

Floor Amendment to HB 1616-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the use of general anesthesia, deep sedation, and moderate sedation in
4 dental treatment.

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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Dentists and Dentistry; Rulemaking Authority. Amend RSA 317-A:12, XII-a to read as
9 follows:

10 XII-a. The use of general anesthesia, deep sedation, and moderate sedation, in dental
11 treatment under RSA 317-A:20, including:

12 (a) Required credentials.

13 (b) Application.

14 (c) On-site evaluations of personnel, facility, equipment, and records as they pertain to
15 the use of required drugs, general anesthesia, deep sedation, or moderate sedation, or any
16 combination thereof.

17 (d) The criteria for the issuance of permits for use of general anesthesia, deep sedation,
18 and moderate sedation, or of permits for use of moderate sedation ***consistent with national
19 educational standards established by the Commission on Dental Accreditation (CODA) or
20 delineated in the American Dental Association's "Guidelines for Teaching Pain Control
21 and Sedation to Dentists and Dental Students"***.

22 (e) The criteria for the issuance of permits to dental facilities for use of general
23 anesthesia, deep sedation, and moderate sedation at the dental facilities where the services are
24 performed.

25 (f) The establishment of the qualifications and requirements of dental facilities where
26 general anesthesia, deep sedation, and moderate sedation are performed ***consistent with national
27 professional standards, including those of the American Association of Oral and
28 Maxillofacial Surgeons (AAOMS), the American Society of Dentist Anesthesiologists
29 (ASDA), the American Academy of Pediatric Dentistry (AAPD), and the American Dental
30 Association (ADA)***.

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1 (g) The requirement that the physical presence of the dentist licensed under RSA 317-
2 A:7, an anesthesiologist licensed under RSA 329, or a nurse anesthetist licensed under RSA 326-B:18
3 is required while general anesthesia, deep sedation or moderate sedation is in effect.

4 (h) The establishment of the qualifications of dentists to administer general anesthesia
5 or deep sedation, which may include a residency training program accredited by the Commission on
6 Dental Accreditation (CODA) or equivalent, and which may include a method for established
7 practitioners to document his or her qualifications. Administration of general anesthesia or deep
8 sedation to patients under the age of 13 shall be subject to additional rules including:

9 (1) In addition to the dentist performing the procedure, there shall be a dedicated
10 anesthesia provider present to monitor the procedure and recovery from anesthesia. The dedicated
11 anesthesia provider shall be a dentist who is qualified to administer general anesthesia or deep
12 sedation, a physician anesthesiologist, or a certified registered nurse anesthetist (CRNA). The board
13 ~~may~~ **shall** exempt the dentist from this requirement if they are board-eligible or board certified in
14 either dental anesthesiology or oral and maxillofacial surgery. ***Any limitation to the exemption,***
15 ***or other criteria, implemented by the board shall be consistent with national professional***
16 ***standards for dentist anesthesiologists, as determined by ASDA, and for oral and***
17 ***maxillofacial surgeons, as determined by AAOMS, and must not create an undue financial***
18 ***impact on the public, dentistry, or reduce access to care for the public, without compelling***
19 ***evidence that the limitation or criteria is necessary to prevent actual public harm.***

20 (2) The dentist shall be trained in pediatric advanced life support (PALS) and airway
21 management, equivalent to the American Academy of Pediatrics and American Academy of Pediatric
22 Dentistry (AAP-AAPD) guidelines or equivalent as determined by the board.

23 (3) Informed consent shall include the statement that the procedure may be
24 performed in a hospital setting with additional anesthesia personnel, possibly at an increased
25 expense.

26 (i) ***The establishment of qualifications of dentists to administer moderate***
27 ***sedation, which shall include a residency training program accredited by the Commission***
28 ***on Dental Accreditation (CODA) or equivalent, and which shall include a method for***
29 ***established practitioners to document his or her qualifications. Administration of***
30 ***moderate sedation to patients under 13 years of age shall not require a second anesthesia***
31 ***provider but shall be subject to additional guidelines including:***

32 (1) ***The dentist shall be trained in Pediatric Advanced Life Support (PALS)***
33 ***and airway management, equivalent to the American Academy of Pediatrics and American***
34 ***Academy of Pediatric Dentistry (AAP-AAPD) guidelines or equivalent as determined by the***
35 ***board.***

1 (2) *Informed consent shall include the statement that the procedure may be*
2 *performed in a hospital setting with additional anesthesia personnel, possibly at an*
3 *increased expense.*

4 (3) *Moderate sedation shall not be limited to a specific route of*
5 *administration.*

6 (j) A physical evaluation and medical history shall be taken before the administration of
7 moderate sedation, deep sedation, or general anesthesia. The board shall adopt rules regarding the
8 minimum requirements for physical evaluation and medical history;

9 2 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill modifies the rulemaking authority of the board of dental examiners, including to allow dentists to administer moderate sedation to patients under the age of 13 without a second anesthesia provider, provided that they meet certain standards for doing so.