

NYS Dental Anesthesia Regulation Revisions

In December, 2016, the NYS Education Dept. revised their dental anesthesia regulations (Sec. 61.10). The regulations are quite extensive so certificate holders should refer directly to Section 61.10 at the Education Dept.'s website to fully understand them.

As part of these revisions, the Department redefined the word, "**conscious**", from the terminology in the law, "conscious sedation", to definitively mean "**moderate**". So, it is now clear that any use of moderate sedation or greater by a dentist, requires a dental anesthesia certificate. The Education Department does not regulate anxiolysis or minimal sedation.

The three existing certificates have been expanded to five certificates (*eff. 1/1/2018*). Route of administration is retained for the moderate sedation certificates plus they are further divided into **pediatric** and **adult** versions. The five dental anesthesia certificates are:

- 1) **general anesthesia**;
- 2) **parenteral** conscious sedation for patients **13 years old and older**;
- 3) **parenteral** conscious sedation for patients **12 years old and younger**;
- 4) **enteral** conscious sedation for patients **13 years old and older**;
- 5) **enteral** conscious sedation for patients **12 years old and younger**.

Oral and Maxillofacial Surgeons

Most Oral and Maxillofacial Surgeons hold a **Dental General Anesthesia (GA)** certificate from the State Education Department. The GA certificate grants the dentist privileges to administer moderate, deep, or general anesthesia to dental patients.

The Department has indicated that all certificates issued through the end of 2017 will remain effective for their normal three-year cycle.

Despite that fact, any certificate holder wishing to sedate pediatric patients must be PALS certified by July 1, 2017.

Certificate Renewal

When current GA certificate holders renew their certificate in 2018 and thereafter, they must verify that they:

- Are current with ACLS
- Are current with PALS (*if you treat patients 12 & under*)
- Have earned 12 hrs. additional anesthesia-related C/E since their last renewal

New Certificates

For initial registrations for a GA certificate, the following are required:

- Acceptable Anesthesia Training:
 - 1 Year - *if your training was before 2002 and you applied for the permit before 2004, **or***
 - 2 Years - *if your training was between 2002 thru 2018, **or***
 - 3 Years - *if your training was 2019 or thereafter, **or***
 - an OMS residency
- ACLS
- PALS (*if you treat patients 12 & under*)

Practice Requirements have been completely restated by the Department to be more in line with ASA standards. Some notable issues are:

- ETCO2 monitoring is only required for intubated patients and when hypothermia is a significant risk. Otherwise, it is optional. If not used, dentist may monitor ventilation with a stethoscope.
- consultation with a physician for certain systemically ill patients is at the discretion of the dentist.
- Mortality or irreversible morbidity occurring during or within 48 hours following, or otherwise related to, the administration of conscious (moderate) sedation or deep sedation or general anesthesia administered pursuant to this section shall be reported, in writing, by the certificate holder to the department within 30 days of the occurrence

The **Personnel Requirements** are very much as they currently are, with one exception allowing for supervising no more than two dental students or residents in a teaching institution setting.

The **Recordkeeping Requirements** now require time-oriented anesthesia records for all forms of moderate sedation or general anesthesia given to patients.

The new regulations also state that the Education Dept. retains the right to request patient sedation records to verify certificate-holders are in compliance with these recordkeeping requirements.

These notes are not designed to be authoritative or comprehensively explain this matter. Dentists should refer to the Education Department's own regulations for definitive details on this issue.

<http://www.op.nysed.gov/prof/dent/part61.htm#da>