



New South Wales

# Dental Technicians Registration Regulation 2008

under the

Dental Technicians Registration Act 1975

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Dental Technicians Registration Act 1975*.

REBA MEAGHER, M.P.,  
Minister for Health

## Explanatory note

The object of this Regulation is to remake, with minor amendments, the provisions of the *Dental Technicians Registration Regulation 2003*, which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision with respect to the following:

- (a) the registration of dental technicians,
- (b) the issue of practising certificates to dental prosthetists,
- (c) the order form to be used for technical work,
- (d) the infection control standards that dental technicians are to comply with,
- (e) the requirements in relation to advertising by dental prosthetists,
- (f) the fees payable under the Act,
- (g) savings and formal matters.

This Regulation is made under the *Dental Technicians Registration Act 1975*, including sections 14 (3), 15 (1), (4) and (5) (a), 17 (1), 18A (3), 18B (1) and (2), 18D (2), 27 (b) (ii) and 35 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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## Dental Technicians Registration Regulation 2008

under the

Dental Technicians Registration Act 1975

### 1 Name of Regulation

This Regulation is the *Dental Technicians Registration Regulation 2008*.

### 2 Commencement

This Regulation commences on 1 September 2008.

**Note.** This Regulation replaces the *Dental Technicians Registration Regulation 2003* which is repealed on 1 September 2008 under section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Interpretation

(1) In this Regulation:

**AS/NZS 4187** means AS/NZS 4187:2003, *Cleaning, disinfecting and sterilizing reusable medical and surgical instruments and equipment, and maintenance of associated environments in health care facilities*, as in force from time to time.

**AS/NZS 4815** means AS/NZS 4815:2006, *Office-based health care facilities—Reprocessing of reusable medical and surgical instruments and equipment, and maintenance of the associated environment*, as in force from time to time.

**Board** means the Dental Technicians Registration Board.

**Director-General** means the Director-General of the Department of Health.

**Secretary** means the Secretary to the Board.

**the Act** means the *Dental Technicians Registration Act 1975*.

(2) Notes in this Regulation do not form part of this Regulation.

### 4 Registration as dental technician

(1) For the purposes of section 15 (1) of the Act, an application for registration as a dental technician is made in the prescribed manner if the application is lodged at the offices of the Board.

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- (2) On the registration of a person as a dental technician, the Secretary must prepare and forward to the person a certificate of registration in the form approved by the Board.

### **5 Practising certificates for dental prosthetists**

- (1) For the purposes of section 18B (1) of the Act, an application for a practising certificate for a dental prosthetist is made in the prescribed manner if the application is lodged at the offices of the Board.
- (2) On the granting of a practising certificate to a person as a dental prosthetist, the Secretary must prepare and forward to the person a practising certificate in the form approved by the Board.

### **6 Order forms for technical work**

For the purposes of section 27 (b) (ii) of the Act, the prescribed form is the form in Schedule 1.

### **7 Infection control standards for dental prosthetists**

- (1) A dental prosthetist must not, without reasonable excuse, fail to comply with the infection control standards set out in Schedule 2 to the extent that they apply to the dental prosthetist in the practice of dental prosthetics.
- (2) In determining whether or not a dental prosthetist has a reasonable excuse for failing to comply with an infection control standard, particular consideration is to be given to:
  - (a) whether the dental prosthetist's employer failed to provide the necessary equipment, including providing access to it and training in its use, that would have enabled the dental prosthetist to comply with the infection control standard, and
  - (b) whether the failure to provide the equipment was reported by the dental prosthetist to the Director-General.

### **8 Infection control standards for dental technicians (other than dental prosthetists)**

- (1) This clause does not apply to dental prosthetists in the practice of dental prosthetics.
- (2) A dental technician must not, without reasonable excuse, fail to comply with the infection control standards set out in Schedule 3 to the extent that they apply to the dental technician in carrying out technical work.  
Maximum penalty: 2 penalty units.

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- (3) In determining whether or not a dental technician has a reasonable excuse for failing to comply with an infection control standard, particular consideration is to be given to:
- (a) whether the dental technician's employer failed to provide the necessary equipment, including providing access to it and training in its use, that would have enabled the dental technician to comply with the infection control standard, and
  - (b) whether the failure to provide the equipment was reported by the dental technician to the Director-General.

#### 9 Certain advertising prohibited

A dental prosthetist must not advertise his or her services by means of an advertisement that:

- (a) is false, misleading or deceptive or is likely to mislead or deceive, or
- (b) creates an unjustified expectation of beneficial treatment, or
- (c) promotes the unnecessary or inappropriate use of dental prosthetic services.

Maximum penalty: 2 penalty units.

#### 10 Fees

The fees set out in the Table to this clause are the prescribed fees for the purposes of the provisions of the Act set out in that Table.

**Table**

Provision of the Act	Fee \$
Section 14 (3) (inspection of register)	10
Section 15 (4) (restoration of name to register)	120
Section 15 (5) (a) (registration as dental technician)	120
Section 17 (1) (annual roll fee)	80
Section 18A (3) (inspection of index)	10
Section 18B (2) (grant of practising certificate as dental prosthetist)	120
Section 18D (2) (annual practising fee)	80

#### 11 Savings

Any act, matter or thing that had effect under the *Dental Technicians Registration Regulation 2003* immediately before the commencement of this Regulation is taken to have effect under this Regulation.

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Schedule 1 Form

**Schedule 1 Form**

(Clause 6)

**Form 1 Order for the construction, repair or renewal of artificial dentures**

Dental Technicians Registration Act 1975  
(Section 27 (b) (ii))

From:	Order No.: .....	To:
.....		.....
.....		.....
<i>(Name of dental prosthodontist)</i>		<i>(Name of dental technician)</i>
Address:	Date: .....	Address:
.....		.....
.....		.....
.....		.....
Telephone: .....		

Please carry out the following work:

Name of Patient:		Anterior	Posterior	Instructions:
.....	Teeth			.....
Case type:	Shade			.....
.....	(U) Mould			.....
Date work required:	(L)			.....
.....				

*Signature of dental prosthodontist:* .....

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## Schedule 2 Infection control standards for dental prosthetists

(Clause 7 (1))

### Part 1 Preliminary

#### 1 Definitions

- (1) In this Schedule:
  - body substance* includes any human bodily secretion or substance other than blood.
  - patient* includes (but is not limited to) a person who is accessing any medical or health services or who is undergoing any dental treatment.
  - sharps* means any object capable of inflicting penetrating injury, and includes hollow bore needles, suture needles, scalpel blades, wires, trocars, auto lancets, stitch cutters and broken glassware.
- (2) The requirements set out in this Schedule apply to a dental prosthetist who is assisting in performing a procedure in the same way as they apply to a dental prosthetist who is actually performing the procedure.

### Part 2 General standards applying to dental prosthetists

#### 2 General precautions and aseptic techniques

- (1) Precautions must be taken to avoid direct exposure to a patient's blood or other body substances. This requirement applies regardless of whether there is any perceived risk of infection.
- (2) Aseptic techniques must be used in the course of complying with the requirements of this Schedule.

#### 3 Hand and skin washing

- (1) Hands must be cleaned:
  - (a) immediately before and after any direct patient care, and
  - (b) immediately after handling blood or other body substances.
- (2) Hands may be cleaned by:
  - (a) using washing facilities involving water and a soap or antiseptic, or
  - (b) using non-water cleansers or antiseptics.

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#### Schedule 2 Infection control standards for dental prosthetists

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- (3) Hands or other skin surfaces that are contaminated with a patient's blood or other body substance must be cleaned as soon as it is practicable to clean them.
- (4) The requirement to clean hands applies regardless of whether gloves are also required to be worn.

#### **4 Protective gowns and aprons**

A gown or apron made of impervious material must be worn while performing any procedure where there is a likelihood of clothing being splashed or contaminated with blood or other body substances.

#### **5 Gloves**

- (1) Gloves must be worn while handling blood or other body substances.
- (2) In particular, gloves must be worn:
  - (a) while performing any procedure where direct contact is anticipated with a patient's blood or other body substance, mucous membranes or non-intact skin, and
  - (b) while suctioning a patient, and
  - (c) while handling items or surfaces that have come into contact with blood or other body substances, and
  - (d) while performing any procedure where skin penetration is anticipated.
- (3) Sterile gloves must be worn if the procedure involves contact with tissue that would be sterile under normal circumstances.
- (4) Gloves must be changed and discarded:
  - (a) as soon as they are torn or punctured, and
  - (b) after contact with each patient.
- (5) Gloves must also be changed if separate procedures are being performed on the same patient and there is a risk of infection from one part of the body to another.

#### **6 Masks and protective eye wear**

- (1) A fluid repellent mask and protective eye wear must be worn while performing any procedure where there is a likelihood of splashing or splattering of blood or other body substances.
- (2) In cases where a mask is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
- (3) A mask must be discarded once it has been worn and it must not be used again.



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- (4) In cases where protective eye wear is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
  - (5) Protective eye wear must be discarded once it has been worn and not used again unless it is reusable in which case it is to be cleaned in accordance with the manufacturer's instructions.

#### **7 Sharps**

- (1) Sharps must not be passed by hand between a dental prosthetist and any other person.
- (2) A puncture resistant tray must be used to transfer sharps.
- (3) Reusable sharps must, immediately after being used, be placed in a puncture resistant container specially kept for that purpose and labelled as such.
- (4) Non-reusable sharps must, immediately after being used, be disposed of in a puncture resistant container.

#### **8 Management of clinical waste**

- (1) Clinical waste must be properly packaged to protect against potential exposure to infectious agents and to facilitate the proper handling, storage and treatment or disposal of the waste.
- (2) Splashing or contamination of skin while disposing of blood or other body substances must be avoided as far as practicable.
- (3) Nothing in this clause limits any other requirement under this Part.

### **Part 3 Processing of instruments and equipment**

#### **9 Prosthetic appliances or materials**

Any prosthetic appliance or material that is intended to be sent to a laboratory for processing must be rinsed clear of any debris and be disinfected before it is sent.

#### **10 Cleaning of instruments and equipment**

- (1) Any instrument or equipment that comes into contact with intact skin must be cleaned before it is used.
- (2) Any instrument or equipment that is required under this Part to be sterilised or disinfected must be cleaned before it is sterilised or disinfected.
- (3) The process of cleaning must involve water and mechanical or physical action (such as washing machines) and a cleaning agent.

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#### Schedule 2 Infection control standards for dental prosthetists

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- (4) All cleaning agents must be removed from instruments and equipment by rinsing prior to further processing.
- (5) The method of cleaning must be consistent with AS/NZS 4187 or (in the case of an office-based practice) AS/NZS 4815.
- (6) In this clause, *cleaning agent* means a detergent and includes proteolytic enzyme substances.

#### **11 Disinfection of instruments, equipment and appliances**

- (1) Any instrument, equipment or appliance that comes into contact with non-sterile tissue must be disinfected before it is used. It may also be sterilised if it is capable of withstanding that process.
- (2) The process of disinfection must involve either thermal or chemical methods. Chemical disinfection may be used only in cases where thermal methods are unsuitable.
- (3) The method of disinfection must be consistent with AS/NZS 4187 or (in the case of an office-based practice) AS/NZS 4815.

#### **12 Sterilisation of instruments and equipment**

- (1) Dental hand pieces or any other instrument or equipment used to enter, or that is capable of entering, tissue that would be sterile under normal circumstances must be sterilised before it is used.
- (2) The method of sterilisation must be compatible with the particular type of instrument or equipment concerned and consistent with AS/NZS 4187 or (in the case of an office-based practice) AS/NZS 4815.
- (3) If a steriliser is used (whether it is a benchtop or portable steriliser or a permanently plumbed or wired steriliser), the following criteria must be met:
  - (a) the relevant manufacturer's instructions must be followed,
  - (b) an ongoing monitoring program must be followed which reflects the requirements of Table 7.1 Calibration, Monitoring and Maintenance of Sterilizers of AS/NZS 4187 or (in the case of an office-based practice) Table 7.1 Performance Testing, Monitoring, Calibration and Maintenance of Sterilizers of AS/NZS 4815.

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## **Schedule 3    Infection control standards for dental technicians (other than dental prosthetists)**

(Clause 8 (2))

### **Part 1    Preliminary**

#### **1    Definitions**

- (1) In this Schedule:  
*body substance* includes any human bodily secretion or substance other than blood.
- (2) The requirements set out in this Schedule apply to a dental technician who is assisting in carrying out technical work in the same way as they apply to a dental technician who is actually carrying out the work.

### **Part 2    General standards applying to dental technicians**

#### **2    General precautions**

- (1) Precautions must be taken to avoid exposure to blood or other body substances. This requirement applies regardless of whether there is any perceived risk of infection.
- (2) Recognised work practices to prevent contamination must be used in the course of complying with the requirements of this Schedule.

#### **3    Hand and skin washing**

- (1) Hands must be cleaned immediately before and after any contact with artificial dentures, mouthguards, restorative or corrective dental appliances or any other prosthetic device.
- (2) Hands may be cleaned by:
  - (a) using washing facilities involving water and a soap or antiseptic,  
or
  - (b) using non-water cleansers or antiseptics.
- (3) Hands or other skin surfaces that are contaminated with blood or other body substances must be cleaned as soon as it is practicable to clean them.
- (4) The requirement to clean hands applies regardless of whether gloves are also required to be worn.

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Schedule 3 Infection control standards for dental technicians (other than dental prosthetists)

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#### **4 Protective gowns and aprons**

A protective gown or apron (or other similar clothing) must be worn while carrying out any technical work where there is a likelihood of clothing being splashed or contaminated with blood or other body substances.

#### **5 Gloves**

- (1) Gloves must be worn while handling any instrument, equipment or appliance that has been in direct contact with blood or other body substances.
- (2) Gloves must be changed and discarded as soon as they are torn or punctured.

#### **6 Masks and protective eye wear**

- (1) A fluid repellent mask and protective eye wear must be worn while carrying out any technical work where there is a likelihood of splashing or splattering of blood or other body substances.
- (2) In cases where a mask is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
- (3) A mask that is not capable of being disinfected must be discarded once it has been worn and it must not be used again.
- (4) A mask that is capable of being disinfected may be reused after it has been disinfected in accordance with the manufacturer's instructions.
- (5) In cases where protective eye wear is required to be worn, it must be worn and fitted in accordance with the manufacturer's instructions.
- (6) Protective eye wear must be discarded once it has been worn and not used again unless it is reusable in which case it is to be cleaned in accordance with the manufacturer's instructions.

#### **7 Management of clinical waste**

- (1) Clinical waste must be properly packaged to protect against potential exposure to infectious agents and to facilitate the proper handling, storage and treatment or disposal of the waste.
- (2) Contamination of skin while disposing of blood or body substances must be avoided as far as practicable.
- (3) Nothing in this clause limits any other requirement under this Part.

## Part 3 Processing of instruments and equipment

### 8 Prosthetic appliances and materials

Any prosthetic appliance or material must be disinfected before carrying out technical work.

### 9 Cleaning of instruments, equipment and substances

- (1) Any instrument, equipment or substance that comes into contact with intact skin must be cleaned before it is used.
- (2) Any instrument, equipment or substance that is required under this Part to be disinfected or sterilised must be cleaned before it is disinfected or sterilised.
- (3) The process of cleaning must involve water and mechanical or physical action (such as washing machines) and a cleaning agent.
- (4) All cleaning agents must be removed from instruments, equipment and substances by rinsing prior to further processing.
- (5) The method of cleaning must be consistent with AS/NZS 4187 or (in the case of an office-based practice) AS/NZS 4815.
- (6) In this clause, *cleaning agent* means a detergent and includes proteolytic enzyme substances.

### 10 Disinfection of instruments and equipment

- (1) Any instrument or equipment that comes into contact with non-sterile tissue (other than intact skin) must, before it is used, be disinfected with a disinfectant specified in the Australian Register of Therapeutic Goods that is maintained under the *Therapeutic Goods Act 1989* of the Commonwealth, and the relevant manufacturer's instructions must be followed.
- (2) The process of disinfection must involve either thermal or chemical methods. Chemical disinfection may only be used in cases where thermal methods are unsuitable.
- (3) The method of disinfection must be consistent with AS/NZS 4187 or (in the case of an office-based practice) AS/NZS 4815.