial collapse of the airway that is an intermediate form of abnormal breathing between snoring and obstructive sleep apnea.

[16.5.14.7 NMAC - N, 7/17/2013; A, 12/14/2019]

**16.5.14.8 ADMINISTRATION OF BOTULINUM NEUROTOXIN (BOTOX) AND DERMAL FILLERS:** The board does not issue permits for the administration of botox or dermal fillers. The board does not regulate dental materials of any type; however, due to the rising utilization of these materials by dentists, the board sets forth the following requirements.

**A.** Before administering botulinum neurotoxin or dermal fillers, in connection with the practice of dentistry as defined in Section 61-5A-4, NMSA 1978, a dentist must receive satisfactory training at a dental institution accredited by the commission on dental accreditation (CODA) or successfully completed a board approved continuing education course of instruction that includes a minimum of the following:

- (1) patient assessment and consultation for botulinum neurotoxin and dermal fillers;
- (2) indications and contraindications for these techniques;
- (3) safety and risk issues for botulinum neurotoxin/dermal fillers injectable therapy;
- (4) proper preparation and delivery techniques for desired outcomes;
- (5) enhancing and finishing esthetic dentistry cases with dermal fillers;
- (6) botulinum neurotoxin treatment of temporomandibular dysfunction;
- (7) knowledge of adverse reactions and management and treatment of possible

complications;

- (8) patient evaluation of best esthetic and therapeutic outcomes;
  - (9) integrating botulinum neurotoxin and dermal filler therapy into dental therapeutic and esthetic treatment plans; and
  - (10) 16 hours total, including eight hours minimum live patient hands-on training including diagnosis, treatment planning and proper dosing and delivery of botox and dermal fillers;
- B.** Botulinum neurotoxin and dermal fillers shall only be administered in dental offices using universal precautions as required by the federal centers for disease control.
- C.** All dental auxiliaries are prohibited from administering either botulinum neurotoxin or dermal fillers.
- D.** Continuing education courses shall be approved by the academy of general dentistry (AGD) program approval for continuing education (PACE), American dental association (ADA) continuing education recognition program (CERP) or other dental or medical entities accepted by the board.
- [16.5.14.17 NMAC - N, 7/17/2013]

**16.5.14.9 GUIDELINES FOR DENTISTS TREATING SLEEP-RELATED BREATHING DISORDERS:**

- A.** Dentists treating patients that have been diagnosed by a physician with sleep-related breathing disorders, including, but not limited to, primary snoring, upper airway resistance syndrome or obstructive sleep apnea are to follow these guidelines published by the American dental association, the American academy of dental sleep medicine and American academy of sleep medicine.
- (1) “the role of dentistry in the treatment of sleep-related breathing disorders” (American dental association).
  - (2) “dental sleep medicine standards for screening, treating and managing adults with sleep-related breathing disorders” (American academy of dental sleep medicine).
  - (3) “clinical practice guideline for the treatment of obstructive sleep apnea and snoring with oral appliance therapy: an update for 2015” (Joint statement, American academy of sleep medicine and American academy of dental sleep medicine).
- B.** Dentists cannot diagnose sleep related breathing disorders, but are a vital partner in treating these conditions in collaboration with medical colleagues.
- [16.5.14.9 NMAC - N, 12/14/2019]

**HISTORY OF 16.5.14 NMAC: [RESERVED]**