

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

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

Rule No.: 270-X-2.22

Rule Title: Patient Records

_____ 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 

Date: 1/17/13

(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-2.22 Patient Records.

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to clarify the requirements for patient records maintained by dentists.

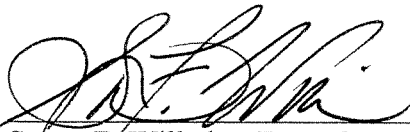
TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Thursday, April 4, 2013. Comments should be directed to Susan F. Wilhelm, Esq., General Counsel, at 5346 Stadium Trace Pky., Ste. 112 Hoover, AL 35244 or via electronic mail at BDEAL@dentalboard.org or via telephone at 205-985-7267.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, April 4, 2013

CONTACT PERSON AT AGENCY:

Ms. Susan F. Wilhelm, Esq.
General Counsel
5346 Stadium Trace Pky., Ste. 112
Hoover, AL 35244
(205) 985-7267



Susan F. Wilhelm, Esq., *Counsel*
Board of Dental Examiners of Alabama

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-2.22

TITLE OF RULE: Patient Records.

(1) A dentist shall maintain complete ~~treatment~~ records on all patients and ~~said those treatment~~ records may include such information as the dentist deems appropriate but shall at a minimum include the following:

- (a) Patient's ~~full~~ first and last name, address, and contact information ~~and treatment date~~; and.
- (b) ~~Patient's nearest relative or responsible party~~;
- (e) ~~(b) Current health history, including chief complaint, if applicable, and a listing of all current medications; and~~.
- (d) ~~Diagnosis of condition~~;
- (e) ~~(c) The date treatment rendered. The type of treatment rendered. The reason for the treatment rendered and the name and/or initials of treating dentist and/or dental hygienist; and~~.
- (d) Records of financial transactions should be retained or recorded; and.
- (e) Applicable radiographs; and.
- (f) Correspondence between treating dentist and any prior and subsequent dentists, physicians and/or referral sources/recommendations; and.
- (g) Pathology reports.

(2) When appropriate, records may also include but not be limited to:

- (a) Treatment plan(s); and.
- (b) Informed consent(s).

(3) Records may be maintained in physical or digital format and may be disposed of in accordance with current American Dental Association (ADA) guidelines.

- (f) ~~Name and strength of any medications prescribed, dispensed or administered along with the quantity, date provided and authorized refills;~~
- (g) ~~Treatment plan;~~
- (h) ~~Applicable radiographs; and~~
- (i) ~~Patient's financial records and copies of all insurance claim forms.~~

~~(2) Records may also include study models and other diagnostic aids.~~

Statutory Authority Code of Alabama (1975), § 34-9-43.

Original Rule Filed: March 15, 2006, Amended Filed December 7, 2011, Adopted February 3, 2012