

**RESOLUTION R-2020-1**  
**OKLAHOMA STATE BOARD OF DENTISTRY**  
**April 1, 2020**

**A RESOLUTION DETERMINING EMERGENCY AND URGENT DENTAL TREATMENT  
TRIAGE PROTOCOL DURING THE COVID-19 NATIONAL EMERGENCY AS  
DECLARED BY PRESIDENT TRUMP ON MARCH 1, 2020<sup>i</sup> AND STATE-WIDE  
EMERGENCY AS DECLARED BY GOVERNOR STITT ON MARCH 15, 2020 AS  
AMENDED APRIL 1, 2020<sup>ii</sup>**

This is a resolution by the Oklahoma Board of Dentistry.  
This resolution is enacted pursuant to 59 O.S. § 328.15(12)<sup>iii</sup>,  
59 O.S. § 328.15(16)<sup>iv</sup>, 59 O.S. § 328.15(21)<sup>v</sup>

This resolution of the Oklahoma Board of Dentistry shall be to advise the Dental Community how to Determine Emergency and Urgent Dental Treatment of Patients during the COVID-19<sup>vi</sup> declared Federal and State, State of Emergency. This resolution shall automatically expire on April 30<sup>th</sup> as defined in the Order issued on April 1<sup>st</sup>, 2020 by Governor Stitt unless extended.

**DENTAL EMERGENCY AND URGENT CARE TRIAGE  
GUIDELINES AND RECOMMENDATIONS  
FOR DENTAL TREATMENT DURING COVID-19**

1. The Oklahoma Board of Dentistry has the authority to determine education, training, licensing and oversight of all licensed and permitted individuals in the dental industry pursuant to 59 O.S. § 328 et. seq.;
2. It is the duty of the Oklahoma Board of Dentistry to Protect the Public.<sup>vii</sup> Dentists shall make efforts to reduce unnecessary medical burdens on hospitals and reduce the number of patients appearing at emergency rooms for dental related treatment whenever possible;
3. Dentists are essential critical infrastructure workers as health providers, pursuant to the United States Department of Homeland Security;<sup>viii</sup>
4. Dentists historically have adapted to the changes and needs of patient treatment and care during other newly discovered communicable diseases such as, Ebola Tuberculosis, AIDS/HIV, SARS, Hepatitis and additional infections conditions;

5. COVID-19 has been determined by the Centers for Disease Control and Prevention, (hereinafter referred to as CDC) and the President’s medical advisors to be a highly communicable disease;<sup>ix</sup>
6. The Institute for Health Metrics and Evaluation projects the peak of the coronavirus outbreak to be approximately 21 days away for the state of Oklahoma;
7. Governor Stitt issued a State of Emergency Order on March 15<sup>th</sup>, 2020 Executive Order 2020-07, **requiring dentists to postpone non-emergency dental procedures** through April 7<sup>th</sup>, 2020. This Order was amended on April 1<sup>st</sup>, 2020 to continue in effect **through April 30<sup>th</sup>, 2020**;
8. The BOARD WILL BE ENFORCING THE GOVERNORS EXECUTIVE ORDER!
9. At this time, dental offices are not mandated to close, however, dental offices and dentists CAN SEE PATIENTS FOR EMERGENCY PROCEDURES ONLY! If you are unclear about whether or not a procedure qualifies, ask yourself if you can justify that procedure as an emergency procedure while appearing in front of the Board defending your license!
10. The Board reminds ALL licensees that you have an ongoing statutory duty to follow the CDC guidelines and recommendations pursuant to 59 O.S. §328.32 (13). During the COVID-19 pandemic, the CDC has recommended guidelines of what is considered a dental emergency as defined by the American Dental Association, (hereinafter referred to as ADA), (See attachment “A” to this document)<sup>x</sup> The Board hereby incorporates and adopts these guidelines for Oklahoma dentists to follow;
11. Failure to follow the CDC guidelines and the Governors Executive Order may result in fines assessed by the Board, suspension of licensure privileges and/or a court injunction.<sup>xi</sup> This is a national pandemic and the following three weeks are critical to Oklahomans lives. If you have a complaint regarding a dental office, please file a complaint with the Board. All complaints will be forwarded to the Board President; <https://www.ok.gov/dentistry/documents/Complaint%20Process%20&%20Form%207-17-19.pdf>
12. Due to the highly contagious nature of COVID-19 the Board, in consultation with other dental groups, has compiled a list of recommended safety protocols for Dental Offices to be utilized while treating patients during the COVID-19 declarations of emergency;<sup>xii</sup> (See Attachment “B” to this document)

- 13.If a patient is a “vulnerable individual” as defined by the CDC<sup>xiii</sup>, or a patient lives with a vulnerable individual, it is recommended that they follow the shelter at home order;
- 14.Treatment of emergency patients is at the discretion of the treating dentist. Any dentist may elect to refer patients to another treating dentist;
- 15.Teledentistry is recommended when available and at the discretion of the treating dentist. Telephonic patient screening for emergency patients is highly recommended whenever possible;
- 16.All routine cleaning and preventive therapy procedures shall be postponed; Scaling and root planing shall be postponed; All cosmetic procedures shall be postponed; All other procedures not directly related to an emergency shall be postponed.
- 17.During the declared state and national emergency, dentists shall be able to adopt new treatment modalities to interdict the spread of COVID-19 as they are approved by the Food and Drug Administration, CDC and/or the National Institute of Health;
- 18.Dentists and Dental Specialists that currently have hospital privileges may, upon request of the hospitals or other medical professionals directly treating COVID-19 related patients currently in the hospital, assist with patient care, both in and what may be traditionally considered outside their scope of regular practice;
- 19.A dentist shall notify the Board immediately if, the dentist, the dental staff, or a patient is diagnosed with COVID-19 and has been in the dental office within the previous 7 days of the diagnosis;
- 20.Any updated references from the CDC shall automatically be adopted and correspond to this document;
- 21.The enforcement of the Governors Executive Order by the Board is supported by the Oklahoma Dental Association, the Oklahoma Society of Oral and Maxillofacial Surgeons, the Oklahoma Orthodontic Association and the Oklahoma Hygiene Association;
- 22.This document will be reviewed regularly and is subject to withdrawal or amendment by the Board at any time.

Motion to pass Resolution by: \_\_\_\_\_

Second by: \_\_\_\_\_

Motion passes \_\_\_\_\_. Motion Fails \_\_\_\_\_.

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Michael Howl, D.D.S., Board President

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Loretta Roberts, Esq., Board Secretary

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Notary Public

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Susan Rogers, Esq., Executive Director

<sup>i</sup> The declaration from President Trump was formally issued on March 13, 2020, and backdated the declaration for official purposes to March 1, 2020. See [www.whitehouse.gov](http://www.whitehouse.gov).

<sup>ii</sup> See the Seventh Amended Executive Order 2020-07 section 18. "Oklahomans and medical providers in Oklahoma shall postpone all elective surgeries, minor medical procedures, and non-emergency dental procedures until April 30<sup>th</sup>, 2020."

<sup>iii</sup> Section 12 of the Authority and Powers of the Board allow the Board to determine the Standard of Care for the Practice of Dentistry in Oklahoma.

<sup>iv</sup> Section 16 of the Authority and Powers of the Board allow the Board to "Inform, Educate and advise all persons who hold a license or permit or otherwise regulated by the Board regarding the State Dental Act and Rules of the Board."

<sup>v</sup> Section 21 of the State Dental Act allows the Board to take all other actions as necessary to implement and enforce the State Dental Act.

<sup>vi</sup> See [www.CDC.gov](http://www.CDC.gov).

<sup>vii</sup> 59 O.S. § 328.2.

<sup>viii</sup> See the United States Department of Homeland Security, CISA at <https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>

<sup>ix</sup> See <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/summary.html>.

<sup>x</sup> ADA recommendations as updated 3/19/2020 (subject to revision).

<sup>xi</sup> See generally, 59 O.S. § 328.15; Fines may be assessed up to a maximum of \$1,500 per incident pursuant to 59 O.S. § 328.43a.

<sup>xii</sup> This specifically refers to the Federal Declaration of Emergency as issued by President Trump or as it may be amended and the State Declaration of Emergency as issued by Governor Stitt or as it may be amended.

<sup>xiii</sup> See <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>.