

Summary of Student Dental Examination Requirements for Enrollment

During the 2019 Legislative Session, House Bill 308 (HB308) was signed into law. In response to this legislation, the New Mexico Public Education Department (NMPED) has promulgated [New Mexico Administrative Code \(NMAC\) 6.12.13](#). Beginning July 1, 2021, this rule requires schools to verify student records of a dental examination within the past year prior to initial enrollment in the district or charter school. If the student has not had a dental examination within the past year, the parent or guardian may sign a Student Dental Examination Waiver indicating their understanding of the risks associated with the student not receiving a dental examination.

The Student Dental Examination Waiver is defined as “a designated field within a school district or charter school's enrollment application, signed by the parent or guardian, and collected and stored by schools, indicating the parent or guardian acknowledges the risks associated with the student not receiving a dental examination and opts not to obtain a dental examination for the student.” Confidentiality should always be maintained for this portion of the student record and only accessible to individuals on a need-to-know basis, consistent with the privacy protections of FERPA. In the best interest of the student, schools should offer the family any available local resources regarding access to oral health care. In addition to local resources, the New Mexico Department of Health, Office of Oral Health is available at 505-827-0837.

Beginning July 1, 2022, NMAC 6.12.13 requires all school districts and charter schools to report end-of-year student data to the NMPED. This data shall include total number of students enrolled with satisfactory evidence (as determined by the district or charter school) of a dental examination within the past year and total number of students enrolled with a signed Student Dental Examination Waiver. A sample form for capturing this student information upon initial enrollment is available, but not required, for school use.

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