

**SUBJECT: Senate Bill (SB) 501, Anesthesia and Sedation Regulation Approval**

On January 1, 2022, Senate Bill (SB) 501 (Glazer, Chapter 929, Statutes of 2018) significantly changed how General Anesthesia (GA), Medical General Anesthesia (MGA), Conscious Sedation (CS), and Oral Conscious Sedation (OCS) for Minors permits are issued by the Board. The SB 501 – Anesthesia and Sedation Regulatory file which makes modifications to Title 16, of the California Code of Regulations, sections, 1021, 1043, 1043.1, 1043.2, 1043.3, 1043.4, 1043.5, 1043.6, 1043.7, 1043.8, 1043.8.1, 1044, 1044.1, 1044.2, 1044.3, 1044.4 [not repealed], 1044.5, & 1070.8, adopt section 1017.1, and the adoption of a new Article 5.1 and regulations sections 1043.9, 1043.9.1 and 1043.9.2, was submitted to the Office of Administrative Law on July 21, 2022, for final review and the regulations were approved on August 16, 2022 and take effect immediately. With this approval, the application and instructions for the GA permit and pediatric endorsement can be found at [https://dbc.ca.gov/licensees/dds/permits/anesthesia\\_permit\\_dentist.shtml](https://dbc.ca.gov/licensees/dds/permits/anesthesia_permit_dentist.shtml). The MGA permit, and pediatric endorsements can be found at [https://dbc.ca.gov/licensees/dds/permits/anesthesia\\_permit\\_physician.shtml](https://dbc.ca.gov/licensees/dds/permits/anesthesia_permit_physician.shtml). The application and instructions for the new Moderate Sedation permit and pediatric endorsement can be found at [https://dbc.ca.gov/licensees/dds/permits/moderate\\_sedation\\_permit.shtml](https://dbc.ca.gov/licensees/dds/permits/moderate_sedation_permit.shtml)The application and instructions for the new Pediatric Minimal Sedation permit can be found at [https://dbc.ca.gov/licensees/dds/permits/pediatric\\_sedation\\_permit.shtml](https://dbc.ca.gov/licensees/dds/permits/pediatric_sedation_permit.shtml).

Below is a chart which outlines existing permit changes, requirements for new permits and pediatric endorsements, and patient monitoring requirements.

<b>Existing General Anesthesia (GA) Permit Holders</b>	<b>New Applicants for General Anesthesia (GA) Permit and Existing GA Permit Holders Who Expire On or After 01/01/2022</b>
<b>GA Permit Requirements for Patients 7 and Older</b>	
Existing GA permit holders can continue to practice under the terms of their existing permit, until it expires. (Business and Professions Code (BPC), § 1646.11.)	For GA permits renewed or issued on or after 01/01/2022, permit holders may administer or order the administration of deep sedation or general anesthesia to patients 7 years of age and older. (BPC, § 1646.1.)

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**GA Permit Requirements for Patients Under 7**

Existing GA permit holders can continue to practice under the terms of their existing permit, until it expires. (BPC, § 1646.11.)

For GA permits renewed or issued on or after 01/01/2022, permit holders must apply for and maintain a Pediatric Endorsement to administer or order the administration of deep sedation or general anesthesia to patients under the age of 7. (BPC, § 1646.1, subd. (b).)

**GA Permit Monitoring Requirements for Patients 13 and Older**

Monitoring requirements for the administration of deep sedation or general anesthesia include, but are not limited to, the following:

- (1) Any dentist performing dental procedures cannot have more than one patient undergoing deep sedation or general anesthesia on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer deep sedation or general anesthesia ( BPC, § 1682, subd. (a)).
- (2) Any dentist with patients recovering from deep sedation or general anesthesia must have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from deep sedation or general anesthesia. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient to recovery staff ratio should not exceed three to one (BPC, § 1682, subd. (b)).
- (3) Any dentist with patients who are undergoing deep sedation or general anesthesia must have these patients continuously monitored during the dental procedure with a pulse oximeter or similar or superior monitoring equipment and ventilation continuously monitored using at least two of the three following methods (BPC, § 1682, subd. (c)):
  - (A) Auscultation of breath sounds using a precordial stethoscope.

Monitoring requirements for the administration of deep sedation or general anesthesia include, but are not limited to, the following:

- (1) Any dentist performing dental procedures cannot have more than one patient undergoing deep sedation or general anesthesia on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer deep sedation or general anesthesia ( BPC, § 1682, subd. (a)).
- (2) Any dentist with patients recovering from deep sedation or general anesthesia must have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from deep sedation or general anesthesia. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient to recovery staff ratio should not exceed three to one (BPC, § 1682, subd. (b)).
- (3) Any dentist with patients who are undergoing deep sedation or general anesthesia must have these patients continuously monitored during the dental procedure with a pulse oximeter or similar or superior monitoring equipment and ventilation continuously monitored using the following methods (BPC, § 1682, subd. (c)):

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<p>(B) Monitoring for the presence of exhaled carbon dioxide with capnography.</p>	<p>(A) Auscultation of breath sounds using a precordial stethoscope.                  (B) Monitoring for the presence of exhaled carbon dioxide with capnography.</p>
<p><b>GA Permit Additional Monitoring Requirements for Patients Under 13</b></p>	
<p>Monitoring requirements for the administration of deep sedation or general anesthesia include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>(1) Any dentist performing dental procedures cannot have more than one patient undergoing deep sedation or general anesthesia on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer deep sedation or general anesthesia ( BPC, § 1682, subd. (a)).</li> <li>(2) Any dentist with patients recovering from deep sedation or general anesthesia must have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from deep sedation or general anesthesia. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient to recovery staff ratio should not exceed three to one (BPC, § 1682, subd. (b)).</li> <li>(3) Any dentist with patients who are undergoing deep sedation or general anesthesia must have these patients continuously monitored during the dental procedure with a pulse oximeter or similar or superior monitoring equipment and ventilation continuously monitored using at least two of the three following methods (BPC, § 1682, subd. (c)):                         <ol style="list-style-type: none"> <li>(A) Auscultation of breath sounds using a precordial stethoscope.</li> <li>(B) Monitoring for the presence of exhaled carbon dioxide with capnography.</li> </ol> </li> </ol>	<p>For GA permits renewed or issued on or after 01/01/2022, permit holders must meet patient monitoring requirements for patients under the age of 13 as follows (BPC, § 1646.1, subd. (d)):</p> <ol style="list-style-type: none"> <li>(1) The operating dentist and at least two additional personnel shall be present throughout the procedure involving deep sedation or general anesthesia.</li> <li>(2) If the operating dentist is the permitted anesthesia provider, then both of the following shall apply:                         <ol style="list-style-type: none"> <li>(A) The operating dentist and at least one of the additional personnel shall maintain current certification in Pediatric Advanced Life Support (PALS) or other board-approved training in pediatric life support and airway management. The additional personnel who is certified in PALS and airway management or other board-approved training in pediatric life support and airway management shall be solely dedicated to monitoring the patient and shall be trained to read and respond to monitoring equipment including, but not limited to, pulse oximeter, cardiac monitor, blood pressure, pulse, capnograph, and respiration monitoring devices.</li> <li>(B) The operating dentist shall be responsible for initiating and administering any necessary emergency response.</li> </ol> </li> <li>(3) If a dedicated permitted anesthesia provider is monitoring the patient and administering deep sedation or general anesthesia, both of the following shall apply:                         <ol style="list-style-type: none"> <li>(A) The anesthesia provider and the operating dentist, or one other trained personnel, shall be present throughout the procedure and shall maintain current certification in PALS and airway management or other board-approved training in pediatric life support and airway management.</li> </ol> </li> </ol>

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(B) The anesthesia provider shall be responsible for initiating and administering any necessary emergency response and the operating dentist, or other trained and designated personnel, shall assist the anesthesia provider in emergency response.

In addition, monitoring requirements for the administration of deep sedation or general anesthesia include, but are not limited to, the following:

- (1) Any dentist performing dental procedures cannot have more than one patient undergoing deep sedation or general anesthesia on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer deep sedation or general anesthesia ( BPC, § 1682, subd. (a)).
- (2) Any dentist with patients recovering from deep sedation or general anesthesia must have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from deep sedation or general anesthesia. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient to recovery staff ratio should not exceed three to one (BPC, § 1682, subd. (b)).
- (3) Any dentist with patients who are undergoing deep sedation or general anesthesia must have these patients continuously monitored during the dental procedure with a pulse oximeter or similar or superior monitoring equipment and ventilation continuously monitored using at least two of the three following methods (BPC, § 1682, subd. (c)):
  - (A) Auscultation of breath sounds using a precordial stethoscope.
  - (B) Monitoring for the presence of exhaled carbon dioxide with capnography.

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<b>Existing Medical General Anesthesia (MGA) Permit Holders</b>	<b>New Applicants for Medical General Anesthesia (MGA) Permit and Existing GA Permit Holders Who Expire On or After 01/01/2022</b>
<b>MGA Permit Requirements for Patients 7 and Older</b>	
Existing MGA permit holders can continue to practice under the terms of their existing permit, until it expires. (BPC, § 1646.11.)	For MGA permits renewed or issued on or after 01/01/2022, permit holders may administer deep sedation or general anesthesia in the office of a licensed dentist for dental patients 7 years of age and older. (BPC, § 1646.9.)
<b>MGA Permit Requirements for Patients Under 7</b>	
Existing MGA permit holders can continue to practice under the terms of their existing permit, until it expires. (BPC, § 1646.11.)	For MGA permits renewed or issued on or after 01/01/2022, permit holders must apply for and maintain a Pediatric Endorsement to provide deep sedation or general anesthesia to patients under the age of 7. (BPC, § 1646.9, subd. (e).)
<b>MGA Permit Monitoring Requirements for Patients 13 and Older</b>	
No change. Refer to the Medical Board of California, physician and surgeon acting within their scope of practice under BPC, Division 2, Chapter 5 (commencing with Section 2000).	No change. Refer to the Medical Board of California, physician and surgeon acting within their scope of practice under BPC, Division 2, Chapter 5 (commencing with Section 2000).
<b>MGA Permit Additional Monitoring Requirements for Patients Under 13</b>	
No change. Refer to the Medical Board of California, physician and surgeon acting within their scope of practice under BPC, Division 2, Chapter 5 (commencing with Section 2000).	No change. Refer to the Medical Board of California, physician and surgeon acting within their scope of practice under BPC, Division 2, Chapter 5 (commencing with Section 2000).

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<b>Existing Conscious Sedation (CS) Permit Holders</b>	<b>Existing Conscious Sedation (CS) Permit Holders Who Expire On or After 01/01/2022</b>
<b>CS Permit Requirements</b>	
Existing CS permit holders can continue to practice under the terms of their existing permit, until it expires. (BPC, § 1647.10.)	Existing CS permit holders will no longer be able to renew and must apply for the Moderate Sedation (MS) Permit after 01/01/2022. (BPC, § 1647.10.) Please see MS permit information below.
<b>Conscious Sedation (CS) Permit</b>	
<b>MS Permit Requirements for Patients 13 and Older</b>	
Conscious Sedation permits will no longer be issued after January 1, 2022. (BPC, § 1647.10.)	After 01/01/2022, MS permit holders may administer or order the administration of moderate sedation to patients 13 years of age and older. (BPC, § 1647.2.)
<b>MS Permit Requirements for Patients Under 13</b>	
N/A	MS permit holders must apply for and maintain a Pediatric Endorsement to administer or order the administration of moderate sedation to patients under 13 years of age. (BPC, § 1647.2, subd. (b).)
<b>MS Permit Monitoring Requirements for Patients 13 and Older</b>	

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N/A	<p>A dentist who orders the administration of moderate sedation to a patient 13 years of age or older shall be physically present in the treatment facility while the patient is sedated. (BPC, § 1647.2, subd. (c)(1).)</p> <p>In addition,</p> <ul style="list-style-type: none"><li>(1) Any dentist performing dental procedures cannot have more than one patient undergoing moderate sedation on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer moderate sedation ( BPC, § 1682, subd. (a)).</li><li>(2) Any dentist with patients recovering from moderate sedation must have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from moderate sedation. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient to recovery staff ratio should not exceed three to one (BPC, § 1682, subd. (b)).</li><li>(3) Any dentist with patients who are undergoing moderate sedation must have these patients continuously monitored during the dental procedure with a pulse oximeter or similar or superior monitoring equipment and ventilation continuously monitored using at least two of the three following methods (BPC, § 1682, subd. (c)):<ul style="list-style-type: none"><li>(A) Auscultation of breath sounds using a precordial stethoscope.</li><li>(B) Monitoring for the presence of exhaled carbon dioxide with capnography.</li></ul></li></ul>
<p style="text-align: center;"><b>MS Permit Monitoring Requirements for Patients Under 13</b></p>	

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<p>N/A</p>	<p>MS permit holders must meet patient monitoring requirements for patients under the age of 13 as follows (BPC, § 1647.2):</p> <ul style="list-style-type: none"><li>• The operating dentist and at least two additional support personnel shall be present at all times during the procedure involving moderate sedation. (BPC, § 1647.2, subd. (c)(1).)</li><li>• The operating dentist and at least one of the additional personnel shall maintain current PALS certification and airway management or other board-approved training in pediatric life support and airway management. (BPC, § 1647.2, subd. (c)(2).)</li><li>• The personnel member with current PALS certification and airway management or other board-approved training in pediatric life support and airway management shall be dedicated to monitoring the patient during the procedure involving moderate sedation and may assist with interruptible patient-related tasks of short duration, such as holding an instrument. (BPC, § 1647.2, subd. (c)(2).)</li></ul> <p>In addition,</p> <ol style="list-style-type: none"><li>(1) Any dentist performing dental procedures cannot have more than one patient undergoing moderate sedation on an outpatient basis at any given time unless each patient is being continuously monitored on a one-to-one ratio while sedated by either the dentist or another licensed health professional authorized by law to administer moderate sedation ( BPC, § 1682, subd. (a)).</li><li>(2) Any dentist with patients recovering from moderate sedation must have the patients closely monitored by licensed health professionals experienced in the care and resuscitation of patients recovering from moderate sedation. If one licensed professional is responsible for the recovery care of more than one patient at a time, all of the patients shall be physically in the same room to allow continuous visual contact with all patients and the patient to recovery staff ratio should not exceed three to one (BPC, § 1682, subd. (b)).</li><li>(3) Any dentist with patients who are undergoing moderate sedation must have these patients continuously monitored during the dental procedure with a pulse oximeter or similar</li></ol>
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	<p>or superior monitoring equipment and ventilation continuously monitored using at least two of the three following methods (BPC, § 1682, subd. (c)):</p> <p>(A) Auscultation of breath sounds using a precordial stethoscope.</p> <p>(B) Monitoring for the presence of exhaled carbon dioxide with capnography.</p>
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<p><b>Current Oral Conscious Sedation for Minors (OCS-M) Permit Holders</b></p>	<p><b>Existing Oral Conscious Sedation for Minors (OCS-M) Permit Holders Who Expire On or After 01/01/2022</b></p>
<p align="center"><b>OCS-M Permit Requirements for Patients Under 13</b></p>	
<p>OCS-M permits will no longer be issued after January 1, 2022. (BPC, § 1647.35.)</p>	<p>Existing OCS-M permit holders will no longer be able to renew and must apply for the Pediatric Minimal Sedation (PMS) permit after 01/01/2022, to administer or order the administration of pediatric minimal sedation to pediatric dental patients under 13 years of age. (BPC, § 1647.35.) Please see PMS permit information below.</p>

<p><b>Oral Conscious Sedation for Minors (OCS-M) Permit</b></p>	<p><b>New Applicants for Pediatric Minimal Sedation (PMS) Permit After 01/01/2022</b></p>
<p align="center"><b>PMS Permit Requirements for Patients Under 13</b></p>	
<p>N/A</p>	<p>Existing OCS-M permit holders will no longer be able to renew and must apply for the PMS permit after 01/01/2022. (BPC, § 1647.35.) For PMS permits issued after 01/01/2022, permit holders may administer pediatric minimal sedation to patients under the age of 13. (BPC, § 1647.31.)</p>

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<b>PMS Monitoring Requirements for Patients Under 13</b>	
N/A	<p>PMS permit holders must meet patient monitoring requirements for patients under the age of 13 as follows (BPC, § 1647.31):</p> <ol style="list-style-type: none"><li>(1) A dentist who administers or orders the administration of pediatric minimal sedation shall be physically present in the treatment facility while the patient is sedated (BPC, § 1647.31, subd. (b)).</li><li>(2) A dentist with a PMS permit shall possess the training, equipment, and supplies to rescue a patient from an unintended deeper level of sedation (BPC, § 1647.31, subd. (c)).</li></ol>