

## BY-LAW NO. 17

### DENTAL ASSISTANTS

Prior to delegating procedures, it is the responsibility of the employing dentist to ensure that an individual is qualified to perform said procedures and, where applicable, has been registered and/or licensed by the Society. Individual dentists do not have the authority to delegate intra oral services that are beyond the limits of the scope of practise as outlined in this document. Doing so would constitute a breach of the Bylaws of the NBDS. [June 2, 2012]

1. Dental assistants shall be classified by the Society according to levels of training.
2. The classifications of dental assistants are as follows:
  - a) Chairside Assistant

A traditional chairside dental assistant with no formal training. [May 5, 1990]
  - (b) Certified Level II Assistant

A dental assistant who possesses a National Dental Assisting Examining Board Certificate (Level II) and is a member in good standing of the New Brunswick Dental Assistants Association. [May 24, 1997]

A dental assistant who possesses a National Dental Assisting Examining Board certificate (Level II) who is a graduate from a school which is not accredited by the Commission on Dental Accreditation of Canada shall successfully complete, as of January 1, 2009, the NDAEB clinical practice evaluation (CPE). [May 31, 2008]
  - (c) Any certified level II dental assistant currently licensed/registered in a Canadian jurisdiction, other than New Brunswick, applying for registration in New Brunswick shall satisfy the Registrar's Office of proof of nine hundred (900) hours of clinical practice in the preceding three (3) years or the pro-rated portion thereof, if licensed less than three (3) years. [June 7, 2003]
    - (i) and, shall be in good standing in the previously licensed jurisdiction. [June 7, 2003]
3. (a) A Chairside assistant shall be permitted to perform the following EXTRA ORAL duties only under direct supervision and control of a dentist: [June 11, 2011]
  - (i) the use of high volume and low volume (saliva ejector) suction tubes; [June 2, 2012]

- (ii) the holding of lights for the polymerization of photo sensitive resins;
- (iii) the assisting of a dentist or dental hygienist in the placement or removal of a rubber dam;
- (iv) assisting patients in the use of dental plaque disclosing solutions including rinsing with disclosing solution or the use of chewable disclosing tablets; [June 2, 2012]
- (v) the giving of oral health instructions and dietary counselling; [June 2, 2012]
- (vi) such other duties, tasks and functions as may be set out in the rules. [May 5, 1990] [June 11, 2011]

(b) A Certified Level II assistant shall be permitted to perform all the duties, tasks and functions which may be performed by a Chairside assistant and the following INTRA-ORAL duties, tasks and functions which are to be performed under the DIRECT supervision and control of a dentist:

- (i) the taking of preliminary impressions, [May 31, 2008]
- (ii) the application and removal of a rubber dam,
- (iii) the placement of pit and fissure sealants, after assessment has been made for caries by dentist. Tooth preparation by chemical or physical means e.g. polishing and acid etching may be performed by Certified Level II Assistant. Assessment following placement to be made by dentist. This procedure, when limited to the teeth being sealed, shall not be intended or interpreted as an oral prophylaxis,
- (iv) the placement and removal of matrices and wedges,
- (v) polishing of clinical crowns and restorations with rubber cup or brush, prior to the application of anti-cariogenic agents, if and only if, the dentist or dental hygienist has made assessment as to presence or absence of calculus and the dentist or dental hygienist has removed this calculus [June 11, 2011]
- (vi) the application of topical anesthetic. [May 30, 1998]
- (vii) preparation and placement of treatment liners where there is no pulpal involvement. [June 7, 2003][June 2, 2012]
- (viii) post operative suture removal. [June 7, 2003]

Currently licensed Level II dental assistants who lack training in suture removal shall provide proof of training to the Registrar by June 7, 2008. [June 7, 2003]

- (ix) application of desensitizing agents [June 10, 2006]
- (x) application of acid etching for restorative purposes [June 10, 2006]
- (xi) try-in of bleaching trays [June 10, 2006] [June 11, 2011]
- (xii) application of anti-cariogenic agents [June 11, 2011]
- (xiii) application of bonding agents [June 11, 2011]
- (xiv) try-in of mouthguards [June 11, 2011]
- (xv) taking of digital impressions including the powdering of preparations where necessary [June 11, 2011]
- (xvi) try in and finishing of indirect restorations [June 11, 2011]
- (xvii) exposure of intra-oral and extra-oral dental radiographs [June 2, 2012]
- (xviii) taking of intra-oral photographs [June 2, 2012]
- (xix) such other duties, tasks and functions as may be set out in the rules. [May 5, 1990]

4. Nothing in subsection (3b) shall be construed to authorize a licensed dental assistant to undertake or a licensed dentist to delegate any of the following: [June 2, 2012]

- (i) diagnosis or treatment planning; [June 2, 2012]
- (ii) severing or cutting hard or soft tissue; [June 2, 2012]
- (iii) prescribing or administering drugs (with the exception of topical anesthetics); [June 2, 2012]
- (iv) prescribing or designing any intra-oral appliance or prosthesis; [June 2, 2012]
- (v) placement, condensing, or carving any restorative material; [June 2, 2012]
- (vi) the use of any rotary or mechanical device in the oral cavity except as permitted in subsection 3; [June 2, 2012]
- (vii) scaling of hard or soft deposits on teeth. [June 2, 2012]

5. Under no circumstances shall non-registered persons employed in dental offices be permitted to perform any intra-oral duties. [June 2, 2012]
6. The standards of practice for dental assistants may be prescribed by the Board. [June 2, 2012]
7. The Registrar shall keep and maintain a register of Certified Level II dental assistants and shall enter in such register the names of all Certified Level II dental assistants who have met the requirements set out in this by-law, the Act and the rules and have paid all required fees.
8.
  - (a) The Registrar shall issue annually a Certified Level II dental assistants licence to those persons whose names are entered in the Certified Level II dental assistants register and have paid all required fees.
  - (b) The licence fees required to be paid to the Society by Certified Level II dental assistants shall be established from time to time by the membership at the annual or a special meeting by a resolution presented by the Board.
  - (c) If any Certified Level II dental assistant fails to pay any required fees, the Registrar shall forthwith remove his name from the Certified Level II dental assistants register. Fees for renewal of registration must be received at the office of the Registrar on or before January 31 in any given year. [May 22, 1993]
  - (d) No dentist shall employ a person as a Certified Level II dental assistant unless that person holds a current Certified Level II dental assistants licence.
9. Upon being satisfied, on such proof as the Registrar finds convincing, that a Certified Level II dental assistant is or was performing dental duties, tasks, services or functions other than those permitted by this by-law, the Registrar shall remove the name of the said dental assistant from the Certified Level II dental assistants register and shall forthwith notify the dental assistant and his/her employer of such action.

## **DENTAL ASSISTANTS WHO HAVE COMPLETED AN APPROVED ORTHODONTIC MODULE**

10. Certified Level II dental assistants who have successfully completed an orthodontic education module approved by the Board shall, under the direct supervision and control of a dentist, be permitted to perform in a dentist's office, in addition to the duties set out in subsection 3(b), the following intra-oral duties:

- (i) placement and removal of separation between teeth;
- (ii) preparation of teeth for the placement of bonded attachments;
- (iii) placement of bondable orthodontic attachments;
- (iv) fitting and cementation of the bands; [May 27, 1995]
- (v) placement and removal of archwires which have been formed by a member; [May 27, 1995]
- (vi) placement and removal of archwire accessories and ligatures; [May 27, 1995]
- (vii) removal of orthodontic brackets and bands from the teeth;
- (viii) removal of supragingival bulk cement and composite resins from teeth without the aid of a handpiece;
- (ix) tracing cephalometric X-Rays;
- (x) instructions to patients on use of retainers, elastics, headgear, etc.
- (xi) the duties, tasks and functions for which she/he has received training in the orthodontic education module approved by the Board; and
- (xii) such duties, tasks and functions as may be prescribed in the rules.

**DENTAL ASSISTANTS WHO HAVE COMPLETED AN APPROVED PERIODONTIC MODULE**

11. Certified Level II dental assistants who have:
- 1) successfully completed a periodontic education module at an accredited school and;
  - 2) who have the written recommendation of their employing dentist [June 7, 2003]

shall, under the direct supervision and control of a dentist, following a dentist periodontal assessment, be permitted to perform in a dentist's office, in addition to the duties set out in subsection 3(b) the following intra-oral duties:

- (i) scaling and probing on patients who have:
  - a) healthy gingival and periodontal tissues;
  - b) plaque associated gingivitis;
  - c) pockets that are four (4) mm or less;  
[June 7, 2003]
- (ii) the duties, tasks and functions for which he has received training in the periodontic education module approved by the Board; and
- (iii) such duties, tasks and functions as may be prescribed in the rules.

12. "Direct supervision and control" when used in this by-law shall mean that a dentist is present in the office or premises where the dental assistant is carrying out the duties, tasks and functions.