WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1989

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ENROLLED

HOUSE BILL No. 2232

(By Mr. Dale "Hot Rod" Hatfield and Mr. Bob Humphreys)

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Passed April 6, 1989

In Effect Ninety Days From Passage
AN ACT to amend and reenact sections four and five, article four-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to eligibility requirements for general anesthesia permits by eliminating person who employs or works in conjunction with a physician or osteopath who is qualified under this article.

Be it enacted by the Legislature of West Virginia:

That sections four and five, article four-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4A. ADMINISTRATION OF GENERAL ANESTHESIA AND PARENTERAL CONSCIOUS SEDATION BY DENTISTS.

§30-4A-4. Eligibility requirements for general anesthesia permit.

1. To receive a permit for the use of general anesthesia and parenteral conscious sedation, a dentist shall:

2. (a) Be a dentist licensed by the West Virginia board of dental examiners, hereinafter sometimes referred to as the “board,” or as “board of dental examiners” and registered to practice dentistry in the state of West Virginia;

3. (b) Apply to the West Virginia board of dental
examiners on an application form prescribed by the board;

c) Include with the application an application fee in the amount of three hundred dollars;

d) Have a properly equipped facility for the administration of general anesthesia, staffed with a supervised team of auxiliary personnel capable of reasonably handling procedures, problems, and emergencies incident thereto as outlined in the office anesthesia evaluation manual as adopted and amended by the board of dental examiners;

e) In the case of any dentist who treats children who applies for any permit under this section, such dentist must document his or her competency to administer general anesthesia and parenteral conscious sedation to children by demonstrating to the satisfaction of the board his or her familiarity with the “Guidelines for the elective use of conscious sedation, deep sedation and general anesthesia in pediatric patients” of American Academy of Pediatrics and the American Academy of Pediatric Dentistry; and

f) Produce evidence showing at least one of the following:

1) He or she has completed a minimum of one year of advanced training in an approved anesthesia residency;

2) He or she is a diplomate of the American board of oral and maxillofacial surgery;

3) He or she is eligible for an examination by the American board of oral and maxillofacial surgery (ABOMS);

4) He or she is a fellow of the American association of oral and maxillofacial surgery (AAOMS);

5) He or she has successfully completed an American dental association accredited oral and maxillofacial surgery program as evidenced by a letter from the program director stating that said applicant is qualified to perform such anesthesia techniques;
(6) He or she is a fellow of the American dental society of anesthesiology.

§30-4A-5. Eligibility requirements for permit to administer parenteral conscious sedation only.

To receive a permit for use of parenteral conscious sedation only, the dentist shall:

(a) Be a dentist licensed by the West Virginia board of dental examiners and registered to practice dentistry in the state of West Virginia;

(b) Apply to the West Virginia board of dental examiners on an application form prescribed by the board for the use of parenteral conscious sedation only;

(c) Include with the application a fee in the amount of three hundred dollars;

(d) Maintain a properly equipped facility for the administration of parenteral conscious sedation, staffed with a supervised team of auxiliary personnel capable of reasonably handling procedures, problems, and emergencies incident thereto as outlined in the office anesthesia evaluation manual of the board of dental examiners;

(e) In the case of any dentist who treats children who applies for any permit under this section, such dentist must document his or her competency to administer parenteral conscious sedation to children by demonstrating to the satisfaction of the board his or her familiarity with the “Guidelines for the elective use of conscious sedation, deep sedation and general anesthesia in pediatric patients” of the American Academy of Pediatrics and the American Academy of Pediatric Dentistry; and

(f) Produce evidence showing at least one of the following:

(1) He or she meets at least one of the criteria described in subdivisions (1) through (6) of subsection (f) of section four of this article;

(2) He or she has satisfactorily completed at least one
year of post-doctoral dental training in a dental residency or specialty program approved by the American dental association or the American medical association which must include didactic studies and practical experience in the administration of general anesthesia and parenteral conscious sedation. A letter from the chief of the approved residency program verifying that said dentist has satisfactorily completed said training and is competent to administer parenteral conscious sedation may be deemed acceptable evidence thereof; or

(3) He or she has satisfactorily completed a continuing education course or program regarding the administration of parenteral conscious sedation which meets or exceeds the American dental association council on dental education’s current “Guidelines For Teaching The Comprehensive Control of Pain and Anxiety in Dentistry.”
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Frederick L. Parker
Chairman Senate Committee

Bernard V. Kelly
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

Jude E. Wells
Clerk of the Senate

Donald L. Vepp
Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within ...is approved... this the 24TH day of April, 1989.

Governor