

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 5 DENTISTRY (DENTISTS, DENTAL HYGIENISTS, ETC.)
PART 46 EXPANDED FUNCTION DENTAL AUXILIARY, PRACTICE AND SUPERVISION

16.5.46.1 ISSUING AGENCY: New Mexico Board of Dental Health Care.
[16.5.46.1 NMAC - N, 01/09/12]

16.5.46.2 SCOPE: The provisions of Part 46 of Chapter 5 apply to all expanded function dental auxiliary with current certification.
[16.5.46.2 NMAC - N, 01/09/12]

16.5.46.3 STATUTORY AUTHORITY: Part 46 of Chapter 5 is promulgated pursuant to the Dental Health Care Act, 61-5A-5, 61-5A-6 and 61-5A-6.1 NMSA 1978, (1996 Repl. Pamp.).
[16.5.46.3 NMAC - N, 01/09/12]

16.5.46.4 DURATION: Permanent.
[16.5.46.4 NMAC - N, 01/09/12]

16.5.46.5 EFFECTIVE DATE: January 9, 2012, unless a later date is cited at the end of a section.
[16.5.46.5 NMAC - N, 01/09/12]

16.5.46.6 OBJECTIVE: To establish those procedures which shall be provided by an expanded function dental auxiliary, the procedures which require expanded function dental auxiliary certification, and the procedures which shall not be performed by an expanded function dental auxiliary, regardless of certification or supervision.
[16.5.46.6 NMAC - N, 01/09/12]

16.5.46.7 DEFINITIONS: "Direct supervision" means the process under which an act is performed when a dentist licensed pursuant to the Dental Health Care Act:

- A. is physically present throughout the performance of the act;
- B. orders, controls and accepts full professional responsibility for the act performed; and
- C. evaluates and approves the procedure performed before the patient departs the care setting.

[16.5.46.7 NMAC - N, 01/09/12]

16.5.46.8 PRACTICE AND REQUIRED SUPERVISION: EFDA duties set forth in 16.5.46.9 NMAC are allowed under the direct supervision of a NM licensed dentist, provided the dentist has:

- A. prepared the cavity or tooth for the restorative procedure;
- B. instructed the EFDA on the particular elements of this individual case;
- C. fully examined and evaluated the procedure carried out by the EFDA, and corrected or replaced any deficiency found in the EFDA work, before allowing the patient to leave the treatment facility;
- D. the dentist is ultimately responsible for the quality of care and the quality of the final restorative procedure carried out by the EFDA as defined in 16.5.16 NMAC and Subsection N of Section 61-5A-3 of the Dental Health Care Act; and
- E. not more than two EFDA, performing expanded functions, per licensed dentist present in office.

[16.5.46.8 NMAC - N, 01/09/12]

16.5.46.9 ALLOWABLE DUTIES UNDER DIRECT SUPERVISION: The following EFDA procedures are allowable under direct supervision as set forth in 16.5.46.8 NMAC.

- A. Placing and shaping of direct restorative materials into cavity preparations completed by a dentist; EFDA may use instrumentation as necessary and proper for this purpose.
- B. Taking of impressions for permanent fixed or removable prosthetics involving single teeth, to include digital impressions. These include single crowns or single tooth replacement prosthetics. EFDA shall NOT take final impressions for multiple units of single crowns, bridges, cast framework partial dentures or full dentures final impressions.
- C. Cement permanent or provisional restorations with temporary or provisional cement, provided the permanent cementation will be completed or monitored by the dentist within six months.
- D. Place pit and fissure sealants under supervision as certification or licensure allows.

E. Place temporary or sedative restorations in open carious lesions after hand excavation of gross decay and debris. If pain is perceived by the patient dentist shall evaluate lesion before completion by EFDA. The EFDA shall NOT use any automated method to clean out the lesion or prepare the tooth, including but not limited to high speed, slow speed, air abrasion, ultrasonic, laser etc.

F. The EFDA may place temporary or sedative restorative material into unprepared tooth fractures as a palliative measure. The EFDA shall NOT use any automated method to clean out the fracture or prepare the tooth, including but not limited to high speed, slow speed, air abrasion, ultrasonic, laser etc.

G. Remove residual orthodontic bracket or band cement or resin from teeth after the brackets or bands have been removed by the dentist performing the orthodontic treatment, or to prepare the tooth or teeth for re-cementation of a debonded bracket or band. This removal of cement/resin may include the use of instrumentation, as necessary and proper for this purpose.

H. Perform preliminary fitting and shaping of stainless steel crowns which shall undergo final evaluation and cementation by a dentist.

I. In emergency situation recement temporary or permanent crowns or bridges using provisional cement under the general supervision of a dentist and when instructed to do so by the dentist provided the permanent cementation will be completed or monitored by the dentist within six months.

[16.5.46.9 NMAC - N, 01/09/12; A, 06/14/12; A. 01/04/14]

16.5.46.10 NON-ALLOWABLE PROCEDURES: EFDA shall not perform any other procedure, duty or function as an EFDA under any level of supervision that is not expressly listed in 16.5.46.9 NMAC.

[16.5.46.10 NMAC - N, 01/09/12]

HISTORY OF 16.5.46 NMAC: [RESERVED]