



August 1, 2023

As chair of the American Academy of Implant Dentistry's Legal Oversight Committee, I want to alert you to new rules enacted by the South Dakota Board of Dentistry.

Specifically, Rule 20:43:04:01 limits advertisement as a specialist to those dentists who have completed a post-doctoral program that:

*(1) Consists of at least two full-time years; and*

*(2) Is accredited by an accreditation agency recognized by the United States Department of Education or is administered by a dental school accredited by an organization recognized by the United States Department of Education.*

Over the past twelve months, the AAID appeared in person before the Board of Dentistry and submitted numerous position papers opposing this change. Although this will become effective on August 8, 2023, the AAID has filed a lawsuit in South Dakota to overturn the new rule.

Responding to a question during the hearing before the South Dakota Interim Rules Committee, the Board of Dentistry acknowledged that any dentist licensed in the State of South Dakota may nonetheless provide implant dentistry services and may so indicate in their advertising. The rule applies only to use of (or the inability thereof) the term "specialist" or "specializes, specializing, or another variation of either terms" in advertising.

The new rules also made some changes relating to the administration of nitrous oxide sedation and local anesthesia by dental hygienists and/or registered dental assistants.

**A copy of the rules noting new language and deleted text can be accessed [here](#).** To read the pertinent sections, scroll down the document and look for pages 10 through 13 (with light blue background for specialty and advertising sections) and pages 15 through 17 (with light yellow background for nitrous and local anesthesia).

Rest assured that the AAID continues to actively pursue your commercial free speech rights throughout South Dakota and the rest of the United States.

In the unlikely event that the media might contact you for a comment, AAID requests that any media requests for comment be directed to Carolina Hernandez, AAID Executive Director, at [chernandez@aaid.com](mailto:chernandez@aaid.com). Feel free to contact me directly with questions.

Very truly yours,

A handwritten signature in blue ink, appearing to be "M Young", written in a cursive style.

Dr. Matt Young  
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