

APA-1
11/96

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department of Agency: Board of Dental Examiners of Alabama
Rule No. 270-X-4.09
Rule Title: CRITERIA AND FEES FOR MOBILE DENTAL FACILITIES OR PORTABLE DENTAL OPERATIONS

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 or 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 rule making 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 *Mary Ann Withers*

Date 4/14/09

REC'D & FILED
(DATE FILED)
(STAMP)
APR 17 2009

LEGISLATIVE REF SERVICE

APA-2
11/96

**BOARD OF DENTAL EXAMINERS OF ALABAMA
NOTICE OF INTENDED ACTION**

AGENCY NAME: BOARD OF DENTAL EXAMINERS OF ALABAMA

RULE NO. AND TITLE: 270-X-4.09 CRITERIA AND FEES FOR MOBILE DENTAL FACILITIES
OR PORTABLE DENTAL OPERATIONS

INTENDED ACTION: Adopt the above referenced rule.

SUBSTANCE OF PROPOSED ACTION: The Board intends on adopting as a permanent rule an emergency rule which can only be in effect for 120 days after its adoption on July 25, 2008.

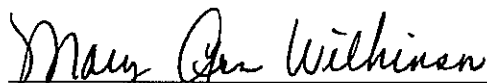
This rule established fees for an initial issuance and renewal of a Certificate of Registration required for the operation of mobile dental facilities or portable dental operations, what is required for a mandatory initial inspection and the procedure for a reinspection if the first one is deficient.

TIME, PLACE, MANNER OR PRESENTING VIEW: Interested persons may present their view in writing to the Administrative Secretary of the Board of Dental Examiners of Alabama at any time during a thirty five (35) days period following April 30, 2009 concluding on July 6, 2009, or if requested in advance, by personally appearing at a public hearing to be held beginning at 7:30 PM on July 9, 2009 at:
Board of Dental Examiners of Alabama
5346 Stadium Trace Parkway, Suite 110
Hoover, Alabama 35244

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: July 6, 2009

CONTACT PERSON AT AGENCY:

Ms. Mary Ann Wilkinson
BOARD OF DENTAL EXAMINERS OF ALABAMA
5346 Stadium Trace Parkway, Suite 112
Birmingham, Alabama 35244



(Signature of officer authorized to promulgate and
adopt rule or his or her deputy)

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-4.09

TITLE OF RULE: CRITERIA AND FEES FOR MOBILE DENTAL FACILITIES OR PORTABLE DENTAL OPERATIONS

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-4.09

TITLE OF RULE: CRITERIA AND FEES FOR MOBILE DENTAL FACILITIES OR PORTABLE DENTAL OPERATIONS.

1. All applications for a Certificate of Registration to operate a mobile dental facility or portable dental operation must be complete and comply with all the requirements of Code of Alabama (1975) § 34-9-6.1. The required initial application or renewal will not be acted upon if not fully completed. The initial application or any renewal must be forms approved by the Board.
2. No initial Certification of Registration to operate a mobile dental facility or portable dental operation shall be issued until there has been an inspection by the Board or its authorized representative. If there is a determination as a result of the inspection that the application will not be granted, a list of the deficiencies noted shall be provided to the applicant within ten (10) days from the date of the inspection. If the applicant desires another inspection, a request must be made in writing to the Board.
3. No Certificate of Registration or renewal thereof shall be issued until the required fee is paid.
4. The fee for the initial Certificate of Registration and the required inspection shall be Seven Hundred Fifty and NO/100 Dollars (\$750.00). In the event of an unsuccessful inspection, the applicant will be required to submit and additional Seven Hundred Fifty and NO/100 Dollars (\$750.00) for re-inspection.
5. The fee for renewal of the Certificate of Registration shall be Two Hundred Fifty and NO/100 Dollars (\$250.00).

AUTHOR: James S. Ward.

STATUTORY AUTHORITY: ACT NO. 2008-279 and Code of Alabama (1975) § 41-22-5(b)