

APA1
07/04

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency Board of Dental Examiners of Alabama
Rule No. 270-X-3.04
Rule Title: Alabama Dental Hygiene Program (ADHP) Requirements
_____ New Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? _____ Yes _____

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? _____ Yes _____

Is there another, less restrictive method of regulation available that could adequately protect the public? _____ No _____

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? _____ No _____

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? _____ No _____

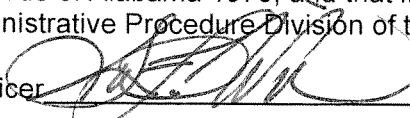
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? _____ Yes _____

Does the proposed rule have an economic impact? _____ No _____

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date 8-11-12

(DATE FILED)
(STAMP)

APA2
07/04

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-3.04
INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: The Board proposes to amend the Alabama Dental Hygiene Program Requirements Rule to clarify the attendance requirements, correct the references to students in the program and correct typographical errors.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 5:00 p.m. on Thursday, December 6, 2012. Comments should be directed to Sonya Lankford, Financial Secretary at 5346 Stadium Trace Parkway, Suite 112, Hoover, Alabama 35244 or via telephone at (205) 985-7267 or via electronic mail at BDEAL@dentalboard.org.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Thursday, December 6, 2012

CONTACT PERSON AT AGENCY: Ms. Sonya Lankford
Financial Secretary
5347 Stadium Trace Parkway, Suite 112
Hoover, Alabama 35244
(205) 985-7267



Susan Franklin Wilhelm, *Counsel*
Board of Dental Examiners of Alabama

270-X-3.04 Alabama Dental Hygiene Program (ADHP) Requirements.

(1) ~~Student Hygienists~~ ADHP students must be at least eighteen (18) years of age prior to the time the ~~employer~~ student makes application to begin training, of good moral character, and of good health.,(2) ~~Student Hygienist~~, a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government, and must be a graduate of an accredited high school or hold a GED certificate.

(3) (2) All ADHP students ~~Student Hygienists~~ must have had at least twenty-four (24) full months of full time employment as a dental assistant, or the equivalent of twenty-four (24) full months in Part-time employment week within the three (3) years previous to the student's enrollment in the AHDP Program. This time must be spent assisting the dentist(s) and/or hygienist(s) at the chair. Fulltime shall mean employment of at least three and one-half (3 1/2) days or thirty (30) hours of Board approved employment per week. Graduates of an approved school of dental assisting will be given credit for such course on a formula determined by the Board.

(4) (3) All ADHP students ~~Student Hygienists~~ must be employed full time during the effective period of the training permit before being eligible to take the Dental Hygiene Licensure examination. Full time shall mean employment of at least three and one-half (3 1/2) days or thirty (30) hours of Board approved employment per week with their primary certified dentist instructor whose name appears on the training permit. Any dentist licensed and practicing dentistry full time in the State of Alabama may be issued a training permit upon application to the Board of Dental Examiners, which shall have the discretion to grant or deny such permit. No dentist shall be issued a training permit unless certified by the Board of Dental Examiners of Alabama, which shall have the discretion to grant or deny such certification. The certification shall be valid for three (3) years from the date of issuance. In the event the certification expires during the effective period of the training permit, the dentist shall be allowed to continue training subject to enrolling in and taking the online certification course. Any dentist who is certified shall be given credit for continuing dental education.

(5) (4) ADHP students ~~Student Hygienists~~ may practice only under the direct supervision of the dentist whose name appears on the training permit; however, another dentist employed in the same office who is certified pursuant to this Rule may perform pre and post prophylactic examinations of the ADHP student's ~~student-hygienist's~~ patients.

(6) (5) The closing date for accepting applications for training permits for ~~the current~~ each year is May 30 will be determined by the Board.

(7) (6) ADHP students ~~Student hygienists~~ are allowed one transfer of their training permit per class cycle based upon approval by the Board of Dental Examiners of Alabama. During the period of the ADHP student student hygienist training permit, the student may only be terminated for good cause which shall be determined by the Board. An ADHP student hygienist who has participated in the Alabama Dental Hygiene Program twice unsuccessfully may apply to participate in the program a third time at the discretion of the Board after two (2) years of continual full time employment as a dental assistant.

(8) All ~~student hygienists~~ must attend all sessions of the academic instruction given at the University of Alabama in Birmingham under the auspices of the Board. ~~Each student hygienist's grades shall be given to the Board for review.~~

(9) If the ~~student hygienist~~ fails to attend all sessions of academic instruction then ~~such student hygienist is no longer eligible for a renewal training permit without consent of the entire Board.~~

(7) All ADHP students ~~student hygienists~~ must attend all sessions of the academic instruction given under the auspices of the Board. An ADHP student who fails to attend any session of academic instruction is no longer eligible for a training permit without consent of the Board. If an ADHP student misses any part of an academic instruction session, the student must submit a written explanation of the absence within ten (10) business days of the absence to the Board office for review and request permission to continue in the program. An ADHP student who fails to attend all sessions of academic instruction is not eligible for a renewed training permit without consent of the Board.

(10)-(8) No dentist shall be permitted to train more than one (1) ~~student hygienist~~ ADHP students at a time.

(11) (9) ADHP students Student Hygienists who obtain training in the ADHP must pay a fee in an amount fixed by the Board, (this includes training permit, examination, certificate and workshop fees), which must be enclosed with the application for training permit. The academic instruction portion of the fee may be refunded only within the first thirty (30) days of issuance and only at the Board's discretion.

Statutory Authority Code of Alabama (1975), §§ 34-9-2, 34-9-4, 34-9-16, 34-9-26, 34-9-43(10).

Original Rule Filed: September 28, 1982, Amended Filed December 7, 2011, Adopted February 3, 2012.