

**SUBCHAPTER 16I - ANNUAL RENEWAL OF LICENSE AND CONTINUING EDUCATION
REQUIREMENTS: DENTAL HYGIENIST**

SECTION .0100 - ANNUAL RENEWAL

21 NCAC 16I .0101 APPLICATIONS

(a) A renewal application for a dental hygiene license shall be submitted electronically before midnight on January 31 of each year through the Board's website: www.ncdentalboard.org. The renewal application shall include:

- (1) dental hygiene license number;
- (2) full name;
- (3) mailing address and any secondary address the licensee wishes to provide;
- (4) telephone number;
- (5) fax number;
- (6) email address;
- (7) citizenship or immigration status, with verifying documentation;
- (8) whether, during the calendar year preceding the application, the licensee has:
 - (A) been summoned to court or before a magistrate for the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (B) been arrested for the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (C) been taken into custody for the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (D) been indicted for the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (E) been convicted or tried for the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (F) been charged with the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (G) pleaded guilty to the violation of any law or ordinance or for the commission of any felony or misdemeanor;
 - (H) been disciplined by any professional licensing board; or
 - (I) had a malpractice suit settled or pending against the licensee;
- (9) whether the licensee has been investigated for employee misclassification as an independent contractor within the five years preceding the application;
- (10) employment status as a dental hygienist as of the date of the application, including:
 - (A) whether the licensee is currently working as a dental hygienist;
 - (B) name of the practice in which the licensee provides services;
 - (C) primary setting in which the licensee provides services;
 - (D) type of employer for which the licensee works; and
 - (E) number of hours the licensee works in an average week;
- (11) a report of the licensee's completion of continuing education hours related to clinical patient care during the calendar year preceding the application, or the licensee's exemption from reporting;
- (12) whether the licensee holds an unexpired CPR certification;
- (13) whether the licensee has been employed as a limited supervision hygienist as set forth in 21 NCAC 16Z during the calendar year preceding the application; and
- (14) a written statement certifying that the information submitted is accurate to the best of the licensee's knowledge.

(b) In addition to the requirements of Paragraph (a) of this Rule, the licensee shall mail to the Board the following materials for review by the Board before the license will be renewed:

- (1) for each matter existing under Subparagraph (a)(8) of this Rule, a statement describing the nature, facts, and disposition of the matter, and include a copy, certified by the clerk of court or the applicable licensing board, of the disposition or judgment in the matter; and
- (2) for each matter under Subparagraph (a)(9) of this Rule, documentation of the results of the investigation.

- (c) The Board shall receive all information and documentation set forth in Paragraphs (a) and (b) of this Rule, accompanied by the renewal fees set forth in 21 NCAC 16M .0102, for the renewal application to be complete. If a renewal application is not complete, the license shall not be renewed.
- (d) Eligible licensees shall be granted an extension period as set out in Rule .0111 of this Subchapter in which to pay renewal fees, obtain CPR certification, and comply with the Board's continuing education rules.
- (e) Any license obtained through fraud or by any false representation shall be revoked.

History Note: Authority G.S. 90-227; 93B-15;
 Eff. September 3, 1976;
 Readopted Eff. September 26, 1977;
 Amended Eff. April 1, 2015; February 1, 2008; April 1, 2003; August 1, 1998; May 1, 1989.
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;
 Amended Eff. September 1, 2020.

21 NCAC 16I .0102 CONTINUING EDUCATION REQUIRED (RECODIFIED TO 21 NCAC 16I .0201)

21 NCAC 16I .0103 APPROVED COURSES AND SPONSORS (RECODIFIED TO 21 NCAC 16I .0202)

21 NCAC 16I .0104 REPORTING CONTINUING EDUCATION (RECODIFIED TO 21 NCAC 16I .0203)

21 NCAC 16I .0105 PENALTY/NON-COMPLIANCE/CONTINUING EDUCATION REQUIREMENT (RECODIFIED TO 21 NCAC 16I .0205)

21 NCAC 16I .0106 FEE FOR LATE FILING

If the application for a renewal certificate, accompanied by the renewal fee of eighty-one dollars (\$81.00) and annual fee to assist in funding for programs for impaired dentists of twenty-five dollars (\$25.00), is not received in the Board's office before the close of business on January 31 of each year, an additional fee of fifty dollars (\$50.00) shall be charged for the renewal certificate.

History Note: Authority G.S. 90-227; 90-232;
 Eff. September 3, 1976;
 Readopted Eff. September 26, 1977;
 Amended Eff. May 1, 1989;
 Transferred and Recodified from 21 NCAC 16I .0002 Eff. May 1, 1994;
 Amended Eff. February 1, 2008; April 1, 2003; August 1, 1998;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;
 Amended Eff. October 1, 2019.

21 NCAC 16I .0107 LICENSE VOID UPON FAILURE TO RENEW

If an application for a renewal certificate, accompanied by the renewal fee and the additional late filing fee, is not received in the Board's office before midnight on March 31 of each year, the license becomes void and the hygienist must petition the Board for reinstatement.

History Note: Authority G.S. 90-227;
 Eff. September 3, 1976;
 Readopted Eff. September 26, 1977;
 Transferred and Recodified from 21 NCAC 16I .0003 Eff. May 1, 1994;
 Amended Eff. April 1, 2015; February 1, 2008; April 1, 2003; August 1, 2002;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

21 NCAC 16I .0108 FORM OF CERTIFICATE

The certificate of renewal of license shall bear the original license number, the full name of the applicant, and the date of issuance.

*History Note: Authority G.S. 90-222; 90-223; 90-227;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. May 1, 1991;
Transferred and Recodified from 21 NCAC 16I .0004 Eff. May 1, 1994;
Amended Eff. April 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

21 NCAC 16I .0109 CERTIFICATE DISPLAYED

- (a) The original license and current certificate of renewal of license for a Dental Hygienist shall at all times be displayed where it is visible to patients receiving treatment at the office where the dental hygienist is employed.
- (b) Hygienists providing treatment at more than one office shall only be required to display a current renewal certificate of license at each additional office where they provide dental hygiene services, as long as the original license is displayed in at least one office.
- (c) Hygienists shall produce their original license and current renewal certificate on demand of the North Carolina State Board of Dental Examiners or its agents.

*History Note: Authority G.S. 90-227;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Transferred and Recodified from 21 NCAC 16I .0005 Eff. May 1, 1994;
Amended Eff. August 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

21 NCAC 16I .0110 DEFINITIONS

The following definitions apply only to this Subchapter:

- (1) "Dental Board" -- the North Carolina State Board of Dental Examiners.
- (2) "Eligible licensees"-- all hygienists currently licensed by and in good standing with the North Carolina State Board of Dental Examiners who are serving in the armed forces of the United States and who are eligible for an extension of time to file a tax return pursuant to G.S. 105-249.2.
- (3) "Extension period" -- the time period disregarded pursuant to 26 U.S.C. 7508.
- (4) "Good standing" -- a hygienist whose license is not suspended or revoked and who is not practicing under any probationary terms.

*History Note: Authority G.S. 90-222; 90-223; 93B-15;
Eff. April 1, 2010;
Amended Eff. April 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

21 NCAC 16I .0111 EXEMPTIONS GRANTED

- (a) Eligible licensees, as defined in Rule .0110 of this Section, are granted a waiver of their mandatory continuing education requirements for the period allowed pursuant to G.S. 105-249.2
- (b) Eligible licensees are granted an extension for the period allowed pursuant to G.S. 105-249.2 in which to pay license renewal fees and comply with all other requirements imposed by the Dental Board as conditions for maintaining licensure.

History Note: Authority G.S. 90-222; 90-223; 93B-15;
Eff. April 1, 2010;
Amended Eff. April 1, 2015;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

SECTION .0200 – CONTINUING EDUCATION

21 NCAC 16I .0201 CONTINUING EDUCATION REQUIRED

- (a) As a condition of license renewal, each dental hygienist shall complete six clock hours of continuing education each calendar year. Any or all the hours may be acquired through self study courses. To count toward the mandatory continuing education requirement, self study courses shall be related to clinical patient care and offered by a board approved sponsor. The hygienist shall pass a test following the course and obtain a certificate of completion.
- (b) Current certification in CPR is required in addition to the mandatory continuing education hours.
- (c) A dental hygienist who can demonstrate a disabling condition may request a variance in required continuing education hours during a particular period. Written documentation of a disabling condition that interferes with the hygienist's ability to complete the required hours shall be provided to the Board. The Board may grant or deny such requests on a case by case basis, depending upon the nature of the disabling condition, its impact on the hygienist's ability to complete continuing education, and the likely duration of the disability.
- (d) If a licensee who has been exempted from continuing education requirements wishes to resume practice, the licensee shall complete continuing education courses in accordance with this Rule. The Board may require licensees who have not practiced dental hygiene for more than a year to undergo a clinical test before allowing the licensee to resume practice if there is evidence that the licensee suffers from addiction or a mental or physical condition that impairs the licensee's ability to practice hygiene competently.

History Note: Authority G.S. 90-225.1; 90-229;
Eff. May 1, 1994;
Amended Eff. April 1, 2015; November 1, 2008; April 1, 2001; August 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;
Recodified from 21 NCAC 16I .0102 Eff. January 1, 2020.

21 NCAC 16I .0202 APPROVED COURSES AND SPONSORS

- (a) Courses allowed to satisfy the continuing education requirement shall be related to clinical patient care. Hours spent reviewing dental or dental hygiene publications or videos shall not count toward fulfilling the continuing education requirement, with the exception of self study courses as described in Rule .0201 of this Subchapter that are offered by a Board approved continuing education sponsor.
- (b) Approved continuing education course sponsors include:
- (1) providers recognized by the American Dental Association's Continuing Education Recognition Program, the Academy of General Dentistry, the American Dental Hygienists' Association, or components of such organizations;
 - (2) North Carolina Area Health Education Centers;
 - (3) educational institutions with dental, dental hygiene or dental assisting schools or departments;
 - (4) national, state, or local societies or associations;
 - (5) local, state, or federal governmental entities; and
 - (6) Federally Qualified Health Centers.

History Note: Authority G.S. 90-225.1;
Eff. May 1, 1994;
Amended Eff. November 1, 2008; April 1, 2001; August 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018;
Recodified from 21 NCAC 16I .0103 Eff. January 1, 2020;
Amended Eff. July 1, 2022.

21 NCAC 16I .0203 REPORTING CONTINUING EDUCATION

(a) The number of hours completed to satisfy the continuing education requirement shall be indicated on the renewal application form submitted to the Board and certified by the hygienist. Upon request by the Board or its authorized agent, the hygienist shall provide documentation of attendance at courses indicated. Such documentation shall be provided by the organization offering or sponsoring the course. Documentation must include:

- (1) the title;
- (2) the number of hours of instruction;
- (3) the date of the course attended;
- (4) the name(s) of the course instructor(s); and
- (5) the name of the organization offering or sponsoring the course.

(b) All records, reports and certificates relative to continuing education hours must be maintained by the licensee for at least two years and shall be produced upon request of the Board or its authorized agent.

(c) Dental hygienists shall receive four hours credit per year for continuing education when engaged in the following:

- (1) service on a full-time basis on the faculty of an educational institution with direct involvement in education, training, or research in dental or dental auxiliary programs; or
- (2) service on a full-time basis with a federal, state or county government agency whose operation is directly related to dentistry or dental auxiliaries.

Verification of credit hours shall be maintained in the manner specified in this Rule.

(d) Evidence of service or affiliation with an agency as specified in Paragraph (c) of this Rule shall be in the form of verification of affiliation or employment which is documented by a director or an official acting in a supervisory capacity.

(e) Hygienists who work at least 20 hours per week in an institution or entity described in Subparagraph (c)(1) or (2) of this Rule shall receive two hours credit per year for continuing education.

(f) Hygienists may receive one hour of continuing education credits per year for performing at least five hours of dental hygiene on a volunteer basis at any state, city or county operated site approved by the Dental Board. Credit will not be given for less than five hours of volunteer work.

History Note: Authority G.S. 90-225.1; Eff. May 1, 1994; Amended Eff. November 1, 2008; September 1, 2008; June 1, 2008; August 1, 2002; April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018; Recodified from 21 NCAC 16I .0104 Eff. January 1, 2020.

21 NCAC 16I .0204 RESERVED FOR FUTURE CODIFICATION

21 NCAC 16I .0205 PENALTY/NON-COMPLIANCE/CONTINUING EDUCATION REQUIREMENT

(a) If the applicant for a renewal certificate fails to provide proof of completion of reported continuing education hours for the current year as required by Rules .0201 and .0203 of this Subchapter, the Board shall refuse to issue a renewal certificate for the year for which renewal is sought until the licensee completes the required hours of education for the current year and meets all other qualifications for renewal. If the applicant applies for credit for continuing education hours or a reduction of continuing education hours and fails to provide the required documentation upon request, the Board shall refuse to issue a certificate of renewal until the applicant meets the qualifications for credit.

(b) If an applicant fails to meet the qualifications for renewal, including completing the required hours of continuing education and delivering the required documentation to the Board's office before midnight on March 31 of each year, the license becomes void and the holder must petition the Board for reinstatement.

History Note: Authority G.S. 90-225.1; 90-227; Eff. May 1, 1994; Amended Eff. April 1, 2015; February 1, 2008; April 1, 2001; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018; Recodified from 21 NCAC 16I .0105 Eff. January 1, 2020.

21 NCAC 16I .0206 CONTINUING EDUCATION ON SUBSTANCE ABUSE AND MENTAL HEALTH

(a) Every two calendar years, each dental hygienist shall complete one clock hour of continuing education on substance abuse and mental health. To count toward this requirement, the course shall be:

- (1) designed to address relevant issues for dental professionals, including substance abuse, chemical dependency, impairment, and mental health disorders; and
- (2) offered by a Board-approved sponsor as set out in Rule .0202(b) of this Section.

(b) The continuing education requirement set out in Paragraph (a) of this Rule may be completed through a self-study course that satisfies Subparagraphs (a)(1) and (2) of this Rule. The dental hygienist shall pass a test administered by the self-study course sponsor and obtain a certificate of completion from the sponsor.

(c) Every two calendar years, a dental hygienist may apply one clock hour of a course meeting the requirements of this Rule toward the total number of continuing education hours required pursuant to Rule .0201(a) of this Section.

History Note: Authority G.S. 90-223; 90-225.1;
Eff. October 1, 2022.