

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control Department or Agency Board of Dental Examiners

Rule No. 270-X-3-.04

Rule Title: Alabama Dental Hygiene Program Requirements

New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

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? N/A

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 Service Agency.

Signature of certifying officer [Signature]  
Date 10/13/17

REC'D & FILED (DATE FILED) (STAMP)

OCT 13 2017

**BOARD OF DENTAL EXAMINERS OF ALABAMA**

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-3-.04, Alabama Dental Hygiene Program Requirements

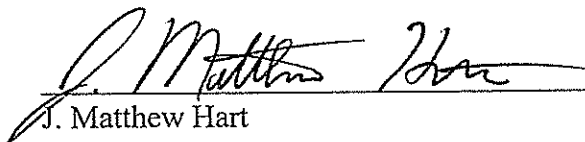
INTENDED ACTION: Amend Rule

SUBSTANCE OF PROPOSED ACTION: The Board of Dental Examiners is proposing to amend Rule 270-X-3-.04 which sets forth the requirements for the Alabama Dental Hygiene Program. Specifically, the Board intends to clarify under what circumstances and procedures a student may transfer to another instructor-dentist if their employment should change during the course of the program.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Executive Director of the Board of Dental Examiners of Alabama at any time until and including December 8, 2017, or by personally appearing at the Board of Dental Examiners of Alabama Board Meeting to be held at 5346 Stadium Trace Pkwy., Suite 112, Hoover, Alabama, at 8:30 a.m., Friday, December 8, 2017.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
December 8, 2017

CONTACT PERSON AT AGENCY: J. Matthew Hart  
Executive Director  
Board of Dental Examiners  
5346 Stadium Trace Pkwy., Ste. 112  
Hoover, AL 35244  
205/985-7267

  
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J. Matthew Hart

Executive Director

**Board of Dental Examiners of Alabama**  
**Proposed Amendments to**  
**Administrative Rule 270-X-3-.04**  
**Alabama Dental Hygiene Program**  
**Requirements**

(1) ADHP students must be at least eighteen (18) years of age prior to the time the student makes application to begin training, of good moral character, of good health, a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government, and must be a graduate of an accredited high school or hold a GED certificate.

(2) All ADHP students must have had at least twenty-four (24) full months of full time employment as a dental assistant, or the equivalent of twenty-four (24) full months in Part-time employment week within the three (3) years previous to the student's enrollment in the ADHP. This time must be spent assisting the dentist(s) and/or hygienist(s) at the chair. Fulltime shall mean employment of at least three and one-half (3 1/2) days or thirty (30) hours of Board approved employment per week. Graduates of an approved school of dental assisting will be given credit for such course on a formula determined by the Board.

(3) All ADHP students must be employed full time during the effective period of the training permit before being eligible to take the Dental Hygiene Licensure examination. Full time shall mean employment of at least three and one-half (3 1/2) days or thirty (30) hours of Board approved employment per week with their primary certified dentist instructor whose name appears on the training permit. Any dentist licensed and practicing dentistry full time in the State of Alabama may be issued an "ADHP Instructor Certificate" upon completion of the ADHP Instructor Certification Training and application to the Board of Dental Examiners, which shall have the discretion to grant or deny such Certification. The issued certification shall be valid for three (3) years from the date of issuance. Any

dentist licensed and practicing dentistry full time in the State of Alabama whose "ADHP Instructor Certificate" expires during the effective period of the ADHP student training permit or who is required to apply for an instructor certification after the beginning of the course year, may, upon successful completion of the online certification course, be issued a temporary "ADHP Instructor Certificate." Said temporary certificate will only be valid from the date of issuance to the next scheduled ADHP Instructor Training Session. Any dentist who is certified shall be given credit for continuing dental education for hours spent completing the temporary online certification course and/or ADHP Instructor Certification Training.

(4) ADHP students may practice only under the direct supervision of the dentist whose name appears on the training permit; however, another dentist employed in the same office who is certified pursuant to this Rule may perform pre and post prophylactic examinations of the ADHP student's patients.

(5) The closing date for accepting applications for training permits for each year will be determined by the Board.

(6) ADHP students are allowed one transfer of their training permit per course year based upon approval by the Board of Dental Examiners of Alabama. During the period of the ADHP student training permit, should the student's employment with their initial instructor-dentist be terminated, the student ~~may~~ will only be allowed to continue in the program if their employment was terminated for good cause which shall be determined by a reason acceptable to the Board. Any ADHP student who fails to be employed or supervised by an instructor certified dentist for more than sixty (60) days during the course of the program shall be dismissed from the ADHP. An ADHP student who has participated in the Alabama Dental Hygiene Program twice unsuccessfully may apply to participate in the program a third time at the discretion of the Board after two (2) years of continual full time employment as a dental assistant.

(7) All ADHP students must attend every session of the academic instruction given under the auspices of the Board.

An ADHP student who fails to attend any session of academic instruction is no longer eligible for a training permit without consent of the Board. If an ADHP student misses any part of an academic instruction session, the student must submit a written explanation of the absence within ten (10) business days of the absence to the Board office for review and request permission to continue in the program. An ADHP student who fails to attend every sessions of academic instruction is not eligible for a renewed training permit without consent of the Board.

(8) No dentist shall be permitted to train more than one (1) ADHP student at a time.

(9) ADHP students who obtain training in the ADHP must pay a fee in an amount fixed by the Board, (this includes training permit, examination, certificate and workshop fees), which must be enclosed with the application for training permit. The academic instruction portion of the fee may be refunded only within the first thirty (30) days of issuance and only at the Board's discretion.

**AUTHOR:**

Alabama Board of Dental Examiners

**STATUTORY AUTHORITY:**

Code of Ala. 1975, §§20-2-50 et seq., 34-9-43(10).

**HISTORY:**

Filed September 28, 1982. **Amended:** Filed December 19, 1994; effective January 23, 1995. **Amended:** Filed April 3, 1997; effective May 8, 1997. **Amended:** Filed January 30, 1998; effective March 6, 1998. **Amended:** Filed September 26, 2000; effective October 31, 2000. **Amended:** Filed February 18, 2003; effective March 25, 2003. **Amended:** Filed August 11, 2004; effective September 15, 2004. **Amended:** Filed August 10, 2006; effective September 14, 2006. **Amended:** Filed December 16, 2008; effective January 20, 2009. **Amended:** Filed July 21, 2009; effective August 25, 2009. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Filed December 21, 2012; effective January 25, 2013. **Amended:** Filed December 10, 2014; effective January 14, 2015. **Amended:** Filed July 14, 2015; effective August 18, 2015. **Amended:** Filed October 13, 2017.