

SAMOA

DENTAL PRACTITIONERS REGULATIONS 2012

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PURSUANT to sections 20 and 26 of the Dental Practitioners Act 2007, **I, TUI ATUA TUPUA TAMASESE EFI**, Head of State, acting on the advice of Cabinet, **MAKE** the following Regulations:

DATED this 22nd day of November 2012.

signed: (Tui Atua Tupua Tamasese Efi)
HEAD OF STATE

REGULATIONS

PART I PRELIMINARY

1. Short title and commencement-(1) These Regulations may be cited as the Dental Practitioners Regulations 2012.

(2) These Regulations come into effect on the date they are made.

2. Interpretation - In these regulations, unless the context otherwise requires:

“Act” means the Dental Practitioners Act 2007;

“allied dental professional” means a dental hygienist, dental therapist, or a dental technician registered in accordance with the procedures implemented by the Council.

PART II QUALIFICATIONS AND EXPERIENCE OF ALLIED DENTAL PROFESSIONALS

3. Dental hygienist - The minimum qualification for a dental hygienist is:

- (a) completion of a Foundation Year studies at a University recognised by the Council; and
- (b) a Certificate in Dental Hygiene; and
- (c) any other requirement as determined by the Council.

4. Dental therapist - The minimum qualification for a dental therapist is:

- (a) a Diploma in Dental Therapy; and
- (b) any other requirement as determined by the Council.

5. Dental technician - The minimum qualification for a dental technician is:

- (a) a Diploma in Dental Technology; and
- (b) any other requirement as determined by the Council.

PART III DUTIES, RESPONSIBILITIES AND STANDARDS OF ALLIED DENTAL PROFESSIONALS

6. General responsibilities of an allied dental professional - An allied dental professional must:

- (a) carry out specific tasks as outlined in regulations 7, 8, 9 and 10 and any other delegated tasks for which an allied dental professional is legally authorised to perform and for which he or she is formally educated and trained and have appropriate competence; and
- (b) refer to a dental practitioner any condition or task which is outside his or her competence, education and training; and
- (c) have reasonable understanding of the roles of members of the Dental workforce of the National Health Service where the allied dental professional is an employee of the National Health Service.

7. Dental hygienist-(1) A dental practitioner must supervise the work of a dental hygienist.

(2) A dental hygienist must follow a written treatment plan prepared and dated by a dental practitioner.

(3) A treatment plan referred to in subregulation (2) is effective for not more than 12 months.

(4) The duties of the dental hygienist in providing dental treatment include the following:

- (a) developing and implementing established procedures associated with chair-side assistance to the dental practitioner and practice management of a dental practice;
- (b) oral health education;
- (c) instructions in monitoring and recording of plaque control routines and recording of periodontal diseases;
- (d) prophylaxis;
- (e) polishing of restorations;
- (f) giving fluoride therapy;
- (g) debriding to remove supragingival or subgingival deposits from teeth;
- (h) applying of non-invasive fissure sealants; and
- (i) taking of dental radiographs.

8. Dental therapist-(1) A dental practitioner must supervise the work of a dental therapist.

(2) The duties of a dental therapist is directed towards the prevention of dental diseases and control of dental caries.

(3) The general duties of a dental therapist include:

- (a) implementing established procedures associated with chair-side assistance and practice management of a dental practice;
- (b) oral health education and promotion;
- (c) oral health examination; and
- (d) diagnosis of dental caries and periodontal diseases.

9. Dental technician-(1) A dental practitioner must supervise the work of a dental technician.

(2) A dental technician must:

- (a) adhere to the prescription of a dental practitioner; and
- (b) not be engaged in any direct dealings with a patient except in the case of non-invasive shade taking at the direction of a dental practitioner.

(3) The general duties of a dental technician include:

- (a) fabrication, maintenance and repair of complete and partial dentures;
- (b) fabrication of inlays, onlays, veneers, crowns and bridges;
- (c) fabrication of mouth guards, occlusal splints, medicament trays; and
- (d) fabrication of appliances used in orthodontics, oral and maxillofacial surgery and other special areas of dentistry.

(4) All patients must be examined by a dental practitioner before any prosthesis is fabricated.

10. Professional standards-(1) Every allied dental professional must comply with the professional standards determined by the Council.

(2) Any allied dental professional who does not comply with any of the professional standards is subject to disciplinary action.

PART IV DISCIPLINE AND OFFENCES - ALLIED DENTAL PROFESSIONALS

11. Disciplinary procedures applying to allied dental professionals-(1) Disciplinary action may be taken against an allied dental professional for:

- (a) any breach of the professional standards;
- (b) any act or omission by an allied dental professional in the course of that allied dental professional's work which negligently, carelessly, unreasonably, or recklessly places the life or health of any person at risk;
- (c) any criminal offence committed by an allied dental professional which is in any way associated with the work or duties of that allied dental professional; or
- (d) any breach or failure to observe a lawful direction given or requirement imposed by any person empowered by law or contract to give directions or impose requirements on an allied dental professional which relate to the work or duties of that allied dental professional.

(2) Disciplinary action taken by the Council or a Disciplinary Committee constituted under section 18 of the Healthcare Professions Registrations and Standards Act 2007 against an allied dental professional must be in accordance with the procedures prescribed in Part V of that Act for healthcare professionals.

PART V FEES - DENTAL PRACTITIONERS

12. Fees - The following fees are prescribed for dental practitioners:

- (a) registration fee - \$200;
- (b) annual practising certificate - \$100.

**PART VI
MISCELLANEOUS**

13. Service of documents-(1) A notice or any other document required to be served on a person for the purposes of the Act may be served:

- (a) by delivering it personally to the person on whom it is to be served or to whom it is to be given; or
- (b) by leaving it, or sending it by post to a registered mail box, or at his or her usual or last known place of residence or business in Samoa or at the address stated by him or her in any application or other document under this Act; or
- (c) by so delivering or posting it to any agent or attorney of such person.

(2) If a notice or other document in subregulation (1) is required to be served on the owner or occupier of any premises, and such owner or occupier or his or her place of abode or business is unknown, such notice or document may be served by fixing the same on some conspicuous part of the premises.

14. Offences - A person who breaches any of these regulations commits an offence and is liable upon conviction to a fine not exceeding 100 penalty units.

Issued under the authority of the Regulations Ordinance 1953.

Date of Commencement: These Regulations come into effect on the date they are made.

These Regulations are administered by the Ministry of Health.

**Copies of these Regulations can be purchased from
the Office of the Clerk of the Legislative Assembly.**

Printed by the Clerk of the Legislative Assembly,
by authority of the Legislative Assembly.