**20:43:10:04.  Collaborative agreement.** When working together in a collaborative supervision relationship, a dentist and dental hygienist shall enter into a written board approved collaborative agreement that specifies the following responsibilities:

(1)  A dentist providing collaborative supervision must:

(a)  Provide appropriate communication and consultation with the dental hygienist;

(b)  Have age and procedure specific standing orders for the performance of dental hygiene services. Those standing orders must include consideration for medically compromised patients and medical conditions for which a dental evaluation must occur prior to the provision of dental hygiene services;

(c)  Specify a period of time, no more than 13 months, in which a complete evaluation or an oral health review by a dentist must occur prior to providing further hygiene services; and

(d)  Limit the number of dental hygienists that the dentist has a collaborative agreement with to four or less;

(2)  A dental hygienist providing services under collaborative supervision may provide all preventative and therapeutic services that a hygienist is allowed to provide pursuant to SDCL chapter 36-6A and this chapter, except for the administration of local anesthesia and nitrous oxide inhalation analgesia, and must:

(a)  Maintain appropriate contact and communication with the dentist providing collaborative supervision;

(b)  Practice according to age and procedure specific standing orders as directed by the supervising dentist, unless otherwise directed by the dentist for a specific patient;

(c)  Provide to the patient, parent, or guardian a written plan for referral to a dentist and assessment of further dental treatment needs;

(d)  Have each patient sign a consent form that notifies the patient that the services that will be provided do not take the place of regular dental checkups at a dental office and are meant for people who otherwise would not have access to services; and

(e)  Specify a procedure for creating and maintaining dental records for patients that are treated by the dental hygienist, including where these records are to be located;

(3)  A copy of the collaborative agreement shall be filed with the board. If any changes are made to the collaborative agreement, an updated copy of the agreement shall be filed with the board and must be approved;

(4)  If the agreement is terminated by the dentist or dental hygienist, the board shall be notified in writing within 30 days. A termination of the collaborative agreement constitutes a suspension of the registration;

(5)  The collaborative agreement must be maintained by the dentist and the dental hygienist in each location where collaborative supervision is provided and must be made available to the board upon request. The dentist and dental hygienist must review the agreement annually.

**Source:** 38 SDR 172, effective April 25, 2012; 43 SDR 16, effective August 15, 2016.

**General Authority:** SDCL 36-6A-40.2.

**Law Implemented:** SDCL 36-6A-40.2.