**20:43:09:04.  Moderate sedation permit requirements.** The board may issue a permit to a licensed dentist to administer moderate sedation to dental patients 12 years and older on an outpatient basis if the dentist:

(1)  Has successfully completed a moderate sedation course approved by the board pursuant to § 20:43:09:04.03. If the course was completed more than 12 months before application, the applicant shall also:

(A)  Hold a permit to administer moderate sedation, or an equivalent permit, in another state and have completed a minimum of 12 moderate sedation cases in the 12 months before application; or

(B)  Undergo a review by the board of the applicant’s recent training and experience and complete supplemental training, education, evaluation, or remediation required by the board. The applicant shall pay all costs of the training, education, evaluation, remediation, and associated proceedings;

(2)  Has met the requirements outlined in §§ 20:43:09:12 and 20:43:09:13; and

(3)  Is certified in administering Advanced Cardiovascular Life Support by the American Heart Association or an equivalent program approved by the board.

A dentist with a moderate sedation permit may not administer moderate sedation without the presence and assistance of at least one individual who holds a permit to monitor patients under general anesthesia, deep sedation, or moderate sedation, or is otherwise authorized by law to monitor patients under general anesthesia, deep sedation, or moderate sedation.

A dentist administering moderate sedation may not use general anesthetics; shall be proficient in airway management and advanced cardiac life support; shall be capable of providing intravenous access; shall continuously evaluate the patient’s blood pressure, pulse, respiratory function, and cardiac activity; and shall apply the current standard of care.

A dentist that meets the requirements of this section may only be authorized by the board to administer moderate sedation to a child under 12 years if the dentist has successfully completed an accredited advanced dental education residency program that provides comprehensive and appropriate training necessary to administer and manage pediatric moderate sedation and is certified in Pediatric Advanced Life Support by the American Heart Association or an equivalent program approved by the board. A dentist that does not meet these requirements by June 30, 2022, may not administer moderate sedation to a child under 12 years.

A dentist who administers moderate sedation shall maintain a margin of safety and a level of consciousness in the patient that does not approach general anesthesia or deep sedation and shall be able to rescue a patient whose level of sedation becomes deeper than initially intended.

If moderate sedation results in a general anesthetic state, the requirements outlined in § 20:43:09:03 for general anesthesia and deep sedation apply.

A moderate permit incorporates the authority granted in a nitrous oxide sedation and analgesia permit and host permit. A dentist that holds a moderate sedation permit and utilizes a licensed anesthesia provider to administer general anesthesia, deep sedation, or moderate sedation to a patient under 12 years shall also be certified in Pediatric Advanced Life Support by the American Heart Association or an equivalent program approved by the board.

**Source:** 9 SDR 49, effective October 25, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; transferred from § 20:43:04:11, 19 SDR 32, effective September 6, 1992; 37 SDR 131, effective January 6, 2011; 42 SDR 83, effective December 3, 2015; 48 SDR 62, effective December 13, 2021.

**General Authority:** SDCL 36-6A-14(20).

**Law Implemented:** SDCL 36-6A-14(1)(3)(13)(14)(22).