

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-5.01  
Rule Title: Description Of Organization Of Board Of Dental Examiners Of Alabama  
\_\_\_\_\_ 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

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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.

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#### 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: 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-5.01 Description Of Organization Of Board Of Dental Examiners Of Alabama.

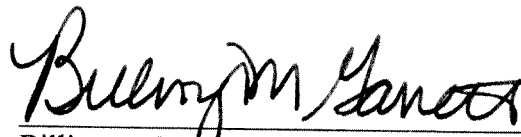
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to correctly site statutory authority, to clarify language and to remove language that is no longer valid.

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](mailto: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-5.01

TITLE OF RULE: Description Of Organization Of Board Of Dental Examiners Of Alabama.

(1) The Board of Dental Examiners of Alabama is a legislatively created board established pursuant to Code of Ala. 1975, Code of Alabama (1975), §§34-9-1 §34-9-1, et seq. et seq.

(2) A description of the Board and its general course or method of its operations are found in Code of Ala. 1975, Code of Alabama (1975), §§34-9-1 §34-9-1, et seq. et seq., and include as its main operations:

(a) The enforcement of Code of Ala. 1975, Code of Alabama (1975), §§34-9-1 §34-9-1, et seq. et seq.

(b) The processing and determining the eligibility of applicants for ~~dental and dental hygiene~~ dental/dental hygiene examinations.

(c) The conducting of these examinations and conducting hearings for the purpose of imposing those disciplinary penalties against ~~dentists and dental hygienists~~ dentists/dental hygienists set forth and outlined in Code of Ala. 1975, Code of Alabama (1975), §34-9-18(b), for a violation of the provisions of Code of Ala. 1975, Code of Alabama (1975), §§34-9-1 §34-9-1, et seq., et seq., including but not limited to Code of Ala. 1975, Code of Alabama (1975), §34-9-18.

(3) The description of the composition, government and operation of the Board is found generally in Code of Ala. 1975, Code of Alabama (1975), §§34-9-40 through 34-9-44.

(4) The power and duties of the Board are found in Code of Ala. 1975, Code of Alabama (1975), §34-9-43.

(5) Any member of the public may obtain information or make submissions or requests by notifying in writing the secretary-treasurer of the Board, ~~whose identity may be determined by contacting the Alabama Dental Association in Montgomery, Alabama.~~

(6) This rule is adopted and intended to comply with Code of Ala. 1975, Code of Alabama (1975), §41-2-24(a) 41-22-4(a).

Statutory Authority Code of Ala. 1975, Code of Alabama (1975), §§34-9-1, et seq. et seq.; 41-2-24 41-22-4.

Original Rule Filed: September 28, 1982, Amended: Filed November \_\_\_\_, 2011