

**270-X-5-.09      Non-Disciplinary Administrative Penalties.**

(1)                    Except as set forth in paragraph five (5), any licensee who is found to be in violation of the following requirements of the Alabama Dental Practice Act shall have imposed a non-disciplinary administrative penalty as set forth below—:

(a)                    As to dentists only, failing to renew their DEA registration within one (1) year of the expiration thereof.

(b)                    As to dentists only, any practice owner who allows a licensee to practice up to one hundred-eighty (180) days without a current annual registration permit.

(c)                    As to dentists only, by failing to comply with the provisions of Code of Ala. 1975, §34-9-15.1.

(d)                    Failing to timely renew any license or permit required pursuant to the Alabama Dental Practice Act and performing activities which require the applicable license or permit up to one hundred-eighty (180) days during the time the same was expired.

(e)                    Failing to comply with the provisions of Board Rule 270-X-4.04 (Mandatory Continuing Education For Dentists And Dental Hygienists). In addition to the applicable penalty, the licensee shall be required to make up the number of deficient hours by December thirty-first (31st) of the following renewal period.

(f)                    As to dentists only, by failing to comply with the provisions of Board Rule 270-X-2.20 (Reporting Of Adverse Occurrences).

(g)                    As to dentists only, by failing to comply with the provisions of Board Rule 270-X-2.22 (Patient Records).

(2)                    The non-disciplinary administrative penalty shall be:

(a)                    The penalty for a violation by dentists shall be up to five hundred dollars and 00/100 (\$500.00).

(b)                    The penalty for a violation by licensed dental auxiliary shall be up to two hundred fifty dollars and 00/100 (\$250.00).

(3) Failure to pay the non-disciplinary administrative penalty within the time prescribed by the Board, unless otherwise notified, will result in disciplinary action.

(4) A licensee shall not qualify for the non-disciplinary administrative penalty referenced above for more than one (1) violation occurring within five (5) years of any prior application of this rule.

(5) Notwithstanding the provisions of this rule, the Board may take into account a licensee who self-reports any of the violations referenced above and said self-reporting may constitute mitigating circumstances such as to allow the imposition of a non-disciplinary administrative penalty.

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