63-5-109. Exemptions.

The following persons, acts, practices and operations are exempt from the other provisions of this chapter:

(1) The practice of their professions by physicians or surgeons licensed as such under the laws of this state, unless they practice dentistry as a specialty;

(2) The practice of dentistry and dental hygiene in the discharge of their official duties by graduate dentists and by dental hygienists in the United States public health service, army, navy, air force, coast guard or veterans administration;

(3) The practice of dentistry by licensed dentists or the practice of dental hygiene by licensed dental hygienists of other states or countries at meetings of the Tennessee Dental Association or Pan Tennessee Dental Association, or component parts thereof, alumni meetings of dental colleges or any other like dental organizations while appearing as clinicians;

(4) Licensed dentists or dental hygienists of other states who are called into Tennessee by licensed dentists of this state for consultative or operative purposes if the board or its designee gives discretionary advance approval in each such instance;

(5) The practice of dentistry or of dental hygiene by graduates of schools or colleges recognized by the board who are duly licensed in other states in the discharge of their official duties in state-supported institutions or official health agencies or other special projects approved by the board between the time of their employment as such and the next examination and licensing by the board;

(6) The practice of dentistry or of dental hygiene by students under the supervision of instructors in any dental school, college or dental department of any school, college, university or school of dental hygiene recognized by the board, but such activities shall not be carried on for profit;

(7) The giving by a registered nurse anesthetist of any anesthetic for a dental operation under the direct supervision of a licensed dentist;

(8) The construction, reproduction, restoration, alteration or repair of bridges, crowns, dentures or any other prosthetic or orthodontic appliances or materials to be used or worn as substitutes for natural teeth or for correction or regulation of natural teeth, upon order,
prescription or direction of a licensed dentist, when the impressions, casts or models thereof have been made or taken by a licensed and registered dentist, a licensed and registered dental hygienist under the direct supervision of a licensed and registered dentist or a registered dental assistant under the direct supervision of a licensed and registered dentist; provided, that such prosthetic dentures or orthodontic appliances or bridges or the services rendered in construction, repair, restoration or alteration thereof are not advertised, other than in a professional or trade journal, or by direct mail to licensed dentists or other laboratories and are not sold or delivered directly or indirectly to the public by any unlicensed person or dental laboratory, either as principal or as agent;

(9) Dental interns and externs or graduates of dental and dental hygiene schools or colleges recognized by the board employed by licensed hospitals or other agencies recognized and approved by the board;

(10) Personnel involved in research or developmental projects, approved by the board, that are under the auspices and direction of a recognized educational institution or the department of health;

(11) Graduates of dental schools or colleges serving as clinical instructors in board-recognized teaching institutions, while performing only those duties required by and under the supervision of such teaching institutions, upon completing prescribed registration forms and payment of a fee as set by the board; however, such exemption shall be confined to the interim immediately prior to the next scheduled applicable examination of the board and shall not be extended if the applicant does not successfully pass the examination;

(12) Dentists and dental hygienists duly licensed in other states who desire to work with special projects recognized and approved by the board may do so under the sponsorship of a local dentist and the auspices of the local dental society for a period of six (6) months;

(13) Dentists or dental hygienists duly licensed in other states practicing within authorized Tennessee department of health programs or programs affiliated with the Tennessee department of health for a period not to exceed twenty-four (24) months;

(14) The application of fluoride varnish to the teeth of at-risk, underserved persons in or under the auspices of a state, county or municipal public health clinic by public health nurses or nurse practitioners;

(15) The application of dental sealants to the teeth of individuals in a setting under the direction of a state or local health department by licensed hygienists, without requiring an evaluation by a dentist prior to such application, under a protocol established by the state or a metropolitan health department; or

(16) The application of topical fluoride to the teeth of individuals in a setting under the direction of a state or local health department by licensed hygienists, without requiring an evaluation by a dentist prior to such application, under a protocol established by the state or a metropolitan health department.