### **Delaware Laws & Rules**

Updated: 22 May 2023

## Initial Licensure Examination Requirements

#### **Delaware Practical Board Examination** and **one** of the following:

- -Proof (such as a letter from the sponsoring institution) that you have one year of experience as a dental intern in a CODA-accredited general practice residency sent directly from the sponsoring institution to the Board office.
- -Tax form W-2s or other proof that you have practiced actively for three years in another jurisdiction (state, U.S. territory or District of Columbia).
- -Proof (such as a letter from the sponsoring institution) that you have completed four or more years in a CODA-approved specialty residency, sent directly from the sponsoring institution to the Board office.

(Source: Delaware Dentist License Requirements)

## General Licensure Requirements

<u>Delaware Code, Title 24, Chapter 11 CHAPTER 11. Dentistry and Dental Hygiene Subchapter II. Dentistry and Dental Hygiene</u> § 1121 License required.

- (a) No person shall practice dentistry or dental hygiene or hold himself or herself out to the public in this State as being qualified to practice dentistry or dental hygiene or use in connection with the person's name, or otherwise assume or use, any title or description conveying or tending to convey the impression that the person is qualified to practice dentistry or dental hygiene unless such person has been duly licensed under this chapter.
- (b) A dental hygienist licensed under this chapter shall practice dental hygiene only under the general supervision of a licensed dentist, in the office of the licensed dentist or in any public school or other public institution of this State.
- (c) A licensed dental hygienist may practice under the general supervision of the State Dental Director, or the State Dental Director's designee, who shall be a licensed Delaware dentist, in schools and state institutions. A licensed dental hygienist may also practice under the general supervision of the State Dental Director, or the State Dental Director's designee, who shall be a Delaware licensed dentist, in federally qualified health centers, nonprofit organizations and other locations as designated by the Delaware Health Care Commission in consultation with DIDER. The protocols under which hygienists practice in these settings will be established by the State Dental Director and shall be subject to the approval of the Delaware State Board of Dentistry and Dental Hygiene.
- (d) The State Dental Director shall be a Delaware licensed dentist. In the event that the State Dental Director does not have a Delaware dental license when hired, the State Dental Director must obtain a Delaware license within 2 years of assuming the position. The Board may grant a temporary license for a period no longer than 2 years to the State Dental Director, provided the State Dental Director has met all licensure requirements except successful completion of the practical exam. The authority to practice dentistry under such a temporary license will be limited to the performance of the duties as the State Dental Director.
- (e) Whenever a license to practice as a dentist or dental hygienist in this State has expired or has been suspended or revoked, it shall be unlawful for the person to practice dentistry or dental hygiene in this State.
- § 1122 Qualifications of applicant; report to Attorney General; judicial review.
- (a) An applicant who is applying for licensure as a dentist under this chapter shall submit evidence, verified by oath and satisfactory to the Board, that such person:
- (1) Has received a degree in dentistry from an accredited dental college or university accredited by the Commission on Dental Accreditation of the American Dental Association.
- (2) Before matriculating in a dental college or university, has completed at least 2 years of undergraduate study in an accredited college or university.
- (3) Has acquired 1 year's experience as a dental intern within a general practice residency accredited by the Commission on Dental Accreditation of the American

Dental Association (CODA) or has completed a CODA approved specialty residency with those specific rotations identified in the Board's rules and regulations, or if applying by reciprocity has had 3 years of active dental practice in another state or territory of the United States.

- (4) Has achieved the passing score on all examinations prescribed by the Board.
- (b) An applicant who is applying for licensure as a dental hygienist under this chapter shall submit evidence, verified by oath and satisfactory to the Board, that such person has:
- (1) Graduated from high school or has received a general equivalency diploma (G.E.D.).
- (2) Graduated from a dental hygiene college or university program accredited by the Commission on Dental Accreditation of the American Dental Association of at least 2 academic years' duration; or
- (3) Graduated, prior to 1953, from a dental hygiene program of at least 1 year's duration, which program had been approved by the Board at the time of the person's graduation; and
- (4) Achieved the passing score on all examinations prescribed by the Board.
- (c) All applicants shall have complied with the following conditions:
- (1) Shall submit proof of current certification in cardiopulmonary resuscitation (CPR) technique in accordance with regulations adopted by the Board.
- (2) Shall not have been the recipient of any administrative penalties regarding the applicant's practice of dentistry or dental hygiene, including but not limited to fines, formal reprimands, license suspension or revocation (except for license revocations for nonpayment of license renewal fees), or probationary limitations, or have entered into any "consent agreements" which contain conditions placed by a Board on the applicant's professional conduct and practice, including any voluntary surrender of a license while under investigation the Board may determine, after a hearing or based on the documentation submitted, whether such administrative penalty is grounds to deny licensure.
- (3) Shall not have any impairment related to drugs or alcohol that would limit the applicant's ability to undertake the practice of dentistry or dental hygiene in a manner consistent with the safety of the public.
- (4) Shall not have a criminal conviction for a crime substantially related to the practice of dentistry or dental hygiene. After a hearing or review of documentation demonstrating that the applicant meets the specified criteria for a waiver, the Board, by an affirmative vote of a majority of the quorum, may waive this paragraph (c)(4), if it finds all of the following:
- a. For waiver of a felony conviction, more than 5 years have elapsed since the date of the conviction. At the time of the application the applicant may not be incarcerated, on work release, on probation, on parole or serving any part of a suspended sentence and must be in substantial compliance with all court orders pertaining to fines, restitution and community service.
- b. For waiver of a misdemeanor conviction or violation, at the time of the application the applicant may not be incarcerated, on work release, on probation, on parole or serving any part of a suspended sentence and must be in substantial compliance with all court orders pertaining to fines, restitution and community service.
- c. The applicant is capable of practicing dentistry or dental hygiene in a competent and professional manner.
- d. The granting of the waiver will not endanger the public health, safety or welfare.
- e. The applicant has not been convicted of a felony sexual offense.
- (5) Shall not have engaged in any of the acts or offenses that would be grounds for disciplinary action under this chapter, and shall not have been the recipient of any administrative penalties regarding that applicant's practice as a dentist or dental

hygienist, including but not limited to fines, formal reprimands, license suspensions or revocation, (except for license revocations for nonpayment of license renewal fees), probationary limitations, nor entered into any consent agreements which contain conditions placed by a Board on that applicant's professional conduct and practice, including any voluntary surrender of a license. The Board may determine after a hearing or review of documentation whether such administrative penalty is grounds to deny licensure.

- (6) Submit, at the applicant's expense, fingerprints and other necessary information in order to obtain the following:
- a. A report of the applicant's entire criminal history record from the State Bureau of Identification or a statement from the State Bureau of Identification that the State Central Repository contains no such information relating to that person.
- b. A report of the applicant's entire federal criminal history record pursuant to the Federal Bureau of Investigation appropriation of Title II of Public Law 92-544 (28 U.S.C. § 534). The State Bureau of Identification shall be the intermediary for purposes of this section and the Board of Dentistry and Dental Hygiene shall be the screening point for the receipt of said federal criminal history records.

An applicant may not be certified to practice dentistry or dental hygiene until the applicant's criminal history reports have been produced. An applicant whose record shows a prior criminal conviction may not be certified by the Board unless a waiver is granted pursuant to paragraphs (c)(4)a., b. and c. of this section;

- (7) Shall submit to the Board a sworn or affirmed statement that the applicant is, at the time of application, physically and mentally capable of engaging in the practice of medicine according to generally accepted standards, and submit to such examination as the Board may deem necessary to determine the applicant's capability.
- (d) Where the Board has found to its satisfaction that an applicant has been intentionally fraudulent, or that false information has been intentionally supplied, the Board shall deny the application and report its findings to the Attorney General for further action.
- (e) All individuals licensed to practice dentistry and dental hygiene in this State shall be required to be fingerprinted by the State Bureau of Identification, at the licensee's expense, for the purposes of performing subsequent criminal background checks. Licensees shall submit by January 1, 2016, at the applicant's expense, fingerprints and other necessary information in order to obtain a criminal background check.

#### § 1123 Examinations.

- (a) An applicant applying to take the Delaware practical (clinical) examination shall submit evidence, verified by oath satisfactory to the Board, that such person:
- (1) When applying as a dentist, has received a degree in dentistry from a dental college or university accredited by the Commission on Dental Accreditation of the American Dental Association;
- (2) When applying as a dental hygienist, has fulfilled the requirements set forth within  $\S 1122 (b)(1)-(3)$  of this title.
- (b) An applicant applying for licensure shall:
- (1) Successfully pass, with a score established by the Board, a validated practical examination prepared and administered by the Board. A practical test in dentistry or dental hygiene prepared by the Board and its method of administration shall be validated as to content and scoring by a member of the faculty of an accredited school of dentistry. Such faculty member shall not be licensed to practice dentistry in Delaware and shall be agreed upon by the Division and the Board. An applicant who has failed the practical examination 3 times may not take the examination

again unless the applicant can provide evidence of mitigating circumstances to the satisfaction of the Board.

- (2) For licensure as a dentist, submit proof satisfactory to the Board that the applicant has successfully completed the National Board of Dental Examiners' examination in dentistry with a passing score established by the Board; for licensure as a dental hygienist, submit proof satisfactory to the Board that the applicant has successfully passed the National Board of Dental Examiners' examination in dental hygiene.
- (3) For licensure as a dentist, successfully pass a written jurisprudence examination on Delaware laws pertaining to dentistry; for licensure as a dental hygienist, successfully pass a written jurisprudence examination on Delaware laws pertaining to dental hygiene. All examinations shall be approved by the Division and the Board.

Delaware Administrative Code, 1100 Board of Dentistry and Dental Hygiene 4.0 Qualifications of Applicant; Education and Residency Requirements [24 Del.C. §1122(a)(3)]

- 4.1 An applicant for licensure as a dentist shall have received one of the following: a doctoral degree from a US dental college accredited by the Commission on Dental Accreditation; or a doctoral degree from a dental college or university, plus a post-doctoral degree or certificate from a US CODA approved specialty program in Oral and Maxillofacial Surgery, Periodontics, Pediatric Dentistry, Endodontics, Orthodontics, or Prosthodontics.
- 4.2 An applicant for licensure as a dentist must have completed 1 year as a dental intern within a general practice residency accredited by the Commission on Dental Accreditation (CODA).
- 4.3 An applicant who has completed a CODA approved specialty residency of 4 years or more will be deemed to have satisfied the general practice residency requirement.
- 4.4 An applicant who has completed a CODA approved specialty residency of less than 4 years must demonstrate that the specialty residency program meets the following criteria:
- 4.4.1 The program must meet the goals, objectives, proficiencies and competencies set forth in Standard 2.4 of the CODA Accreditation Standards for Advanced Education Programs in General Practice Residency, ©2007.
- 4.4.2 The program must include a rotation of at least 70 hours in anesthesia and a rotation of at least 70 hours in medicine.
- 4.5 An applicant for licensure as a dentist by reciprocity who has had at least 3 years of active dental practice in another state or territory of the United States is not required to provide evidence of a general practice or specialty residency.
- 4.5.1 Active practice shall be defined as an average of at least 1000 hours of direct patient care per year. Satisfactory evidence of active practice may include, but is not limited to, W-2 forms, 1099 forms, tax returns, and/or written verification of hours from the dental practice administrator. The Board reserves the right to request supplemental verification and to reject incomplete documentation.
- 4.6 An applicant for licensure as a dental hygienist by reciprocity must demonstrate active practice during 3 of the 5 years immediately preceding the application in the state in which the applicant currently is or has been licensed.
- 4.6.1 Active practice shall be defined as an average of at least 350 hours of direct patient care per year. Satisfactory evidence of active practice may include, but is not limited to, W-2 forms, 1099 forms, tax returns, and/or written verification of hours from the dental practice administrator. The Board reserves the right to request supplemental verification and to reject incomplete documentation.

# <u>Delaware Administrative Code, 1100 Board of Dentistry and Dental Hygiene,</u> 10.0 Practical (Clinical) Examination

10.1 No person shall be eligible to take the practical (clinical) examination in dentistry administered by the Delaware Board of Dentistry and Dental Hygiene unless the applicant has received a degree in dentistry from an accredited dental college or university accredited by the Commission on Dental Accreditation of the American Dental Association.

10.2 No person shall be eligible to take the practical (clinical) examination in dental hygiene administered by the Delaware Board of Dentistry and Dental Hygiene unless the applicant has graduated from a dental hygiene college or university program accredited by the Commission on Dental Accreditation of the American Dental Association of at least 2 academic years' duration or has graduated, prior to 1953, from a dental hygiene program of at least 1 year's duration which program had been approved by the Board at the time of the person's graduation.

10.3 The Board reserves the right to waive the requirement set forth above in sections 10.1 and 10.2 if the Applicant can establish to the satisfaction of the Board's Credentialing Committee that he or she is a student in good standing in an educational facility accredited by the Commission on Dental Accreditation of the American Dental Association and will graduate within sixty (60) days of the administration of the practical (clinical) examination with a degree in dentistry or dental hygiene.

10.4 Dentistry or dental hygiene candidates, other than dental hygiene candidates who qualify for licensure under 24 Del.C. §1124, must have passed the applicable practical clinical examination within five years of application for licensure in Delaware. The Board reserves the right to waive this requirement for just cause. 10.5 Prior to the examination, all candidates will be provided a copy of the Examination Guidelines, which can be found at

http://dpr.delaware.gov/boards/dental/exams/. The Board hereby adopts the guidelines in their entirety by reference.

10.6 Any dentistry or dental hygiene applicant who fails the practical clinical examination may appeal the Board's decision. Such appeal shall be filed in writing with the Director of the Division of Professional Regulation within 20 days of the date of notification by the Board. Appeals are based on the facts surrounding the examiners decisions during the examination. Appeals based on patient behavior, tardiness, or failure to appear will not be considered.

10.6.1 Appeal hearings shall be conducted in accordance with the Administrative Procedures Act, Chapter 101 of Title 29.

10.6.2 The Board's scoring of the examination is presumed correct, and the burden of proof at an appeal hearing is on the appellant to prove otherwise. The appeal is limited to a determination of whether there exists substantial evidence to support the judgment of the examiners at the time of the examination.

10.6.2.1 The appeal panel may only consider documents, radiographs, and materials submitted during the examination that remain in the possession of the Board. The panel will not consider documentation or evidence that was not part of the examination, including opinions of the candidate or any other party, academic records, or letters of reference. The panel will not consider radiographs, photographs, or models of a patient taken after the completion of the examination.

License by Credential/ Endorsement Requirements Delaware Code, Title 24, Chapter 11 CHAPTER 11. Dentistry and Dental Hygiene Subchapter II. Dentistry and Dental Hygiene § 1124 Dentists and dental hygienists licensed in other jurisdictions.

(a) Upon payment of the appropriate fee and submission and acceptance of a written application on forms provided by the Board, the Board shall grant a license to practice dentistry or dental hygiene to each applicant, who shall present proof of

	current licensure in "good standing" in another state, the District of Columbia, or
	territory of the United States, who meets the following criteria:
	(1) Has maintained the applicant's license in "good standing" and has satisfied all
	requirements of § 1122(c)(2)-(7) of this title.  (2) Shall, subject to subsection (b) of this section, have passed the examinations
	required in § 1123(b)(1), (2) and (3) of this title.
	(3) For licensure as a dentist, has received a degree in dentistry from an accredited
	dental college or university accredited by the Commission on Dental Accreditation
	of the American Dental Association.
	(4) For licensure as a dentist, shall submit proof that the applicant has had 3 years
	of active dental practice in another state, the District of Columbia or a territory of the
	United States.
	(5) Shall submit proof of current certification in cardiopulmonary resuscitation (CPR)
	technique in accordance with regulations adopted by the Board.
	(b) An applicant for licensure as a dental hygienist, who shall have practiced for a
	minimum of 3 of the last 5 years in the state in which the applicant currently is or
	has been licensed, may be licensed provided that the applicant meets the
	qualifications of paragraphs (a)(1), (2), and (5) of this section, except for the
	completion of the practical examination.
	(c) All applicants for licensure under this section shall have remained academically
	current through continuing education or otherwise, as determined by the Board.
Specialty	N/A
Practice	D. I. Titl. O. O. I. A. O. I. A. O. I. D. C. I. D. C. I.
Continuing	Delaware Code, Title 24, Chapter 11 CHAPTER 11. Dentistry and Dental
Education	Hygiene Subchapter II. Dentistry and Dental Hygiene
	§ 1126 Issuance and renewal of licenses; replacement of licenses.  (a) The Board shall issue a license to each applicant who meets the requirements
	of this chapter for licensure as a dentist or dental hygienist and who pays the fee
Click here for	established in § 1125 of this title.
online renewal	(b) Each license shall be renewed biennially, in such manner as is determined by
web site for	the Division, upon payment of the appropriate fee and submission of a renewal form
dentists	provided by the Division, and proof that the licensee has met the continuing
	education requirements established by the Board and proof that the licensee has
	not been convicted of a crime substantially related to the practice of dentistry or
	dental hygiene unless a waiver is granted pursuant to § 1122(c)(4) of this title.
	(c) The Board, in its rules and regulations, shall determine the period of time within
	which a licensed dentist or dental hygienist may still renew his or her license,
	notwithstanding the fact that such licensee has failed to renew on or before the
	renewal date, provided however that such period shall not exceed 1 year. Any
	licensee who fails to renew on or before the renewal date, and any allowable
	extensions, not to exceed 1 year, will be considered a new applicant.
	(d) Any person whose license or certificate has expired for failure to make biennial
	registration over a period of more than 5 years and who has not been in the active
	full-time practice or dentistry or dental hygiene in another state or territory of the
	United States during the previous 5 years is required, in addition to applying as a
	new applicant, to submit to reexamination or other formal assessment of competency as approved by the Board.
	(e) All individuals licensed under this chapter, upon written request, may be placed
	in an inactive status in accordance with the Board's rules and regulations. Such
	individual may reenter practice upon written notification to the Board of the intent to
	do so and completion of continuing education as required in the Board's rules and
	regulations. The Board may establish by regulation provisions for resuming active
	status.
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# <u>Delaware Administrative Code, 1100 Board of Dentistry and Dental Hygiene</u> 6.0 Continuing Professional Education (CPE) and Renewal

- 6.1 Renewal. Each license shall be renewed biennially. The failure of the Board to notify a licensee of his/her license expiration date and subsequent renewal does not, in any way, relieve the licensee of the requirement to renew his/her license pursuant to the Board's regulations and 24 Del.C. Ch. 11.
- 6.1.1 License renewal is accomplished online at the Division of Professional Regulation's website. Licensees must submit an online application along with payment of the renewal fee prescribed by the Division of Professional Regulation and an attestation of completion of the continuing education requirements.
- 6.1.1.1 Attestation must be completed electronically at the time of renewal. Licensees selected for random audit will be required to supplement the attestation with attendance verification pursuant to Section 6.8.
- 6.2 Any licensee who fails to renew his/her license by the renewal date may reactivate his/her license during the one year period immediately following the license expiration date provided the licensee pays a late fee in addition to the prescribed renewal fee, and provides proof that he/she completed the required continuing education.
- 6.3 Continuing Education. All persons licensed to practice dentistry in the State of Delaware shall be required to acquire fifty (50) hours of continuing professional education (CPE) credit every two (2) years. Two (2) of the 50 credit hours shall be obtained in courses covering infection control. In addition to the CPE, licensees must provide evidence that they have successfully completed a current course in cardiopulmonary resuscitation (CPR) every two (2) years. The CPR course must encompass hands on clinical participation. On-line courses will not be accepted to satisfy the CPR requirement. Examples of acceptable courses include, but are not limited to, courses offered by the American Red Cross and the American Heart Association and courses offered or approved by any of the organizations listed in 6.4.1 through 6.4.4 of these regulations. All dentists, upon initial licensure in Delaware and prior to registration renewal, shall be given a written notice of these CPE requirements.
- 6.4 CPE credits may be granted upon proof of successful completion of scientific CPE programs or courses, including live webinars, sponsored or approved by:
- 6.4.1 American Dental Association (ADA), its constituents and components including CERP (Continuing Education Recognition Program)
- 6.4.2 American Dental Hygienists' Association (ADHA), its constituents and components
- 6.4.3 American Dental Assisting Association (ADAA), its constituents and components
- 6.4.4 Academy of General Dentistry (AGD) its constituents and components including PACE (Program Approval for Continuing Education)
- 6.4.5 Recognized national, regional, state and local dental and dental hygiene specialty organizations
- 6.4.6 Recognized dental and dental hygiene study clubs
- 6.4.7 Accredited dental and dental hygiene CPE programs offered by dental and dental hygiene schools.
- 6.4.8 Approved hospital programs.
- 6.4.9 Such other organizations and associations as may be approved by the Board. 6.5 A maximum of 30 hours of the total CPE requirement may be satisfied by self-
- 6.5.1 Not more than ten hours of the fifty hour biennial CPE requirement may be satisfied by self-study without testing from sources approved by the Board which shall include but not be limited to:

- 6.5.1.1 Reading dental textbooks
- 6.5.1.2 Reading dental tape journals
- 6.5.1.3 Viewing and listening to dental audio-visual materials.
- 6.5.2 In addition to the maximum of ten (10) hours of the CPE requirement which may be satisfied by self-study without testing and certification, a maximum of twenty (20) hours of the total CPE requirements may be fulfilled by self-study with test and certificate of completion from bona fide dental educational sources including but not limited to:
- 6.5.2.1 Dental journals
- 6.5.2.2 Dental textbooks
- 6.5.2.3 Dental video and audio tape presentations
- 6.5.2.4 Dental mail-in courses
- 6.5.2.5 Dental courses presented on the Internet, which are not live
- 6.6 Special Provisions
- 6.6.1 A dentist, employed as a faculty member in a recognized school of dentistry, dental hygiene, dental assisting or any dentally-related field will be allowed not more than ten (10) hours credit for teaching per year.
- 6.6.2 A dentist presenting a CPE course shall be allowed the hours involved in preparation and presentation on a one-time-per-course basis for a maximum of ten (10) hours for the two-year period.
- 6.6.3 Table Clinics will be allowed, one (1) hour of credit per hour of presentation for a maximum of two (2) hours.
- 6.6.4 Twelve (12) hours of credit shall be allowed for a scientific article published in a component or state society journal. 25 hours of credit shall be allowed for a scientific article published in a national journal or for a published scientific textbook or a chapter therein.
- 6.6.5 Any public health dentally-related presentation will be allowed one (1) hour of credit per hour of participation for a maximum of two (2) hours for the two year period.
- 6.6.6 Practice management or personal self-improvement courses shall be limited to a total of ten (10) hours for the two (2) year period.
- 6.6.7 A dentist providing volunteer pro bono dental services acceptable to the Board will be allowed one hour of credit for each hour of patient service up to a maximum of 10 hours.
- 6.6.7.1 Volunteer pro bono care is care provided in conjunction with a non-profit entity or event without receiving compensation.
- 6.6.8 The Board reserves the right to approve any and all activities deemed appropriate for CPE credit. The Board also reserves the right and is the final word to disapprove any activities submitted for credit which it deems inappropriate.
- 6.6.9 All dentists licensed to practice in Delaware shall be given written notice of these CPE requirements when receiving their initial license.
- 6.6.10 For existing holders of an Unrestricted Permit for anesthesia, at least twelve (12) hours of the required CPE credits must be taken on an Anesthesia topic by the end of the six (6) year re-evaluation period (i.e. by the end of the third biennial licensure renewal period).
- 6.6.11 For existing holders of a Restricted I Permit, at least six (6) hours of the required CPE credits must be taken on an Anesthesia topic by the end of the six (6) year re-evaluation period (i.e. by the end of the third biennial license renewal period).
- 6.7 Exceptions
- 6.7.1 An exception will be granted to any dentist who can demonstrate to the Board an acceptable cause as to why he/she should be relieved of this obligation. Exemptions will be granted only in unusual or extraordinary circumstances.

## **Delaware Laws & Rules**

Updated: 22 May 2023

Licensees must petition the Board for exemptions. Should the Board deny the request, the licensee must complete the requirements. Examples of circumstances for which the Board might grant exemptions include prolonged illness, extended absence from the country, or the like.

6.7.2 An individual initially licensed by the Board within the last 2 years shall meet the following schedule of reporting CPE credits for license renewal:

6.7.2.1 If, as of May 31st of the year for license renewal, the licensee has been licensed for less than 1 year, zero hours of CPE is required for license renewal; for licensees who are 1 or more but less than 2 years from their initial licensure, one-half of the required CPE must be presented; for individuals 2 years or more from their initial licensure, the full CPE requirement must be presented for renewal.

6.8 Audit of Continuing Education Contact Hours

6.8.1 Audit. Each biennium, the Division of Professional Regulation shall randomly select from the list of renewed licensees a percentage of licensees, determined by the Board, to be audited. The Board may also audit based on complaints or charges against an individual license, relative to compliance with continuing education requirements or based on a finding of past non-compliance during prior audits. 6.8.2 Documentation. When a licensee is selected for audit, the licensee shall be required to submit documentation showing detailed accounting of the various CPEs claimed by the licensee. Licensees selected for random audit are required to supplement the attestation with supporting materials which may include a syllabus, agenda, itinerary or brochure published by the sponsor of the activity and a document showing proof of attendance (i.e., certificate, a signed letter from the sponsor attesting to attendance, report of passing test score). The Board shall attempt to verify the CPEs shown on the documentation provided by the licensee. Upon completion of the review, the Board will decide whether the licensee's CPEs meet the requirements of these regulations.

6.8.2.1 Any continuing education not meeting all provisions of these regulations shall be rejected in part or in whole by the Board

6.8.2.2 Any incomplete or inaccurate documentation of continuing education may be rejected in part or in whole by the Board.

6.8.2.3 Any continuing education that is rejected must be replaced by acceptable continuing education within a reasonable period of time established by the Board. This continuing education will not be counted towards the next renewal period.

6.8.3 Board Review and Hearing Process. The Board shall review all documentation requested of any licensee shown on the audit list. If the Board determines the licensee has met the requirements, the licensee's license shall remain in effect. If the Board initially determines the licensee has not met the requirements, the licensee shall be notified and a hearing may be held pursuant to the Administrative Procedures Act. This hearing will be conducted to determine if there are any extenuating circumstances justifying the apparent noncompliance with these regulations. Unjustified noncompliance with these regulations shall be considered unprofessional conduct and grounds for discipline pursuant to 24 Del.C. §1128(6).

6.8.4 Sanctions for Unjustified Noncompliance. If the Board finds unjustified noncompliance, the Board will impose discipline in accordance

with 29 Del.C. §1129 which may include, but is not limited to monetary penalties up to \$1,000, suspension and/or revocation of a practitioner's license.

6.9 Continuing Professional Education (CPE) - Dental Hygienists [24 Del.C. §1106(a)(1) and (7)]

All persons licensed to practice dental hygiene in the State of Delaware shall be required to acquire twenty-four (24) hours of CPE credit every two (2) years. Two (2) of the 24 credit hours shall be obtained in courses covering infection control. In

addition to the CPE, licensees must provide evidence that they have and successfully completed a current course in cardiopulmonary resuscitation (CPR) every two (2) years. The CPR course must encompass hands on clinical participation. On-line courses will not be accepted to satisfy the CPR requirement. Examples of acceptable courses include, but are not limited to, courses offered by the American Red Cross and the American Heart Association. All Dental hygienists, upon initial licensure and prior to registration renewal, shall be given written notice of these CPE requirements.

- 6.9.1 Proof of continuing education is satisfied with an attestation by the licensee that he or she has satisfied the Requirements of subsection 6.9.
- 6.9.2 Attestation must be completed electronically at the time of renewal.
- 6.9.3 Licensees selected for random audit will be required to supplement the attestation with attendance verification pursuant to subsection 6.12.
- 6.9.4 CPE credits may be granted upon proof of successful completion of programs including, but not limited to, the following categories:
- 6.9.4.1 Scientific CPE programs or courses, including live webinars, sponsored or approved by:
- 6.9.4.1.1 American Dental Hygienists Association, its constituents and components
- 6.9.4.1.2 American Dental Association, its constituents and components
- ${\bf 6.9.4.1.3}\; American\; Dental\; Assisting\; Association, its\; constituents, and\; components$
- 6.9.4.1.4 American Academy of Dental Hygiene
- 6.9.4.1.5 Recognized national, regional, state, and local dental and dental hygiene specialty societies
- 6.9.4.1.6 Recognized dental and dental hygiene study clubs
- 6.9.4.1.7 Accredited dental and dental hygiene schools
- 6.9.4.1.8 Approved hospital programs
- 6.9.4.1.9 Such other organizations and associations as may be approved by the Board
- 6.9.4.2 A maximum of five (5) hours of the total twenty-four (24) hour requirement may be satisfied by self-study without testing from sources approved by the Board which shall include but not be limited to:
- 6.9.4.2.1 Reading of dental or dental hygiene journals
- 6.9.4.2.2 Reading dental or dental hygiene textbooks
- 6.9.4.2.3 Viewing and listening to dental or dental hygiene audio-visual materials
- 6.9.4.3 In addition to the maximum of five (5) hours which may be satisfied by self-study without testing, a maximum of ten (10) hours of the total twenty-four (24) hour requirement may be fulfilled by self-study with test and certificate of completion from bona fide dental hygiene educational sources including but not limited to:
- 6.9.4.3.1 Dental or dental hygiene journals
- 6.9.4.3.2 Dental or dental hygiene textbooks
- 6.9.4.3.3 Dental or dental hygiene video and audio tape presentations
- 6.9.4.3.4 Dental or dental hygiene mail-in courses
- 6.9.4.3.5 Dental or dental hygiene courses presented on the Internet, which are not live

Where CPE credits are not specified, one (1) hour of CPE credit will be given for each hour of scientific session attended.

The final approval of acceptable dental hygiene CPE credits shall be made by the Board of Dental Examiners in consultation with the Dental Hygiene Advisory Committee.

6.10 Special Provisions

6.10.1 A dental hygienist, employed as a faculty member in a recognized school of dentistry, dental hygiene or dental assisting, will be allowed not more than five (5) hours credit for teaching per year.

6.10.2 A dental hygienist presenting a CPE course shall be allowed the hours involved in preparation and presentation on a one-time-per-course basis for a maximum of five (5) credits for the two-year period.

6.10.3 Table clinics will be allowed one (1) hour of credit per hour of presentation for a maximum of two (2) hours.

6.10.4 Twelve (12) hours of credit shall be granted for a scientific article published in a component or state society journal. Twelve (12) hours of credit shall be allowed for a scientific article published in a national journal or for a published scientific textbook or a chapter therein.

6.10.5 A dental hygienist giving public education instruction in a school will receive credit up to one (1) hour per year.

6.10.6 Practice management or personal self-improvement courses shall be limited to five (5) hours for the two (2) year period.

6.10.6.1 Practice management, personal self-improvement and computer courses shall be limited to 2.5 hours a year for a total of five(5) hours for the two year period. 6.10.7 A dental hygienist providing volunteer pro bono dental hygiene services acceptable to the Board will be allowed one hour of credit for each hour of patient service up to a maximum of five hours.

6.10.7.1 Volunteer pro bono care is care provided in conjunction with a non-profit entity or event without receiving compensation.

6.10.8 The Board reserves the right to approve any and all activities deemed appropriate for CPE credit. The Board also reserves the right and is the final word to disapprove any activities submitted for credit which it deems inappropriate.
6.10.9 All dental hygienists licensed to practice in Delaware shall be given written notice of these CPE requirements when receiving their initial license.
6.11 Exceptions

6.11.1 An exception will be granted to any dental hygienist who can demonstrate to the Board an acceptable cause as to why he/she should be relieved of this obligation. Exemptions will be granted only in unusual or extraordinary circumstances. Licensees must petition the Board for exemptions. Should the Board deny the request, the licensee must complete the requirements. Examples of circumstances for which the Board might grant exemptions include prolonged illness, extended absence from the country, or the like.

6.11.2 An individual initially licensed by the Board within the last 2 years shall meet the following schedule of reporting CPE credits for license renewal:

6.11.2.1 If, as of May 31st of the year for license renewal, the licensee has been licensed for less than 1 year, zero hours of CPE is required for license renewal; for licensees who are 1 or more but less than 2 years from their initial licensure, one-half of the required CPE must be presented; for individuals 2 years or more from their initial licensure, the full CPE requirement must be presented for renewal.

6.12 Audit of Continuing Education Contact Hours

6.12.1 Audit. Each biennium, the Division of Professional Regulation shall randomly select from the list of renewed licensees a percentage of licensees, determined by the Board, to be audited. The Board may also audit based on complaints or charges against an individual license, relative to compliance with continuing education requirements or based on a finding of past non-compliance during prior audits. 6.12.2 Documentation. When a licensee is selected for audit, the licensee shall be required to submit documentation showing detailed accounting of the various CPEs claimed by the licensee. Licensees selected for random audit are required to supplement the attestation with supporting materials which may include a syllabus, agenda, itinerary or brochure published by the sponsor of the activity and a document showing proof of attendance (i.e., certificate, a signed letter from the sponsor attesting to attendance, report of passing test score). The Board shall

attempt to verify the CPEs shown on the documentation provided by the licensee. Upon completion of the review, the Board will decide whether the licensee's CPEs meet the requirements of these regulations.

6.12.2.1 Any continuing education not meeting all provisions of these regulations shall be rejected in part or in whole by the Board

6.12.2.2 Any incomplete or inaccurate documentation of continuing education may be rejected in part or in whole by the Board.

6.12.2.3 Any continuing education that is rejected must be replaced by acceptable continuing education within a reasonable period of time established by the Board. This continuing education will not be counted towards the next renewal period. 6.12.3 Board Review and Hearing Process. The Board shall review all documentation requested of any licensee shown on the audit list. If the Board determines the licensee has met the requirements, the licensee's license shall remain in effect. If the Board initially determines the licensee has not met the requirements, the licensee shall be notified and a hearing may be held pursuant to the Administrative Procedures Act. This hearing will be conducted to determine if there are any extenuating circumstances justifying the apparent noncompliance with these regulations. Unjustified noncompliance with these regulations shall be considered unprofessional conduct and grounds for discipline pursuant to 24 Del.C. §1128(6).

6.12.4 Sanctions for Unjustified Noncompliance. If the Board finds unjustified non-compliance, the Board will impose discipline in accordance with 29 Del.C. §1129 which may include, but is not limited to monetary penalties up

to \$1,000, suspension and/or revocation of a practitioner's license.