

## Legal Opinion Regarding Dental Hygienists Administering Botox Published

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Lacking clarity from the Board of Dental Examiners (BODEX) as to whether dental hygienists may legally apply Botox and dermal fillers pursuant to current law and rule, AzDHA asked Representative Jennifer Longdon to request a formal opinion from the Attorney General's Office. That opinion was recently published and is available [HERE](#). The summary answer, which generally confirmed AzDHA's position, is as follows:

Current law permits a dental hygienist to perform procedures beyond those listed in A.R.S. § 32-1281, such as administering Botox, so long as four conditions are met: (1) the procedure is recommended or prescribed by the supervising dentist; (2) the dental hygienist has received instruction, training, or education to perform the procedure in a safe manner; (3) the procedure is performed under the general supervision of a licensed dentist; and (4) the procedure is not irreversible, as defined by Arizona Administrative Code R4-11-101. See R4-11-601 (authorized by A.R.S. § 32-1281(C)). The Attorney General does not opine on whether the administration of Botox constitutes an irreversible procedure within the meaning of R4-11-101, however, as this is a factual determination best left to those with specialized expertise.

Additionally, the analysis includes this notable passage:

...although the Arizona Dental Association was required to file a sunrise application to increase the scope of practice for dentists, the same does not necessarily hold true for dental hygienists. If BODEX's rules prescribe circumstances under which a licensed dental hygienist may "perform other procedures not specifically authorized" by § 32-1281, then those procedures do not constitute "conduct beyond the authority granted to a health profession by law" and performing those procedures would not meet the definition of "increase the scope of practice" in A.R.S. § 32-3101(5). As discussed below, R4-11-601, as currently written, authorizes dental hygienists to administer Botox, as well as perform other procedures not specifically authorized by § 32-1281, provided that several conditions are met, and the procedure is not "irreversible."

We have shared this opinion with BODEX.