

APA-1
11/96

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Board of Dental Examiners of Alabama

Rule No.: 270-X-3.04

Rule Title: Alabama Dental Hygiene Program (ADHP) Requirements

_____ New X 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 41-22-23, 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 B. Bennett

Date: 12/6/11

(DATE FILED)
(STAMP)

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 Alabama Dental Hygiene Program (ADHP) Requirements.

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to correct site statutory authority, to clarify language, to define fulltime employment and to provide for online certification courses for instructors.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:30 p.m. on Friday, February 3, 2012. Comments should be directed to Sonya Lankford, Financial Secretary, at 5346 Stadium Trace Pky., Ste. 112 Hoover, AL 35244 or via electronic mail at BDEAL@dentalboard.org or via telephone at 205-985-7267.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, February 3, 2012

CONTACT PERSON AT AGENCY:

Ms. Sonya Lankford
Financial Secretary
5346 Stadium Trace Pky., Ste. 112
Hoover, AL 35244
(205) 985-7267



Billington M. Garrett, *Counsel*
Board of Dental Examiners of Alabama

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-3.04

TITLE OF RULE: Alabama Dental Hygiene Program (ADHP) Requirements.

- (1) Student Hygienists must be at least ~~18~~ eighteen (18) years of age prior to the time the employer makes application to begin training, of good moral character, and of good health.
- (2) Student Hygienist must be a graduate of an accredited high school or hold a GED certificate.
- (3) 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. This time must be spent assisting ~~the dentist~~ 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 twenty-four (24) hours a week. Graduates of an approved school of dental assisting will be given credit for such course on a formula determined by the Board.
- (4) 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 twenty-four (24) hours a 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 ~~next scheduled~~ online certification course. Any dentist who is certified shall be given credit for continuing dental education.
- (5) 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 student hygienist's patients.
- (6) The closing date for accepting applications for training permits for the current year is May 30.
- (7) 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 student hygienist training permit, the student may only be terminated for good cause which shall be determined by the Board. A 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 ~~five (5)~~ 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.

APA-2
11/96

(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.

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

(11) 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 Ala. 1975~~, Code of Alabama (1975), §§~~20-2-50 et seq.~~, 34-9-2, 34-9-4, 34-9-16, 34-9-26, 34-9-43(10).

Original Rule Filed: September 28, 1982, Amended: Filed November ____, 2011