

NOTICE OF INTENT

Department of Health and Hospitals Board of Dentistry

Dentists; Continuing Education Requirements
(LAC 46:XXXIII.122 and .301)

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Dental Practice Act, R.S. 37:751, et seq., and particularly R.S. 37:760 (8), notice is hereby given that the Department of Health and Hospitals, Board of Dentistry intends to amend LAC 46:XXXIII.122 and .301.

LAC 46:XXXIII.122 provides a list of the specialties the board approves, but also has a catch all category that provides that any area of dentistry for which a dentist has completed a post-doctoral program consisting of at least two full-time years and which program is accredited by a dental accreditation agency that is recognized by the United States Department of Education will be recognized as a specialty field. The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.122 to remove the list and simply have the catch all category as a definition for specialties.

LAC 46:XXXIII.301 provides a list of the specialties the board approves, but also has a catch all category that provides that any area of dentistry for which a dentist has completed a post-doctoral program consisting of at least two full-time years and which program is accredited by a dental accreditation agency that is recognized by the United States Department of Education will be recognized as a specialty field. The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.301 to remove the list and simply have the catch all category as a definition for specialties.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part XXXIII. Dental Health Profession Chapter 1. General Provisions

§122. Scopes of Practice

A. The board approves any specialty of the following specialties:

- ~~1. dental public health;~~
- ~~2. endodontics;~~
- ~~3. oral and maxillofacial surgery;~~
- ~~4. oral pathology;~~
- ~~5. orthodontic and facial orthopedics;~~
- ~~6. pediatric dentistry;~~
- ~~7. periodontics;~~
- ~~8. prosthodontics;~~
- ~~9. oral and maxillofacial radiology;~~

~~10. any other area~~ of dentistry for which a dentist has completed a post-doctoral program consisting of at least two full-time years and which program is accredited by an dental accreditation agency that is recognized by the United States Department of Education.

B. – C. ...

C.1. The board finds that terms implying that a dentist is a specialist in some field of dentistry are terms of art indicating that the dentist has completed an accredited postdoctoral educational program in that field of at least two years. Therefore, a licensed dentist seeking specialty recognition must have successfully completed a post-doctoral program in a specialty area of dentistry consisting of at least two full-time years and which is accredited by an dental accreditation agency that is recognized by the United States Department of Education.

2. The requirements of Paragraph C.1 of this Section shall not apply to otherwise qualified specialists who have announced their ADA approved specialty prior to the date of initial promulgation of this rule in 1998.

C.3. – C.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1114 (June 1998), amended LR 28:1776 (August 2002), LR 28:2512 (December 2002), amended by the Department of Health, Board of Dentistry, LR 43:1963 (October 2017), LR

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS
Part XXXIII. Dental Health Profession
Chapter 3. Dentists

§301. Advertising and Soliciting by Dentists

A. – B. ...

C. The board approves any specialty of the following specialties:

- ~~1. dental public health;~~
- ~~2. endodontics;~~
- ~~3. oral and maxillofacial surgery;~~
- ~~4. oral pathology;~~
- ~~5. orthodontic and facial orthopedics;~~
- ~~6. pediatric dentistry;~~
- ~~7. periodontics;~~
- ~~8. prosthodontics;~~
- ~~9. oral and maxillofacial radiology;~~

~~10. any other area~~ of dentistry for which a dentist has completed a post-doctoral program consisting of at least two full-time years and which program is accredited by an dental accreditation agency that is recognized by the United States Department of Education.

D. – J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8).

HISTORICAL NOTE: Adopted by the Department of Health and Human Resources, Board of Dentistry, December 1970, amended 1971, amended and promulgated LR 13:179 (March 1987), amended by Department of Health and Hospitals, Board of Dentistry, LR 15:966 (November 1989), LR 18:739 (July 1992), LR 20:657 (June 1994), LR 21:567 (June 1995), LR 22:23 (January 1996), LR 22:1215 (December 1996), repromulgated LR 23:199 (February 1997), amended LR 23:1524 (November 1997), LR 25:509 (March 1999), LR 25:1476 (August 1999), LR 26:690 (April 2000), LR 27:1890 (November 2001), LR 28:1776 (August 2002), LR 28:2512 (December 2002), LR 30:2305 (October 2004), LR 32:243 (February 2006), LR 37:2150 (July 2011), LR 42:872 (June 2016), amended by the Department of Health, Board of Dentistry, LR 43:1963 (October 2017), LR

Family Impact Statement

There will be no family impact in regard to issues set forth in R.S. 49:972.

Poverty Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

The proposed rulemaking should not have any know or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect of the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comment

Interested persons may submit written comments on these proposed rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, P.O. Box 5256, Baton Rouge, Louisiana, 70821. Written comments must be submitted to and received by the Board within 20 days of the date of the publication of this notice. A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be made in writing and received by the Board within 20 days of the date of the publication of this notice.

Public Hearing

A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be in writing and received by the board within 20 days of the date of the publication of this notice.

Arthur Hickham, Jr.
Executive Director