

## **Guidance on Dental Assistant Certificates Pit and Fissure Sealant and Coronal Polishing**

As of August 15, 2017, the agency will no longer accept dental assistant applications for pit and fissure sealant or coronal polishing certificates. Applications that are received after August 15, 2017, will be returned to the applicant by regular mail.

Based on legislation effective as of September 1, 2017, the agency will no longer issue dental assistant certificates in pit and fissure sealants or coronal polishing, nor will the agency pursue enforcement action against the delegating dentists or the assistants who perform those acts without a certificate. Board rules 114.3 and 114.5, which provide for those certificates, were adopted pursuant to legislative authority in Sections 265.004 and 265.006 of the Texas Dental Practice Act (the Act). The legislature's recent revision of the Act has repealed those sections. Therefore, when the new Act becomes effective on September 1, 2017, the Board and agency will no longer have the authority to implement or enforce Board rules 114.3 and 114.5.

The new law gives the Board the authority to adopt new rules relating to dental assistant registrations. In the future, the Board could adopt rules requiring registrations for the performance of specific acts. If the Board decides to require those registrations, any new rules will be subject to the rule-making requirements of Texas Administrative Procedures Act.

In the meantime, beginning September 1, 2017, dental assistants are not required to hold a pit and fissure sealant or coronal polishing certificate to perform those acts. This will remain the case unless and until the Board adopts new rules relating to those acts.

