

hd. 2232

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1989



# ENROLLED

HOUSE BILL No. 2232

(By ~~Mr.~~ Del Hatfield + Humphreys)



Passed April 6, 1989

In Effect Ninety Days From Passage

**ENROLLED**  
**H. B. 2232**

(By DELEGATES HATFIELD AND HUMPHREYS)

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[Passed April 6, 1989; in effect ninety days from passage.]

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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  
2 and parenteral conscious sedation, a dentist shall:

3 (a) Be a dentist licensed by the West Virginia board  
4 of dental examiners, hereinafter sometimes referred to  
5 as the "board," or as "board of dental examiners" and  
6 registered to practice dentistry in the state of West  
7 Virginia;

8 (b) Apply to the West Virginia board of dental

9 examiners on an application form prescribed by the  
10 board;

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

13 (d) Have a properly equipped facility for the admin-  
14 istration of general anesthesia, staffed with a supervised  
15 team of auxiliary personnel capable of reasonably  
16 handling procedures, problems, and emergencies inci-  
17 dent thereto as outlined in the office anesthesia evalua-  
18 tion manual as adopted and amended by the board of  
19 dental examiners;

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

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

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

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

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

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

42 (5) He or she has successfully completed an American  
43 dental association accredited oral and maxillofacial  
44 surgery program as evidenced by a letter from the  
45 program director stating that said applicant is qualified  
46 to perform such anesthesia techniques;

47 (6) He or she is a fellow of the American dental  
48 society of anesthesiology.

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

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

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

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

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

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

18 (e) In the case of any dentist who treats children who  
19 applies for any permit under this section, such dentist  
20 must document his or her competency to administer  
21 parenteral conscious sedation to children by demonstrat-  
22 ing to the satisfaction of the board his or her familiarity  
23 with the "Guidelines for the elective use of conscious  
24 sedation, deep sedation and general anesthesia in  
25 pediatric patients" of the American Academy of  
26 Pediatrics and the American Academy of Pediatric  
27 Dentistry; and

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

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

33 (2) He or she has satisfactorily completed at least one

34 year of post-doctoral dental training in a dental  
35 residency or specialty program approved by the Amer-  
36 ican dental association or the American medical  
37 association which must include didactic studies and  
38 practical experience in the administration of general  
39 anesthesia and parenteral conscious sedation. A letter  
40 from the chief of the approved residency program  
41 verifying that said dentist has satisfactorily completed  
42 said training and is competent to administer parenteral  
43 conscious sedation may be deemed acceptable evidence  
44 thereof; or

45 (3) He or she has satisfactorily completed a continuing  
46 education course or program regarding the administra-  
47 tion of parenteral conscious sedation which meets or  
48 exceeds the American dental association council on  
49 dental education's current "Guidelines For Teaching  
50 The Comprehensive Control of Pain and Anxiety in  
51 Dentistry."

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Frederick L. Parker*  
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Chairman Senate Committee

*Bernard V. Kelly*  
-----  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Judd C. Miller*  
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Clerk of the Senate

*Donald L. Hoop*  
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Clerk of the House of Delegates

*James Tucker*  
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President of the Senate

*Robert C. Bell*  
-----  
Speaker of the House of Delegates

The within *is approved* this the *24<sup>TH</sup>*  
day of *April*, 1989.

*Gaston Caperton*  
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Governor

PRESENTED TO THE

GOVERNOR

Date 4/14/89

Time 5:02