

CORRECTIONS

THE COMMISSIONER

Health Services

Readoption with Amendments: N.J.A.C. 10A:16

Adopted Amendment: N.J.A.C. 10A:3-3.8

Adopted Repeals: N.J.A.C. 10A:16-1.2 and 1.4

Proposed: May 1, 2017, at 49 N.J.R. 984(a).

Adopted: July 25, 2017, by Gary M. Lanigan, Commissioner, Department of Corrections.

Filed: July 26, 2017, as R.2017 d.157, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 2A:154-3 and 4, 2C:58-15, 30:1B-6, 30:1B-10, 30:4-123.47.c, and 52:17B-169.

Effective Dates: July 26, 2017, Readoption;
August 21, 2017, Amendments and Repeals.

Expiration Date: July 26, 2024.

Summary of Public Comments and Agency Responses:

Comments were submitted in a timely fashion by Katherine Landsberg Director, Government Relations of Dental Assisting National Board, Inc. and Paul J. Bent of Pathways Government Realties, LLC.

1. COMMENT: With reference to N.J.A.C. 10A:16-3.16, the Dental Assisting National Board, Inc., and Pathways Government Relations, LLC stated that dental assistants in New Jersey do not

generally administer general anesthesia, nor do they maintain or own their own clinical facilities (but work under the supervision of dentists).

RESPONSE: The Department thanks the commenters for their input, acknowledges the fact, and agrees to modify the language upon adoption at N.J.A.C. 10A:16-3.16(b) substituting the word “assistant” with “specialist.”

Federal Standards Statement

The rules readopted with amendments and repeals are promulgated under the authority of the rulemaking requirements of the Department of Corrections as established at N.J.S.A. 30:1B-6 and 30:1B-10. The rules readopted with amendments and repeals are not subject to any Federal statutes, requirements, or standards; therefore, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10A:16.

Full text of the adopted amendments follows (addition to proposal indicated in boldface with asterisks ***thus***; deletion from proposal indicated in brackets with asterisks ***[thus]***):

10A:16-3.16 General anesthesia

(a) (No change.)

(b) General anesthesia shall only be administered in the surgical clinic of a licensed dentist, dental ***[assistant]*** ***specialist***, or a hospital.