

**INTERPRETIVE STATEMENT REGARDING
MONITORING PATIENTS DURING SEDATION PROCEDURES**

Date Issued: July 12, 2024

To protect the public interest, the North Carolina Board of Dental Examiners (“Board”) provides interpretation and guidance regarding acceptable standards of care, consistent with the Board’s rules, for monitoring patients throughout a sedation procedure involving administration of general anesthesia, moderate conscious sedation, or pediatric moderate conscious sedation (“anesthesia or moderate sedation”). This statement addresses acceptable roles of the dentist administering the anesthesia or moderate sedation as it relates to monitoring the patient.

The Board received an inquiry about whether the following scenario was permissible: A permit holder—in a practice with multiple licensed dentists providing dental services to patients contemporaneously—moves between operatories administering sedation or anesthesia to multiple patients undergoing treatment at the same time and leaves the patients in an operatory with a dentist who does not hold a sedation permit along with one or more auxiliaries. For the reasons explained herein, the proposed scenario does not comply with the Board’s regulations nor with acceptable standards of care. Rather, it presents an unacceptable risk to the multiple patients who are under anesthesia or moderate sedation contemporaneously but not continuously monitored by someone qualified to administer anesthesia or moderate sedation, regardless of the route of administration.

The Board’s Sedation Rules

A dentist may administer anesthesia or moderate sedation with the proper permit (a “permit holder”) in accordance with the Board’s rules set out in 21 NCAC 16Q. Permit holders may utilize the assistance of “auxiliaries,” or non-dentist staff members, in the permit holder’s administration of anesthesia or moderate sedation in accordance with applicable laws and rules.*

The Board’s Rule **21 NCAC 16Q .0103** became effective June 17, 2024, and governs the administration of general anesthesia, moderate conscious sedation, and pediatric moderate conscious sedation. **Rule 16Q .0103(d)(3) and (4)** set out the requirements regarding the roles of the permit holder, auxiliary personnel, and any additional sedation provider:

(d) The permit holder shall ensure that the following staffing, education, and training requirements are met prior to performing a sedation procedure:

...

(3) Except as set out in Subparagraph (d)(4) of this Rule, the permit holder performing the surgery or other dental procedure shall ensure that an RN or a BLS-certified auxiliary is dedicated to patient monitoring and recording anesthesia or sedation data throughout the sedation procedure.

(4) The requirement set out in Subparagraph (d)(3) of this Rule shall not apply if the permit holder or an additional sedation provider is dedicated to patient care and monitoring regarding anesthesia or moderate sedation throughout the sedation procedure and is not performing the surgery or other dental procedure. The additional sedation provider shall be:

- (A) a dentist holding a permit or mobile permit in satisfaction of this Subchapter to administer the anesthesia or sedation level at the facility where the sedation procedure is performed;
- (B) an anesthesiologist licensed and practicing in accordance with the rules of the North Carolina Medical Board; or
- (C) a CRNA licensed and practicing in accordance with the rules of the North Carolina Board of Nursing, under the supervision and direction of the permit holder who shall ensure the level of sedation administered does not exceed the level of the sedation allowed by the permit holder's permit.

Rule 16Q .0103(g)(1) sets out requirements for monitoring a patient’s post-operative recovery:

(g) Post-operative monitoring and discharge shall include the following:

- (1) The permit holder or an auxiliary under his or her direct supervision shall monitor the patient's post-operative vital sign information until the patient is recovered and is ready for discharge from the office. ...

The relevant definitions in **Rule 16Q .0101** are:

- (16) “Direct supervision” – the dentist responsible for the sedation or anesthesia procedure shall be immediately available and shall be aware of the patient’s physical status and well being at all times.
...
- (24) “Immediately available” – on-site in the facility and available for use without delay.
...
- (35) “Sedation procedure” – process begins when any pharmacological agent is first administered to a patient to induce general anesthesia or sedation and continues until the dentist permit holder determines that the patient has met the recovery and discharge criteria set forth in the applicable rules in this Subchapter.

The Role of the Permit Holder Administering Anesthesia or Moderate Sedation

Pursuant to the Board’s rules, when a permit holder is administering the anesthesia or moderate sedation for a sedation procedure, the permit holder must fulfill one of two possible roles:

- **The permit holder must perform the dental procedure while directly supervising an RN or a BLS-certified auxiliary who monitors the patient. The permit holder must remain on-site, immediately available, and aware at all times of the patient’s physical status and well being throughout the patient’s recovery until the patient is ready for discharge.**

Or

- **The permit holder must be dedicated to patient care and monitoring throughout the sedation procedure in place of an RN or a BLS-certified auxiliary.**

The Board's intent was the same under its prior rules and is clarified in Rule 16Q .0103. The Board's rules are not satisfied if a permit holder administers anesthesia or moderate sedation to more than one patient simultaneously while non-permit-holder dentists perform the dental procedures and auxiliaries monitor the patients' sedation levels. Such an arrangement creates risks to patients when the person who is trained and permitted to administer anesthesia or sedation is attending to more than one patient undergoing sedation procedures and therefore is not always immediately available in the event of a complication or clinical emergency arising with one of the patients.

This guidance does not mean that the permit holder administering anesthesia or moderate sedation must be in the room with the patient at all times until the patient is ready for discharge. The Board's rules allow the permit holder to leave the operatory briefly during the dental procedure when **all** the following conditions are met: (i) any anesthesia or moderate sedation medication administered has taken effect, (ii) the patient is in a stable condition, (iii) a BLS-certified auxiliary remains in the room to monitor the patient, (iv) the permit holder is immediately available, and (v) the permit holder is not administering anesthesia or sedation to another patient during this brief absence from the operatory. Once anesthesia or moderate sedation is no longer being administered, the dental procedure has concluded, and the patient is recovering prior to discharge, the permit holder may leave the patient to be monitored continuously by a BLS-certified auxiliary under direct supervision, consistent with the Board's regulations and definitions noted herein.

*Regarding the use of auxiliaries in sedation procedures generally, permit holders are encouraged to review the Board's previously issued guidance in its interpretive statements regarding the use of sedation auxiliaries and EMS personnel:

- **Interpretive Statement Regarding Auxiliaries Providing Assistance in Administering Sedation or Anesthesia**, March 16, 2020; and
- **EMS Personnel Functioning in Dental Office Settings, Joint Position Statement of the N.C. State Board of Dental Examiners and Office of Emergency Medical Services**, May 15, 2023.