



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

PO Box 47890 • Olympia, Washington 98504-7890
Tel: (360) 236-4501 • FAX: (360) 586-7424 • TDD Relay Service: 1-800-833-6388

**NOTICE OF ADOPTION OF AN INTERPRETIVE STATEMENT
OR POLICY STATEMENT**

Title of Interpretive or Policy Statement: Dentist –Sleep Dentistry

Issuing Entity: Dental Quality Assurance Commission

Subject Matter: Appropriate advertising of sleep dentistry

Effective Date: October 27, 2017

Contact Person: Jennifer Santiago, Program Manager
Health Systems Quality Assurance
Department of Health
PO Box 47852
Olympia, WA 98504-7852
360.236.4893

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 01, 2017

TIME: 11:38 AM

WSR 17-22-135

Interpretive Statement

Revised – 10/18/11

<i>Title:</i>	Dentist – Sleep Dentistry	<i>Number:</i> IS-3
<i>References:</i>	RCW 18.32.020, 665 , and WAC 246-817-710	
<i>Contact:</i>	Jennifer Santiago, Program Manager	
<i>Phone:</i>	360-236-4893	
<i>Email:</i>	Jennifer.santiago@doh.wa.gov	
<i>Effective Date:</i>	October 27, 2017	
<i>Supercedes:</i>		
<i>Approved By:</i>	“signature on file” John Carbery, D.D.S. Chairperson Dental Quality Assurance Commission	

The Dental Quality Assurance Commission (Commission) is frequently asked by patients and dentists if the term “sleep dentistry” can be used when advertising for dentistry. The Commission issues this interpretive statement to give guidance to dentists regarding the use of the term “sleep dentistry.”

The Commission finds that a dentist:

- May advertise “sleep dentistry” only when providing deep sedation or general anesthesia and the dentist holds a general anesthesia permit; or the term “sleep dentistry” is with clarification related to treatment of obstructive sleep apnea.
- May not advertise “sleep dentistry” when providing minimal or moderate sedation as the Commission considers this false and/or misleading advertising.

Background and Analysis

Dentists are prohibited from publishing or circulating fraudulent, false or misleading advertising. RCW 18.32.655 states in part:

It shall be unlawful for any person, firm, or corporation to publish, directly or indirectly, or circulate any fraudulent, false, or misleading statements within the state of Washington as to the skill or method of practice of any person or operator; or in any way to advertise in print any matter with a view of deceiving the public, or in any way that will tend to deceive or defraud the public.

Advertising “sleep dentistry” can be false or misleading in some instances. A patient typically assumes they will be physically asleep when the term “sleep dentistry” is used. A patient is considered asleep during administration of deep sedation or general anesthesia.¹ Sedation used during dentistry is sometimes referred to as “sleep dentistry,” even though minimal² and moderate sedation³ do not induce sleep. A patient is usually awake during minimal or moderate sedation. A dentist providing minimal or moderate sedation should not advertise “sleep dentistry” because it is false and/or misleading.

The term “dental sleep medicine” is referred when a dentist treats a patient with obstructive sleep apnea with an oral device/appliance. This is also sometimes referred to as “sleep dentistry.” The Commission does not view the use of the term to describe this type of dental treatment as false or misleading.

¹ WAC 246-817-710(9) defines general anesthesia. "General anesthesia" is a drug induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain an airway and respond purposefully to physical stimulation or verbal command, produced by a pharmacologic or nonpharmacologic method, or combination thereof may be impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function. Cardiovascular function may be impaired.

² WAC 246-817-710(11) defines minimal sedation. "Minimal sedation" is a drug induced state during which patients respond normally to verbal commands. Although cognitive function and coordination may be impaired, ventilatory and cardiovascular functions are unaffected.

³ WAC 246-817-710(12) defines moderate sedation. "Moderate sedation" is a drug induced depression of consciousness during which patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation. No interventions are required to maintain a patent airway, and spontaneous ventilation is adequate. Cardiovascular function is usually maintained. Moderate sedation can include both moderate sedation/analgesia (conscious sedation) and moderate sedation with parenteral agent.