

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Board of Dental Examiners of Alabama
Rule No.: 270-X-5.11
Rule Title: Definition of the Active Practice of Dentistry and Dental Hygiene
X 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 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: 11/5/12

(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-5.11 Definition of the Active Practice of Dentistry and Dental Hygiene

INTENDED ACTION: Create

SUBSTANCE OF PROPOSED ACTION: The Board proposes to create this Rule to define the active practice of dentistry and dental hygiene.

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 Susan Wilhelm, Executive Director, 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 1, 2013

CONTACT PERSON AT AGENCY:

Ms. Susan Wilhelm
Executive Director
5346 Stadium Trace Pky., Ste. 112
Hoover, AL 35244
(205) 985-7267



Susan Wilhem, Esq., *Executive Director*
Board of Dental Examiners of Alabama

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-5.11

TITLE OF RULE: Definition of the Active Practice of Dentistry and Dental Hygiene

The Active Practice of Dentistry shall mean the practice of dentistry as defined in Code of Alabama (1975), § 34-9-6 and that the licensed dentist must be an owner, employee or independent contractor of a dental practice practicing no less than twenty (20) hours per week or one thousand (1,000) hours per year. Further, the active practice of dental hygiene shall mean the practice of dental hygiene as set forth in Board Rule 270-X-3.10 and that the licensed dental hygienist practices no less than twenty (20) hours per week or one thousand (1,000) hours per year.

Authority: Code of Alabama, (1975), § 34-9-40