

234 CMR 5.00: CONTINUING EDUCATION

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5.01: Requirement

(1) Number of Hours. The Board of Registration in Dentistry shall require every dentist and dental hygienist licensed by the Commonwealth of Massachusetts to complete biennially, a minimum of 40 hours for a dentist and 20 hours for a dental hygienist, of acceptable continuing education, and to submit, when requested, evidence of satisfactory completion of the requirement. This requirement must be completed during the two calendar years preceding January 1 of the year of expiration of the license except as noted 234 CMR 5.02(1)(a) and 234 CMR 5.02(2)(a)4., and must conform to the acceptable criteria identified throughout 234 CMR 5.00.

(2) Definition of Continuing Education Credit Hour. One hour of continuing education credit shall be given for each hour of attendance at lectures, seminars, institutes, meetings etc., and two hours of continuing education credit shall be given for each hour of attendance at clinical or laboratory participatory courses. Successful completion of an entire course or segment of course instruction is necessary to receive any continuing education credit. A maximum of 12 hours of continuing education credit may be attained per day.

(3) Responsibility Of The Licensee. It is the responsibility of each licensee to maintain an authenticated record of all continuing education activity completed, and to submit evidence of completion of the above requirement to the Board when requested. These records, as noted in 234 CMR 5.04(4)(b), must be retained for a period of three years or until the license of the dentist or the dental hygienist has been renewed.

5.02: Reporting and Monitoring for Licensure Renewal

234 CMR 5.02 explains how and when the system will be implemented and monitored.

(1) Reporting Date.

(a) On or after the first of January 1983, and biennially thereafter every dental hygienist must submit to the Board, when requested, acceptable evidence of satisfactory completion of ten hours by January 1, 1983 and 20 hours biennially thereafter of continuing education.

(b) On or after the first of January 1984 and biennially thereafter, every dentist must submit to the Board, when requested, acceptable evidence of satisfactory completion of 40 hours of continuing education.

(2) Monitoring Procedure.

(a) For each renewal period, the continuing education activity of some licensees will be sampled. The following procedure will be utilized in monitoring continuing education activities for licensees being sampled in a given renewal period:

1. A sample of licensees will be sent a form in early January of the appropriate renewal year and asked to report their continuing education activity for the previous two years. This form must accompany the record of attendance received from the sponsor, or its agent, for each course and must be returned to the Board within 30 days.
2. The submitted data will be examined by the Board.

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3. If the submitted data fulfills all the requirements of 234 CMR 5.00, the renewal application will be sent to the licensee.
 4. If the submitted data does not fulfill the requirements of 234 CMR 5.00, the licensee shall be notified and may be called before the Board for a hearing, at which time the Board may impose additional continuing education requirements to be completed within a given period of time; or the license may be suspended, revoked or not renewed.
 5. Licensure renewal applications will not be issued until all requirements imposed by the Board have been completed.
- (b) For licensees not being sampled in a given renewal period:
1. A license renewal application will be sent to the licensee.
 2. The licensee must complete the required information on the number of hours of continuing education activity and sign the renewal application as to its truth and accuracy under the pains and penalties of perjury.

5.03: Appeals Process

Any individual who wishes to appeal the decision of the Board must submit a letter of appeal to the Board within 21 days of the receipt of the Board's decision. The applicant must supply the Board with any requested additional data and may be asked to appear before the Board for a hearing. The Board shall make a final decision. The Board reserves the right to allow the applicant to practice dentistry or dental hygiene during the Board's appeals process.

5.04: Criteria For Acceptance

The purpose of 234 CMR 5.04 is to offer guidelines for licensees in selecting courses to fulfill the requirement. There is no formal approval mechanism for continuing education courses but licensees must subscribe to courses which adhere to the following criteria:

- (1) Content. All continuing education activities, to be accepted for credit, must have significant intellectual or practical content which deals primarily with matters directly related to the practice of dentistry, or dental auxiliary functions, or with the professional responsibilities or ethical obligations of licensees.
- (2) Standards. In order to qualify under 234 CMR 5.00 a continuing education program must:
 - (a) require attendance
 - (b) be at least one class hour (50 minutes) in length
 - (c) be conducted by an instructor qualified by education and/or experience
 - (d) retain a written course description
- (3) Evaluation. Provisions should be made for evaluation of the participants' attainment of the course objectives. Participants should also be given the opportunity to evaluate faculty, learning experiences, instructional methods, facilities and educational resources utilized for the program.
- (4) Records.
 - (a) Each licensee shall only receive continuing education credit for those courses in which the sponsor, or its agent, keeps the following records for a period of three years.
 1. course description
 2. faculty
 3. date of the course
 4. location of the course
 5. number of contact hoursThe Board will accept data from a nationally recognized professional registry acting as an agent for a continuing education sponsor.
All records shall be furnished to the Board upon request.

5.04: continued

(b) Each licensee must receive from the continuing education course sponsor, or its agent (*i.e.* a nationally recognized professional registry), an authenticated record of attendance which shall include:

1. participant's name
2. title or subject area of the course
3. course sponsor
4. date and location of the course
5. number of lecture and clinical or laboratory participation contact hours
6. authorization of the course sponsor

These records shall be retained by the licensee for a period of three years as noted in 234 CMR 5.01(3) and furnished to the Board upon request as noted in 234 CMR 5.02(2) or until the license has been renewed.

5.05: Categories of Credit

234 CMR 5.05 offers guidelines to licensees in identifying acceptable sources of continuing education activity. The licensee is free to select areas of study from within the stated categories keeping in mind the restriction of the maximum number of hours allowed in each category.

(1) Educational and Scientific Courses, Examinations, and Specialty Boards. A licensee may obtain 100% of the required continuing education credits in this category:

(a) educational and scientific courses sponsored or approved by any or all of the following:

1. accredited educational or service institutions
2. professional associations and societies
3. accredited post doctoral programs
4. local, state and federal governmental health agencies and health institutions
5. accredited community and teaching hospitals

(b) Successful completion of Part II of the National Board Examination for dentists or successful completion of the National Board Dental Hygiene Examination for dental hygienists.

(c) Successful completion of the North East Regional Board Diagnosis, Oral Medicine, Radiology and Comprehensive Treatment Planning examination for dentists or successful completion of the North East Regional Board Dental Hygiene Comprehensive examination for dental hygienists.

(d) Successful completion of continuing education requirements for maintaining certification of nationally recognized Board Specialties.

(2) Papers, Publications and Scientific Presentations. A maximum of 50% of the requirement may be obtained in this category:

(a) A maximum of ten hours of continuing education credit for dentists and five hours for dental hygienists will be given for each original scientific paper authored by the licensee and published in a scientific professional journal.

(b) For each original presentation of a paper, essay or formal lecture to a recognized group of fellow professionals, the presenter shall receive three hours of continuing education credit for every hour of presentation.

(3) Teaching and Research Appointments. A maximum of 25% of the requirement may be obtained in this category:

A dentist involved in teaching or research activities at least one full day per week per academic year and holds at least a part-time faculty or research appointment shall receive five hours of continuing education credit annually and a dental hygienist shall receive 2.5 credits annually for these activities.

(4) Table Clinics and Scientific Exhibits. A maximum of 20% of the requirement may be obtained in this category:

The original presentation of a table clinic or scientific exhibit at a professional meeting will provide a maximum of two hours of continuing education credit per clinic or exhibit.

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(5) Self-Instruction Courses. A maximum of 20% of the requirement may be obtained in this category:

- (a) home study courses
- (b) correspondence courses
- (c) educational television
- (d) audio cassettes

Credit will be determined by the sponsor based on the reasonable amount of time necessary to cover the material.

(6) Other Educational Activity. A maximum of 20% of the requirement may be obtained in this category:

- (a) The Board will give individual consideration to petitions made by licensees in this category.

5.06: Conditions of Licensure

(1) Active Status. A registered dentist or dental hygienist who has satisfied all conditions of licensure in the Commonwealth and maintains a current license to practice in the Commonwealth.

(2) Inactive Status. Any registered dentist or dental hygienist who has paid the required license renewal fee but has not met the continuing education requirement. Any person whose license is designated "INACTIVE STATUS" shall not be allowed to practice dentistry or dental hygiene in the Commonwealth.

(3) Delinquent Status. Any registered dentist or dental hygienist who does not submit the renewal application, appropriate fee, or requested continuing education requirement information. Any person who fails to renew his/her license shall not be permitted to practice dentistry or dental hygiene in the Commonwealth.

(4) Limited Registration. A graduate of a reputable dental school who is employed as a member of a faculty of a dental college or has been appointed a dental intern in a hospital or other institution maintained by the Commonwealth or in a hospital or dental infirmary incorporated under the laws of the Commonwealth according to M.G.L. c. 112, § 45A. All limited registrants must fulfill the continuing education requirement.

5.07: Waiver of Requirement

(1) Out of State. The Board may, upon written request, waive the continuing education requirement for a licensee who is not practicing in the Commonwealth due to residing outside of the Commonwealth. Such a licensee shall comply with the continuing education requirement for all subsequent renewal periods, after such time as he/she returns to the Commonwealth and activates his/her license to practice.

(2) Disability and Retirement. The Board may grant a waiver of the continuing education requirement for disabled or retired dentists and dental hygienists if said licensee has temporarily or permanently retired from practice because of age, physical or mental disability. Upon written proof of disability or retirement, disabled dentists and dental hygienists may retain their licenses in an inactive status without meeting the continuing education requirement for the period of their disability or retirement.

(3) Application Procedure. Any licensee eligible for a waiver of the continuing education requirement according to the above stated criteria, must apply to the Board for approval. Said licensee must certify in writing such disability, retirement, residence or practice outside of the Commonwealth and provide the Board such additional information as it may reasonably request. Upon approval by the Board, the license will be placed in an inactive status, which prohibits the licensee from practicing dentistry or dental hygiene in the Commonwealth.

5.07: continued

(4) New Graduates. The Board shall automatically waive the requirement of continuing education for all new graduates of dental and dental hygiene schools accredited by the Commission on Dental Accreditation for the licensing period in which they graduate.

5.08: Definitions of Active Practice

Active Practice. Any dentist or dental hygienist who treats one or more patients in Massachusetts per calendar year shall be considered to have been in active practice that calendar year and must fulfill the continuing education requirement.

5.09: Return of License From Inactive to Active Status

(1) If a dentist or dental hygienist wishes to return his/her license to an active status, has not been in active practice, and has not fulfilled the continuing education requirement for:

- (a) Five years or more, he/she must pass the North East Regional Board.
- (b) Four years or more, he/she must complete a minimum continuing education requirement of 100 hours for a dentist and 50 hours for a dental hygienist. 20% of this requirement (20 hours for a dentist and ten hours for a dental hygienist] must be obtained in clinical participatory courses.
- (c) Three years, he/she must complete a minimum continuing education requirement of 80 hours for a dentist and 40 hours for a dental hygienist. 20% of this requirement (16 hours for a dentist and eight hours for a dental hygienist) must be obtained in clinical participatory courses.
- (d) Two years, he/she must complete a minimum continuing education requirement of 60 hours for a dentist and 30 hours for a dental hygienist. 20% of this requirement (12 hours for a dentist and six hours for a dental hygienist) must be obtained in clinical participatory courses.
- (e) One year, he/she must complete a minimum continuing education requirement of 40 hours for a dentist and 20 hours for a dental hygienist. 20% of this requirement (eight hours for a dentist and four hours for a dental hygienist) must be obtained in clinical participatory courses.

The appropriate number of hours stated above must be completed before the license may become activated for someone who has not been in active practice and has not fulfilled the continuing education requirement.

(2) If a dentist or dental hygienist has been in active practice in another state for at least three months during the immediately preceding year and has not fulfilled the continuing education requirement, but wishes to return his/her inactive Massachusetts license to an active status, he/she must submit the following:

- (a) Certification from the Board of Registration in Dentistry of the state in which he/she has been practicing that his/her license is in good standing.
- (b) Written verification of such practice from three dentists or three dental hygienists respectively who are licensed in that state.

Once the Massachusetts license has been activated, the licensee must, from that date on, fulfill the continuing education requirement for each licensing period during which the license is in an active status.

REGULATORY AUTHORITY

234 CMR 5.00: M.G.L. c. 112, § 51A.

NON-TEXT PAGE