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**STATEMENT REGARDING DENTAL OFFICES RETURNING TO  
ELECTIVE PROCEDURES MAY 1ST AND CDC GUIDELINES VERSUS  
GUIDANCE AND RECOMMENDATIONS**

**1. DENTAL OFFICES TO RETURN TO ELECTIVE PROCEDURES MAY 1<sup>ST</sup> 2020.**

Please be advised that per Governor Stitt's office, elective dental procedures are allowed to resume May 1<sup>st</sup>, 2020. It has been incorrectly reported by the media that dental practices may resume April 30<sup>th</sup>. Additionally there has been some confusion in the language of the executive orders versus the grids, however the correct date as intended by the Governor is MAY 1<sup>ST</sup>, 2020.

**2. CLARIFICATION REGARDING CDC GUIDELINES AS IT RELATES TO 59 O.S. § 328.32(13)  
that incorporates CDC and OSHA guidelines and states:**

*"13. Practicing dentistry in an unsafe or unsanitary manner or place, including but not limited to repeated failures to follow Centers for Disease Control and Prevention (CDC) or Occupational Safety and Health Administration (OSHA) guidelines;"*

This language specifically incorporates the words "guidelines". Guidelines are formally adopted rules and regulations presented that are vetted through formal hearings and proven through scientific data. The Covid-19 pandemic is an unprecedented event. As a result, the CDC is providing "guidance" for Covid-19, which is a "recommendation" and NOT a guideline as required by the Oklahoma statute cited above. The CDC guidelines for oral health safe care may be found here:

<https://www.cdc.gov/mmwr/PDF/rr/rr5217.pdf> These guidelines are incorporated into the Oklahoma dental practice act and are under the authority of the Board for enforcement, not the CDC. Historically this statute was added by the legislature in 2013 as a response to Oklahoma having the first verified patient-to-patient transmission of Hep C in a dental office as verified by the CDC. Prior to that, the universal blood-borne pathogens precautions had not been updated in the Dental Practice Act rules in several years. The statutory reference at 59 O.S. § 328.32(13), allows our laws to automatically update when the CDC updates the blood-borne pathogens universal precaution guidelines.

The CDC's website for Covid-19 currently has a recommendation that dental offices should not return to elective dentistry practice and remain on emergency procedures only. The State of Oklahoma will be returning to elective procedures on May 1<sup>st</sup> per the Governor's order. Whenever possible the Board of Dentistry recommends that dental offices follow as many of the recommended precautions from CDC as well as the previous recommendations put forth by the Board. However, these are recommendations and do NOT fall subject to 59 O.S. § 328.32(13) as that law directly relates to guidelines for infection control for dental offices as previously issued by the CDC. Earlier today, the difference between "guidelines" and "guidance" was verified with CDC personnel, who stated, "Guidance is advice and guidelines are rules that should be followed. The ultimate authority lies with each individual state".

The Board recommends that individual practitioners pay special attention to mask versus respirator requirements based on aerosole producing procedures. These references may be found at: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/dental-settings.html> . Each individual practitioner may determine the best time for them to return to practice which may be after the May 1st date.

