

(Rule 0460-02-.03, continued)

0460-02-.03 LIMITED AND EDUCATIONAL LIMITED LICENSURE PROCESS. Any dentist who has completed the requirements set forth in this rule may be issued a limited license for the practice of dentistry in American Dental Association accredited institutions, or dental education programs, or in federally-designated health professional shortage areas, or may be issued an educational limited license to practice dentistry under the auspices of a dental educational institution. The educational limited license limits the dentist's location and activity to teaching and practice in programs offered only through the educational institution. It does not authorize independent private practice in any location.

- (1) The process for obtaining a limited or an educational limited license is as follows:
 - (a) An applicant shall obtain an application form from the Board Administrative Office, respond truthfully and completely to every question or request for information contained in the form and submit it along with all documentation and fees required by the form and this rule to the Board Administrative Office. It is the intent of this rule that all activities necessary to accomplish the filing of the required documentation be completed prior to filing a licensure application and that all documentation be filed simultaneously.
 - (b) An applicant shall submit a signed "passport" style photograph taken within the preceding twelve (12) months.
 - (c) An applicant must submit evidence of good moral character and professional competence. Such evidence shall include at least two (2) letters attesting to the applicant's character and ability from licensed dentists on the signator's letterhead.
 - (d) An applicant shall submit proof of United States or Canadian citizenship or evidence of being legally entitled to live and work in the United States. Such evidence may include copies of birth certificates, naturalization papers, or current visa status.
 - (e) An applicant shall submit the required fees as provided in Rule 0460-01-.02(1).
 - (f) An applicant shall submit evidence of current training in cardiopulmonary resuscitation (CPR) which is defined as successful completion of a BLS for Healthcare

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Providers, or CPR/AED for Professional Rescuers, or an equivalent course, which provides training for healthcare professionals in CPR and the use of an AED by a Board approved training organization. The course must be conducted in person and include a skills examination on a manikin with a certified instructor.

- (g) An applicant shall indicate whether the applicant is physically capable of performing the procedures included in the practice of dentistry and if not, make explanation.
- (h) An applicant shall disclose the circumstances surrounding any of the following:
 - 1. Conviction of any criminal law violation of any country, state or municipality, except minor traffic violations.
 - 2. The denial of licensure application by any other state or the discipline of licensure in any state.
 - 3. Loss or restriction of hospital privileges.
 - 4. Any other civil suit judgment or civil suit settlement in which the applicant was a party defendant including, without limitation, actions involving malpractice, breach of contract, antitrust activity or any other civil action remedy recognized under any country's or state's statutory, common, or case law.
 - 5. Failure of any dental licensure examination.
- (i) An applicant shall cause to be submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials, the result of a criminal background check.
- (j) An applicant shall submit or cause to be submitted the equivalent of a Tennessee Certificate of Endorsement from the licensing board(s) of every state in which the applicant has ever been licensed which indicates the applicant either holds a current

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active license and whether it is in good standing, or held a license which is currently inactive and whether it was in good standing at the time it became inactive.

- (k) An applicant shall successfully complete the Tennessee Board of Dentistry Ethics and Jurisprudence examination.
- (2) In addition to completing the process described in paragraph (1), an applicant for limited licensure:
- (a) Shall cause a transcript from a dental school, college or university to be sent directly from the institution to the Board Administrative Office that shows the equivalent of the D.D.S. or the D.M.D. degree was conferred and carries the official seal of the institution; and
 - (b) Shall cause to be submitted, directly from Educational Credential Evaluators, Inc. (www.ece.org) to the Board Administrative Office, a "Course-By-Course Evaluation Report" that indicates the applicant has successfully completed the equivalent of four (4) years of study in a dentistry program in the United States; and
 - (c) Shall cause to be submitted, directly from the educational institution to the Board Administrative Office, certification of successful completion of a graduate training program in a recognized specialty branch of dentistry from an advanced specialty program accredited by the American Dental Association; and
 - (d) Shall cause to be submitted, directly from the examination agency to the Board Administrative Office, certification of successful completion of the National Board examination; and
 - (e) Shall cause, if practice is to occur in American Dental Association accredited institutions or dental education programs, the Dean or Director of the dental educational institution at which the applicant is to be employed to submit upon application for licensure and renewal of licensure, on behalf of the applicant, a letter of recommendation for limited licensure and a copy of the contract employing the applicant as a faculty member at the institution; or

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- (f) Shall submit when applying for licensure and when applying for renewal of licensure, if practice is to be in a federally-designated health professional shortage area, proof of employment as a dentist or proof of starting/maintaining a private dental practice; and
 - (g) If the applicant has ever taken any regional testing agency examination or any other Board-approved examination as provided in rule 0460-02-.05, an application will not be approved unless and/or until a certification is submitted which indicates that the applicant achieved passing scores on all parts of the examination.
- (3) In addition to completing the process described in paragraph (1), an applicant for educational limited licensure:
- (a) Shall cause a transcript from a dental school, college or university to be sent, directly from the institution to the Board Administrative Office, that shows the degree was conferred and carries the official seal of the institution; and
 - (b) Shall cause the Dean or Director of the dental educational institution at which the applicant is to be employed to submit upon application for licensure and renewal of licensure, on behalf of the applicant, a letter of recommendation for educational limited licensure and a copy of the contract employing the applicant as a faculty member at the institution; and
 - (c) Shall possess an active license which is in good standing in at least one (1) other state; and
 - (d) If the applicant has ever taken any regional testing agency examination or any other Board-approved examination as provided in rule 0460-02-.05, an application will not be approved unless and/or until a certification is submitted which indicates that the applicant achieved passing scores on all parts of the examination.
- (4) When a limited or educational limited licensee is employed at an educational institution or program, the licensee shall cause the Dean or Director of the educational institution or

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program to immediately notify the Board in writing of the termination of the licensee's employment and the reasons therefore. Such notification terminates the licensee's authority to practice in Tennessee.

- (5) When a limited licensee is no longer practicing dentistry in a federally-designated health professional shortage area, the licensee shall immediately notify the Board in writing. Such notification terminates the licensee's authority to practice in Tennessee.
- (6) Limited and educational limited licensees are subject to all rules governing renewal, retirement, reinstatement and reactivation as provided by Rules 0460-02-.08 and .09. These licenses are also subject to disciplinary action for the same causes and pursuant to the same procedures as active licenses. Under no circumstance shall a limited or educational limited license be renewed without payment of the required biennial renewal fee as stated in Rule 0460-01-.02, and completion of the annual continuing education requirement as stated in Rule 0460-01-.05(1).
- (7) Application review and licensure decisions required by this rule shall be governed by Rule 0460-01-.04.

Authority: T.C.A. §§ 4-3-1011, 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-110, 63-5-111, and 63-5-124.

Administrative History: Original rule certified June 7, 1974. Repeal and new rule filed August 26, 1980; effective December 1, 1980. Amendment filed October 13, 1983; effective November 14, 1983. Amendment filed September 21, 1989; effective November 5, 1989. Amendment filed April 30, 1991; effective June 14, 1991. Repeal and new rule filed December 11, 1991; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed February 9, 2000; effective April 24, 2000. Amendment filed April 10, 2001; effective June 24, 2001. Amendment filed April 10, 2002; effective June 24, 2002. Amendment filed August 18, 2003; effective November 1, 2003. Amendment filed October 20, 2003; effective January 3, 2004. Amendment filed March 17, 2006; effective May 31, 2006. Amendment filed July 10, 2006; effective September 23, 2006. Amendment filed September 30, 2014; effective December 29, 2014. Amendments filed October 25, 2017; effective January 23, 2018.

0460-02-.04 LICENSURE EXEMPTION PROCESS. Any person who pursuant to T.C.A. § 63-5-109, may be eligible to practice dentistry in Tennessee without a Tennessee dental license or with a Board issued exemption from licensure may practice or secure an exemption upon compliance with any of the following which apply to the person's circumstances:

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- (8) Applicants for licensure who have failed three (3) times the National Board or any Board-approved examination as provided in subparagraph (1)(a) must successfully complete a remedial course of post-graduate studies at a school accredited by the American Dental Association before consideration for licensure by the Board. The applicant shall cause the program director of the post-graduate program to provide written documentation of the content of such course and certify successful completion.

- (9) If an applicant has successfully completed a clinical board examination administered by another state and is applying for licensure pursuant to Rule 0460-02-.01(3)(g), (h), or (i), it is that applicant’s responsibility to submit documentation substantiating the appropriateness of such examination. The Board shall make the final decision to accept or reject such examination.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-110, 63-5-111, 63-5-114, and 63-5-124.

Administrative History: Original rule filed December 11, 1991; effective January 25, 1992. Amendment filed March 20, 1996; effective June 3, 1996. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed August 28, 2001; effective November 11, 2001. Amendment filed April 10, 2002; effective June 24, 2002. Amendment filed August 18, 2003; effective November 1, 2003. Amendment filed October 20, 2003; effective January 3, 2004. Amendment filed April 5, 2006; effective June 19, 2006. Amendments filed October 25, 2017; effective January 23, 2018. Amendments filed May 14, 2019; effective August 12, 2019.

0460-02-.06 SPECIALTY CERTIFICATION.

- (1) Recognized Specialties - The Board recognizes and will issue specialty certification in the following branches of dentistry:
 - (a) Dental Anesthesiology

 - (b) Dental Public Health;

 - (c) Endodontics;

 - (d) Oral and Maxillofacial Radiology;

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- (e) Oral and Maxillofacial Surgery;
 - (f) Oral and Maxillofacial Pathology;
 - (g) Orthodontics and Dentofacial Orthopedics;
 - (h) Pediatric Dentistry (Pedodontics);
 - (i) Periodontics;
 - (j) Prosthodontics.
- (2) Certification - To become certified as a specialist in a particular branch of dentistry an applicant must be licensed as a dentist in Tennessee except those persons eligible for licensure pursuant to rule 0460-02-.02, and comply with the following:
- (a) An applicant shall obtain a specialty application form from the Board Administrative Office, respond truthfully and completely to every question or request for information contained in the form and submit it along with all documentation and fees required by the form or this rule to the Board Administrative Office.
 - (b) An applicant shall submit the specialty certification application fee as provided in rule 0460-01-.02(1).
 - (c) An applicant shall submit verification of one of the following:
 - 1. Successful completion of the specialty training as provided in the section of this rule for the specific specialty that the applicant is applying for; or

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2. Certification as a specialist by the American Board of the particular specialty for which application is made. A letter must be sent directly from the secretary of the American Board of the particular specialty to the Board Administrative Office which indicates that the applicant is certified by the American Board in that specialty and that the applicant is in good standing. All such certificates approved by the Board may be accepted as sufficient for specialty certification in lieu of submitting proof of successful completion of a residency program in a specialty. Acceptance of such certificates is discretionary with the Board.
 - (d) An applicant shall submit any other documentation required by the Board after review of the application.
 - (e) An applicant who is certified as a specialist in another state shall have that state's licensing board send proof to the Board Administrative Office which indicates that the applicant is certified in that specialty and that the applicant is in good standing.
 - (f) Application review and decisions required by this rule are governed by rule 0460-01-.04.
- (3) Examination - All specialty applicants shall submit to an oral examination even if certification from an American Board in a specialty is accepted in lieu of submitting proof of successful completion of a residency program in a specialty.
- (4) Dental Anesthesiology- An applicant must submit certification of successful completion of at least two (2) years of postgraduate training in Dental Anesthesiology at the university level in a program approved by the Council on Dental Education of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in Dental Anesthesiology or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (5) Dental Public Health - The requirements for certification in this specialty shall be those required by the American Dental Association as regards its regulation of this specialty branch of dentistry.

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- (6) Endodontics - An applicant must submit certification of successful completion of at least two (2) years of postgraduate training in Endodontics at the university level in a program approved by the Council on Dental Education of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in Endodontics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.

- (7) Oral and Maxillofacial Pathology - An applicant must submit certification of successful completion of two (2) years of postgraduate training in Oral Pathology or Oral and Maxillofacial Pathology at the university level in a program approved by the Council on Dental Education of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in oral pathology or oral and maxillofacial pathology or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.

- (8) Oral and Maxillofacial Radiology - An applicant must submit certification of successful completion of graduate study in Oral and Maxillofacial Radiology of at least two (2) years in a school approved or provisionally approved by the Commission on Dental Accreditation of the American Dental Association. Such evidence shall include either a transcript which indicates completion of the postgraduate training in oral and maxillofacial radiology or a certificate of completion letter from the director of the program submitted directly from the school to the Board Administrative Office.

- (9) Oral and Maxillofacial Surgery.
 - (a) An applicant must provide to the Board Administrative Office certification of successful completion of advanced study in Oral and Maxillofacial Surgery of four (4) years or more in a graduate school or hospital accredited by the Commission on Dental Accreditation (CODA) or the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in oral and maxillofacial surgery or a certificate of completion letter from the director of the program submitted directly from the school to the Board Administrative Office.

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(b) Oral and Maxillofacial Surgery is the specialty area of the treatment of the oral cavity and maxillofacial area or adjacent or associated structures and their impact on the human body that includes the performance of the following areas of Oral and Maxillofacial Surgery, as described in the most recent version of the Parameters and Pathways: Clinical Practice Guidelines for Oral and Maxillofacial Surgery of the American Association of Oral and Maxillofacial Surgeons:

1. Patient assessment;
2. Anesthesia in outpatient facilities, as provided in T.C.A. §§ 63-5-105(6) and 63-5-108(g);
3. Dentoalveolar surgery;
4. Oral and craniomaxillofacial implant surgery;
5. Surgical correction of maxillofacial skeletal deformities;
6. Cleft and craniofacial surgery;
7. Trauma surgery;
8. Temporomandibular joint surgery;
9. Diagnosis and management of pathologic conditions;
10. Reconstructive surgery including the harvesting of extra oral/distal tissues for grafting to the oral and maxillofacial region; and
11. Cosmetic maxillofacial surgery.

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- (c) The Tennessee Board of Dentistry determines that the dental practice of Oral and Maxillofacial Surgery includes the following procedures which the Board finds are included in the curricula of dental schools accredited by the American Dental Association, Commission on Dental Accreditation, post-graduate training programs or continuing education courses:
1. Rhinoplasty;
 2. Blepharoplasty;
 3. Rytidectomy;
 4. Submental liposuction;
 5. Laser resurfacing;
 6. Browlift, either open or endoscopic technique;
 7. Platysmal muscle plication;
 8. Dermabrasion;
 9. Otoplasty;
 10. Lip augmentation; and
 11. Botox injections or future FDA approved neurotoxins.

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- (d) Any licensee who lacks the following qualifications and nevertheless performs the procedures and surgery identified in subparagraph (c) shall be subject to discipline by the Board under T.C.A. § 63-5-124, including provisions regarding malpractice, negligence, incompetence or unprofessional conduct:
 - 1. Has successfully completed a residency in Oral and Maxillofacial Surgery accredited by the American Dental Association, Commission on Dental Accreditation (CODA); and
 - 2. Has successfully completed a clinical fellowship, of at least one (1) continuous year in duration, in esthetic (cosmetic) surgery accredited by the American Association of Oral and Maxillofacial Surgeons or by the American Dental Association Commission on Dental Accreditation; or
 - 3. Holds privileges issued by a credentialing committee of a hospital accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) to perform these procedures.

- (e) The Board, pursuant to its authority under T.C.A. § 63-5-124, determines that performance of the surgery and procedures identified in subparagraph (c) without the qualifications set out above shall be considered unprofessional conduct and subject to discipline by the Board as such.

- (10) Orthodontics and Dentofacial Orthopedics - An applicant must submit, with the application form, documentation of successful completion of one (1) of the following:
 - (a) Certification of successful completion of two (2) academic years of training in Orthodontics and Dentofacial Orthopedics in an approved Postgraduate Department of an accredited dental school, college or university. Such evidence shall include either a transcript which indicates completion of the postgraduate training in orthodontics and Dentofacial orthopedics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.

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- (b) Certification of successful completion of an organized preceptorship training program in Orthodontics and Dentofacial Orthopedics approved by the Council on Dental Education of the American Dental Association and the Board. Such evidence shall include, but not be dispositive of this requirement, a notarized certificate of completion furnished by the Board and issued by the director of the preceptorship training program, to be submitted directly from the school to the Board Administrative Office.
- (11) Pediatric Dentistry (Pedodontics) - An applicant must submit to the Board Administrative Office certification of successful completion of at least two (2) years of graduate or post graduate study in Pediatric Dentistry according to the following:
- (a) If such study is completed in whole or in part at a dental school, college or university, the graduate or postgraduate program must be approved by the Council on Dental Education of the American Dental Association.
 - (b) The graduate or postgraduate program need not lead to an advanced degree.
 - (c) The program of study may be pursued in hospitals or clinics or other similar institutions.
 - (d) One (1) academic year of graduate or postgraduate study will be considered as equivalent to one (1) calendar year.
 - (e) Such evidence shall include either a transcript which indicates completion of the postgraduate training in pediatric dentistry (Pedodontics) or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.
- (12) Periodontics - An applicant must submit certification of successful completion of at least two (2) years of postgraduate training in Periodontics at the university level in a program approved by the Commission on Dental Education of the American Dental Association and by the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in periodontics or a certificate of completion letter from the

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director of the program on letterhead submitted directly from the school to the Board Administrative Office.

- (13) Prosthodontics - An applicant must submit certification of successful completion of at least two (2) years of a postdoctoral education in prosthodontics in a program approved by the Commission on Dental Accreditation of the American Dental Association and the Board. Such evidence shall include either a transcript which indicates completion of the postgraduate training in prosthodontics or a certificate of completion letter from the director of the program on letterhead submitted directly from the school to the Board Administrative Office.

(14) General Rules Governing Specialty Practice

- (a) Scope of Practice - Dentists certified in a specialty branch of dentistry must devote and confine a majority of their practice to the certified specialty only. Any specialty certified dentists who do not so confine their practice or who return to general practice must retire specialty certification on forms obtained from and submitted to the Board Administrative Office.
- (b) A current and active dental license issued by the Board is a prerequisite to the continued practice under any specialty certification.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-5-105, 63-5-107, 63-5-108, 63-5-110, 63-5-112, 63-5-113, and 63-5-122. **Administrative History:** Original rule filed December 11, 1992; effective January 25, 1992. Amendment filed May 15, 1996; effective September 27, 1996. Amendment filed December 7, 1998; effective February 20, 1999. Amendment filed April 10, 2001; effective June 24, 2001. Amendment filed August 18, 2003; effective November 1, 2003. Amendment filed November 17, 2003; effective January 31, 2004. Amendment filed June 18, 2004; effective September 1, 2004. Amendment filed July 21, 2004; effective October 4, 2004. Amendments filed December 28, 2004; effective March 13, 2005. Amendment filed December 16, 2005; effective March 1, 2006. Amendment filed July 10, 2006; effective September 23, 2006. Amendment filed October 22, 2010; effective January 20, 2011. Amendments filed September 30, 2014; effective December 29, 2014.

0460-02-.07 ANESTHESIA AND SEDATION.

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- (c) A permit must be renewed every two (2) years by payment of the appropriate renewal fee as established by the board and by certification of the continuing education requirement [0460-02-.07(8)] and by certification of compliance with the general rules for conscious sedation [0460-02-.07(6)(b)] or deep sedation/general anesthesia [0460-02-.07(7)(b)].

(11) Anesthesia Consultants

- (a) In addition to the Board Consultant and his/her duties, as provided in Rule 0460-01-.03, Anesthesia Consultants shall be appointed by the board to assist the board in the administration of this rule. All Anesthesia Consultants shall be licensed to practice dentistry in Tennessee and shall all hold current, valid comprehensive conscious sedation or deep sedation/general anesthesia permits.

(b) The Anesthesia Consultants shall be:

- 1. A periodontist;
- 2. A pediatric dentist;
- 3. A general dentist;
- 4. Two (2) oral and maxillofacial surgeons;
- 5. A dentist anesthesiologist; and

Deleted: (b) The Anesthesia Consultants shall be:
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1. A periodontist;¶
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2. A pediatric dentist;¶
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3. A general dentist; and¶
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4. Two (2) oral and maxillofacial surgeons.

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6. A rotating member who is a licensed general dentist or specialty dentist with a valid comprehensive conscious sedation or deep sedation/general anesthesia permit. The term of the rotating member will be two (2) years.

(c) The Anesthesia Consultants shall advise the Board of Dentistry regarding the continuing education courses, to be approved by the Board, to satisfy the requirements in subpart (6)(a)1.(ii), item (6)(a)2.(i)(II) and subparagraph (8)(b).

(12) Facility Permits and Inspections. A dental facility permit is required of the office where an anesthesia/sedation permit holder practices dentistry and provides anesthesia/sedation services. A dental facility permit is separate from a dentist's individual anesthesia/sedation permit. The dental facility permit will expire five (5) years from the date of issuance or renewal of the dental facility permit.

(a) Dentists who currently hold an anesthesia/sedation permit as of the effective date of this rule shall apply for a dental facility permit prior to the expiration of their dental license. Only one dental facility permit is required per location.

(b) Prior to the issuance of a licensee's initial anesthesia/sedation permit, the Board shall require an on-site inspection of the dental facility's equipment and drugs to determine if the requirements of 0460-02-.07(6)(b) and 0460-02-.07(7)(b) have been met. Compliance with these rules is a condition to obtaining an initial anesthesia/sedation permit. The cost of the on-site inspection will be the responsibility of the dental facility.

(c) The individual, organization, or agency conducting the inspection may also notify the board of other violations discovered during the inspection. Violations that may have been observed during the inspection, but not related to equipment and drug requirements may be separately pursued by the Board.

(d) All dental facilities wherein anesthesia/sedation may be administered shall be inspected once every five (5) years beginning from the date of the initial dental facility permit to ensure that the dental facility has remained in compliance with the requirements of 0460-02-.07(6)(b) and 0460-02-.07(7)(b).