

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 544 Department or Agency Board of Dental Examiners of Alabama
Rule No. Ala. Admin. Code r. 270-X-3-.01
Rule Title: Examination Rules For Dental Hygienists
 New XX 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? 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

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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 Services Agency.



Signature of certifying officer _____

Date August 13, 2021

REC'D & FILED

AUG 13 2021

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: Ala. Admin. Code r. 270-X-3-.01: Examination Rules For Dental Hygienists

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Rule is being amended to allow the Board to allow license applicants to take examinations other than those provided by the Board; and to modernize the provision regarding cheating on examinations.

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 up to and including 6:00 p.m. on November 4, 2021, or by personally appearing before the Board at its meeting to be held at 2229 Rocky Ridge Road, Birmingham, Alabama at 6:00 p.m. on Thursday, November 4, 2021.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 4, 2021.

CONTACT PERSON AT AGENCY:

Bradley W. Edmonds, Executive Director
Board of Dental Examiners of Alabama
2229 Rocky Ridge Road
Birmingham, Alabama 35216
205-985-7267



Bradley W. Edmonds, Executive Director

270-X-3-.01 Examination Rules For Dental Hygienists.

(1) Applicants for a license to practice dental hygiene in Alabama must pass examinations specified by the Board of Dental Examiners. No person other than members of the Board of Dental Examiners, their designees, and applicants for licensure shall be present in the rooms when and where examinations, either written, clinical, or laboratory procedures, are being conducted except by permission of the examiner(s) in charge.

~~(2) Any applicant found guilty of receiving or giving aid during the theoretical, operative, clinical, or prosthetic laboratory examination will be dismissed. Dismissal will constitute a failure. Any falsification or intentional misrepresentation of application requirements, collusion, dishonesty, or use of unwarranted assistance during the course of the examination shall automatically result in failure of the entire examination by any candidate, who may not retake the examination for one year. A person accused of any of the above may write a letter to the Board explaining why they were incorrectly accused and asking for an appeal.~~

(3) No smoking is allowed during examinations in examination facilities.

~~(4) Examination paper and other necessary materials will be furnished by the Board; no other paper of any kind, or textbooks, will be allowed in the examination room unless approved by the Board.~~

~~(4)(5)~~ All written examinations must be written in the English language.

~~(5)(6)~~ Board members are not permitted to interview applicants who have failed the examination. All such matters shall be directed to the secretary-treasurer in writing by the applicant.

~~(6)(7)~~ Board members are not permitted to disclose grades made by any applicant to anyone other than the applicant.

~~(7)(8)~~ When an applicant for licensure successfully passes either the written or clinical examination, that passing grade shall carry over and be valid only for the next three (3) examinations but within the next sixteen (16) months following the initial examination unless a written request for an exception is submitted in writing by the applicant and granted by the Board.

~~(8)(9)~~ In addition, examinations shall be conducted and licenses issued in compliance with Code of Ala. 1975, §34-9-11.