

Frequently Asked Questions

Scope of Dentistry

- ❖ Dentists are allowed to use cosmetic **injectables and topicals** in any area of the face to treat maxillofacial trauma, and for the treatment of diagnosed dental and orofacial problems/pain and conditions and for cosmetic purposes following proper continuing education and certification. See July 2010 minutes.
- ❖ The Board opines that it is within the scope of practice for a dentist to order/administer a **home sleep test**; however, a definitive diagnosis of sleep apnea must be made by a licensed physician prior to the prescription and fabrication of an intra-oral sleep disorder appliance. It is outside the scope of dental practice to order or prescribe an intra-oral sleep disorder appliance as a result of a sleep study being interpreted by a dentist. Additionally, it is always outside beyond the scope of dental practice for a dentist to prescribe a CPAP. It is, however, permissible for a dentist to fabricate and prescribe an antisnoring appliance without the consultation of a physician. See July, 2011 minutes and August, 2017 minutes.
- ❖ Pursuant to Code of Alabama (1975), § 34-9-60 any person licensed or permitted to practice dentistry in the State of Alabama may apply for an **anesthesia permit** in accordance with the provisions of this section. Upon receiving said permit, the permitted licensee is obligated to comply with all provisions of Code of Alabama (1975), § 34-9-60; and, further, is subject to the jurisdiction of the Board of Dental Examiners of Alabama.

Patient Referrals

- ❖ The Board opines that an internal referral based upon asking current patients for referrals with the enticement of a prize/award would be permissible, so long as any prizes/awards given are not cash or a cash equivalent (i.e. a Visa gift card with a cash balance). So long as the source of the referrals is the dentist's current patient base and any incentive provided is not cash or a cash equivalent, then the referring party will not be deemed to be a "Dental Referral Service" by the Board and will not be subject to the requirements of Code of Alabama (1975), § 34-9-19.1

Advertising

- ❖ The Board is no longer reviewing individual advertisements. To insure that your advertisement complies with the Alabama Dental Practice Act please review 270-X-4.08

❖ Per Code of Alabama , § 34-9-18(9), no licensee of the Board of Dental Examiners may divide fees or agree to divide or split the fee received for dental services with any person for bringing or referring a patient without the knowledge of the patient or his legal representative.

Because online website-based discount programs such as Groupon retain a percentage of the monies paid by the consumer for the dental service, such online discounts may be construed as a violation of the DPA unless the patient is informed on the offer that the website service is retaining a portion of the fee. Therefore, it is the opinion of the Board of Dental Examiners that participation in such online discounting programs with this notification is acceptable and not a violation of the Dental Practice Act. Per April, 2012 Minutes.

Continuing Education

❖ The Board does not accredit Continuing Education courses. This is done by the Academy of General Dentistry or American Dental Association; the Board will accept their accreditation for Continuing Education courses. The individuals taking and/or giving any Continuing Education courses are each responsible for ensuring that the course meets the requirements of Alabama Dental Practice Act 270-X-4.04.

Patient Records

❖ The Alabama Dental Practice Act does not address the length of time that you must maintain patient records, however, retention of lab prescriptions is found in Code of Alabama (1975), §34-9-21 wherein it states the length of retention for lab prescriptions is 2 years. Considering forensic value and need for defending a patient complaint, also please check with your malpractice insurance carrier and/or ADA for more guidance with this issue.

Name and Address Changes

❖ For any address and/or phone number changes please submit your changes in writing and include your name and license number and indicate which address should be public and should have all correspondence from the Board mailed to.

❖ For any name changes please submit a copy of the legal document that changed your name along with your current listed name and license number. If you would like a new wall certificate reflecting your change of name, please include a check in the amount of \$25.00 with your change of name request and a new wall certificate will be mailed to you.