

<http://www.op.nysed.gov/prof/dent/dentasst.htm>

Dental Assistants

1. In New York State, who may use the title "certified dental assistant"?

Answer: Only individuals who have met all the requirements for certification and have been issued a license to practice as a New York State licensed certified dental assistant may use the title "certified dental assistant". (see [Licensure Requirements and Procedure](#) section)

2. Can a Dental Assisting National Board (DANB) certified dental assistant perform the same functions as a New York State licensed certified dental assistant?

Answer: No, unless he or she also holds a New York State license. Only New York State licensed certified dental assistants may perform dental supportive services listed in section 6608 of New York State Education Law (see [question 4](#) below).

If a dental assistant is **not licensed**, he or she may **NOT** perform any duties within the scope of practice of any licensed individual. For information regarding scope of practice see [question 10](#).

3. Is it illegal for a person who is not licensed to perform the functions limited in New York to New York State licensed certified dental assistants?

Answer: Yes. That is the illegal practice of a profession. Education Law makes it a Class E felony for an unlicensed person (other than a student in a registered dental assisting program, as described in question 9 below) to do so. A Class E felony may be punishable by a fine of up to double the gain from the crime or \$5,000, whichever is higher and/or up to four years in prison. Upon the State Education Department's request, the New York State Attorney General prosecutes persons found practicing without a license. Licensees may be subject to charges of unprofessional conduct for allowing an unlicensed individual to engage in illegal practice. Aiding and abetting 3 or more individuals in such illegal practice may also be subject to felony prosecution.

New York State Licensed Certified Dental Assistants

4. What functions may a New York State licensed certified dental assistant perform?

Answer: A New York State licensed certified dental assistant may

- provide patient education
- take preliminary medical histories and vital signs to be reviewed by the dentist
- place and remove rubber dams
- select and prefit provisional crowns
- select and prefit orthodontic bands
- remove orthodontic arch wires and ligature ties
- place and remove matrix bands
- take impressions for study casts or diagnostic casts
- remove periodontal dressings
- remove sutures placed by a licensed dentist
- take impressions for space maintainers, orthodontic appliances, and occlusal guards
- remove temporary cement
- apply topical anticariogenic agents to the teeth
- apply desensitizing agents to the teeth
- place and remove temporary separating devices
- place orthodontic ligatures
- take dental x-rays in accordance with Public Health Law (see [question 18](#))
- perform such other dental supportive services authorized by the dentist and consistent with New York State laws, rules and regulations. (see [question 9](#))

All supportive services must be performed under a licensed dentist's direct personal supervision.

5. Can a NYSDA reduce an amalgam or composite restoration using a rotary handpiece?

Answer: No, a NYSCDA can not use a rotary handpiece but can use a hand instrument to reduce an amalgam restoration.

6. Can a NYSCDA carve an amalgam restoration with a hand instrument?

Answer: Yes.

7. Can a NYSCDA finish non-metallic restorations (composites)?

Answer: No. According to Education Law 6608, NYSCDA's cannot perform irreversible procedures or procedures that would alter the hard or soft tissue of the oral and maxillofacial area or any other procedures determined by the department.

8. What are the functions that a New York State licensed certified dental assistant is prohibited from performing?

Answer: A certified dental assistant shall not diagnose, perform surgical procedures, perform irreversible procedures or procedures that would alter the hard or soft tissue of the oral and maxillofacial area. Although authorized to do so, the Department has not yet specified any other procedures that a licensed certified dental assistant is prohibited from performing at this time.

9. What does "consistent with New York State laws, rules and regulations" mean (see last bullet in [question 4](#))?

Answer: New York State laws, rules and regulations set the boundaries within which licensed professionals may practice and within which others are prohibited from practicing unless otherwise authorized; this is called the scope of practice of the profession. This means that a New York State licensed certified dental assistant may not perform any of the duties or responsibilities limited to the scope of practice of dentistry or dental hygiene. For example, no dental assistant may apply pit and fissure sealants because this procedure is within the scope of practice of a dental hygienist and is not explicitly listed within the scope of practice of a licensed certified dental assistant.

10. Where can information be found regarding the scope of practice of dentistry and dental hygiene?

Answer: The scope of practice is within the laws and regulations of the State of New York, which may be found on the Dental Board Web site. For dentistry, the scope of practice may be found in section 6601 of Education Law. For dental hygiene, the scope may be found in section 6606 of Education Law and section 61.9 of the Commissioner's Regulations. For the scope of practice for other licensed professions, please visit our [Web site](#).

11. What does a licensed dentist's "direct personal supervision" mean?

Answer: Direct personal supervision means supervision of dental procedures based on instructions given in the course of a procedure by a licensed dentist who remains in the dental office where the supportive services are being performed, personally diagnoses the condition to be treated, personally authorizes the procedures, and before dismissal of the patient, who remains the responsibility of the licensed dentist, evaluates the services performed by the licensed certified dental assistant.

12. In addition to New York State licensed certified dental assistants, may any other dental personnel perform the supportive services within the scope of practice of a licensed certified dental assistant?

Answer: Yes. A student in a dental assisting program registered by the New York State Education Department as meeting the educational requirement for licensure may also perform these supportive services as part of that course of study. Additionally, a dental assistant who has been issued a limited permit to practice and individuals licensed or otherwise authorized to practice dentistry or dental hygiene in New York State may perform these supportive services. **No other dental personnel may do so unless otherwise authorized.**

13. Are all New York State licensed certified dental assistants allowed to perform everything within the scope of practice of their profession?

Answer: Under Part 29 of the Rules of the Board of Regents, it is unprofessional conduct for a licensee to perform any services that are beyond his or her individual professional competence. Therefore, if a licensee is not competent to perform a function, even if it falls within the legal scope of practice, he or she may not perform the function. It is the responsibility of the licensee to practice within his or her abilities and expertise.

Furthermore, the supervising dentist must be aware of the competency of the assistant. It is unprofessional conduct for a licensee to delegate professional responsibilities he or she knows or has reason to know that the dental assistant or hygienist is not competent to perform.

14. How can a patient identify if the person assisting the dentist is licensed as a New York State licensed certified dental assistant?

Answer: **Every dental professional licensed by the New York State Education Department and practicing in New York State must conspicuously display his or her current certificate of registration to practice that profession.** In hospitals and similar facilities licensed by the New York State Department of Health, such persons must wear tags showing name and profession.

15. What letters may a New York State licensed certified dental assistant use after his or her name?

Answer: The protected title for a New York State licensed certified dental assistant is "certified dental assistant" as stated in section 6608-a of New York State Education Law. However, the New York State Board for Dentistry recognizes that New York State licensed certified dental assistants

may use the letters RDA following their names to identify that they are licensed and registered to practice as dental assistants in the State of New York, if they so desire.

Unlicensed Dental Assistants

16. Can an unlicensed dental assistant perform services on patients without a dentist being physically present?

Answer: No. A dental assistant not licensed by New York State may not perform patient services independently or perform any tasks that are within the scope of practice of any licensed profession. The unlicensed dental assistant may provide supportive services with a dentist who is personally performing the service or procedure and is physically present at the chairside and attending to the patient. An unlicensed dental assistant acts as an extra pair of hands for the dentist during procedures, performing tasks such as suctioning excess saliva, providing instruments, or holding a matrix strip or curing lamp while the dentist is practicing on the patient. This is often referred to as "four handed dentistry" and may only be performed **while the dentist is physically attending to the patient with the dental assistant.**

An unlicensed dental assistant may not perform any supportive service while the dentist is not physically present at the chairside and attending to the patient.

17. What other tasks may an unlicensed dental assistant perform in the dental office?

Answer: An unlicensed dental assistant may perform such tasks as:

- preparing the patient for treatment by seating patient, obtaining records and applying protective garb;
- preparing instruments, materials and medicaments to be used;
- taking dental x-rays in accordance with Public Health Law (see [question 18](#));
- decontaminating, scrubbing, packaging and sterilizing all instruments;
- performing solely mechanical work upon inert matter in a dental office, e.g. trimming or mounting impressions taken by the dentist.

18. Are additional education and certification needed for dental assistants to take x-rays?

Answer: No. Additional education and certification are not required. In accordance with section 3515(4)(c) of the Public Health Law and section 89.45 of the Administrative Rules and Regulations

for Public Health, a person acting as a dental assistant, licensed or unlicensed, may operate radiographic dental equipment, under the supervision of a licensed dentist, for the sole purpose of routine oral radiography in which the x-ray beam is limited to the patient's head.

19. What equipment may a dental assistant use to take x-rays?

Answer: Section 89.45 of the Administrative Rules and Regulations for Public Health state that a dental assistant may operate conventional radiographic dental equipment in which the diameter of the x-ray beam at the patient's face is limited to not more than 3 inches. He or she may also operate panoramic dental equipment of the laminographic extraoral tube and film type, provided that the use of this equipment is for the sole purpose of routine dental radiography.

* IMPORTANT NOTICE TO ALL INDIVIDUALS TAKING X-RAYS: Please note that effective March 12, 2007, Education Law requires any dentist or dental hygienist performing dental x-rays must not only shield the torso but must also shield the thyroid area of the patient unless in the dentist's professional judgment the use of a thyroid collar would be inappropriate under the circumstances, because of the nature of the patient, the type of x-ray being taken, or other factors.

Although the law does not specifically state that dental assistants must comply with this requirement, the Department advises that all individuals taking dental x-rays follow these precautions.

Licensure Requirements and Procedures

20. What are the requirements to become licensed as a New York State licensed certified dental assistant?

Answer: To be licensed, a person must:

- Be at least 17 years of age;
- Submit an application, fee and all required documents;
- Meet education requirements; and
- Meet examination requirements.

21. To become licensed as a certified dental assistant, would an unlicensed dental assistant who has been working for many years need to meet the educational requirements?

Answer: Yes. All dental assistants who are seeking licensure must meet all licensure requirements.

22. Is anyone exempt from licensure?

Answer: Students enrolled in dental assisting programs registered by the New York State Education Department as meeting the educational requirement for licensure are exempt from the requirement of licensure while performing the duties of a New York State licensed certified dental assistant as part of their course of study. Additionally, applicants for licensure as certified dental assistants may work while practicing under a limited permit.

23. How does someone get an application for licensure as a New York State licensed certified dental assistant?

Answer: An individual may request an application packet that includes all forms and instructions from the New York State Education Department, Office of the Professions, Division of Professional Licensing Services, 89 Washington Avenue, Albany, NY 12234-1000; phone 518-474-3817; TDD/TTY: 518-473-1426; fax: 518-474-1449; e-mail: op4info@mail.nysed.gov or access licensing information and forms from our [Web site](#).

24. What is the licensure fee?

Answer: The fee is \$95.00 for the license and initial three-year registration. The fee for registration renewal is \$50.00 for each three-year registration period.

25. What is the examination requirement?

Answer: **An applicant must meet both the education requirement and the examination requirement.** The examination is offered by the Dental Assisting National Board, Inc. (DANB), 444 N. Michigan Avenue, Suite 900, Chicago, IL 60611; telephone: 1-800-367-3262; fax: 312-642-1475. There are two ways to meet the examination requirement.

- *Pathway I:* An applicant who meets DANB's requirements for admission to the three-part DANB CDA examination (consisting of the Radiation Health and Safety [RHS], Infection Control [IC], and General Chairside [GC] components) must take and pass all three parts. DANB's requirement to sit for this examination includes a high school diploma or its equivalent, current cardio-pulmonary resuscitation (CPR) certification, and either (a) graduation from a dental assisting program accredited by the Commission on Dental Accreditation or (b) two years experience as a practicing dental assistant. **An individual who passed this exam on or after June 1, 1993 has met the licensing examination**

requirement. An applicant who passed it after June 1, 1985, but before June 1, 1993, must take and pass the IC component. An applicant who passed the exam before June 1, 1985, must take and pass the IC and RHS components.

- *Pathway II:* An applicant who graduates from a New York registered dental assisting program, or the equivalent, but does not meet DANB's requirement to take the DANB CDA exam (because the program was not accredited by the Commission on Dental Accreditation and the applicant has less than two years experience) must pass New York State's three-part licensure examination, **which is administered by DANB**. It consists of DANB's RHS and IC components and the New York Professional Dental Assisting Component. The DANB application brochure includes applications for all parts of the examination.

26. What is the educational requirement for licensure?

Answer: **In addition to meeting the examination requirement, an applicant must meet the education requirement.** The education requirement for a license is (1) possession of a high school diploma (or its equivalent) and (2) completion of a program in dental assisting that the New York State Education Department has registered (approved) as leading to licensure or is accredited by an accrediting agency acceptable to the Department or that the Department has determined is the equivalent of such a registered or accredited program. The program must be adequate to prepare a student for the practice of certified dental assisting, as defined in section 6608 of Education Law (see [question 4](#) above). It must be either:

- a. A one-year program consisting of 24 semester hours (or the equivalent) that includes all of the following components.
 - 1. the biomedical sciences area, including:
 - 1. body structure and function,
 - 2. basic concepts of microbiology pertaining to infection control,
 - 3. basic nutrition; and
 - 2. the professional dental assisting components area, including:
 - 1. dental materials and instruments,
 - 2. dental radiography techniques and safety,
 - 3. basic dental and oral anatomy,
 - 4. introductory content in oral histology, embryology, pathology, and therapeutics,
 - 5. legal and ethical aspects (dental record keeping, terminology, charting, and patient confidentiality); and
 - 3. the clinical content area, including:

1. chairside dental assisting and appropriate laboratory procedures, which includes
 - i. placing and removing temporary restorations
 - ii. placing, condensing, and carving amalgam restorations
 - iii. placing, condensing, and finishing non-metallic restorations,
2. patient education and preventive dentistry,
3. dental radiographic procedures,
4. infection control,
5. assisting in management of dental and medical emergencies; and
4. course work in oral and written communications and basic behavioral concepts
5. at least 200 hours of clinical experience.

Or

- b. An alternate course of study in certified dental assisting acceptable to the New York State Education Department that includes:
 - a. the biomedical sciences, professional dental assisting, and the clinical content areas; (as described above) and
 - b. at least 1,000 hours of relevant work experience in the practice of certified dental assisting under a licensed dentist's direct personal supervision, to begin after enrollment in the program.

27. What institutions offer registered dental assisting programs?

Answer: A list of New York State registered, licensure-qualifying dental assisting programs is available through the Education Department's [Inventory of Registered Programs](#).

28. How can an individual who has been working as an unlicensed dental assistant, passed the DANB exam, but did not complete a registered program in dental assisting or a dental assisting program accredited by an accrediting agency acceptable to the Department qualify for a license?

Answer: The unlicensed dental assistant would need to fulfill the education requirement to qualify for licensure as a New York State licensed certified dental assistant. As part of the application process, the applicant asks all postsecondary educational institutions he or she has attended to send academic transcripts to the Department. The Department will evaluate the education completed and identify what elements of education the applicant is missing. Many licensure qualifying certified dental assisting programs offer advanced placement opportunities to dental assistants who have completed part of the educational program requirement. Such opportunities

may include testing out of elements of the program that the applicant already knows. Some of these schools offer registered programs off-campus using distance learning methods.

Limited Permits

29. What is the purpose of a limited permit in certified dental assisting?

Answer: The purpose is to enable an applicant who has met all licensure requirements except the examination requirement to perform the work of a licensed certified dental assistant. An individual who has met all requirements for admission to the licensing examination and has submitted an application and fee for licensure may receive a limited permit to practice certified dental assisting in New York under the direct personal supervision of a licensed dentist upon submission of the application for limited permit and payment of the \$40.00 limited permit fee. The permit is valid for one year and may be renewed for one additional year.

Further Information

30. Where is additional information available?

Answer: For further information on licensure as a New York State licensed certified dental assistant, contact the Division of Professional Licensing Services, New York State Education Department, 89 Washington Avenue, Albany, NY 12234-1000; telephone: 518-474-3817, TDD/TTY: 518-473-1426; fax: 518-474-1447; e-mail: op4info@mail.nysed.gov or check our Web site at www.op.nysed.gov.

For further information on the licensure examination contact the Dental Assisting National Board, Inc. (DANB), P.O. Box 118070, Chicago, IL 60611; telephone 1-800-367-3262; fax 312-642-1475.