

NOTICE OF INTENT

Department of Health and Hospitals Board of Dentistry

Continuing Education Requirements (LAC 46:XXXIII.128, .1611., .1613, .1709, and .1711)

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. 128, .1611., .1613, .1709, and .1711.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.128 to allow the Board to designate sites where gratuitous services by out of state dentists and dental hygienists may be provided because the Department of Health has stopped specifying sites.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1611 to allow current board members to obtain one hour of continuing dental education per each attended board meeting to reflect the learning experience they obtain during the year by reviewing numerous complaints.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1613 to allow current board members to obtain one hour of continuing dental hygiene education per each attended board meeting to reflect the learning experience they obtain during the year by reviewing numerous complaints.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1709 to remove the mandatory requirement that an applicant with three licensing exam failures meet with the full board, making it required only if deemed necessary. The Board has determined that some of these meetings were unnecessary in the past.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1711 to remove the mandatory requirement that an applicant with three licensing exam failures meet with the full board, making it required only if deemed necessary. The Board has determined that some of these meetings were unnecessary in the past.

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

§128. Provisional Licensure for Dental Healthcare Workers Providing Gratuitous Services

A. The Board of Dentistry may grant a provisional license not to exceed 60 days in duration for any dentist or dental hygienist who is in good standing in the state of their licensure and who wishes to provide gratuitous services to the citizens of Louisiana ~~at sites specified by the Department of Health and Hospitals provided:~~

A.1. ...

2. the applicant provides satisfactory documentation to the board that the dental healthcare provider is assigned to provide gratuitous services at sites specified by the Department of Health and Hospitals;
3. the applicant agrees to render services on a gratuitous basis with no revenue of any kind to be derived whatsoever from the provision of dental services within the state of Louisiana; and
- 4. the treatment site is deemed appropriate by the Board.**

B.1. – C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(6) and (8) and R.S. 49:953(B).
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 32:1227 (July 2006), 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 16. Continuing Education Requirements

§1611. Continuing Education Requirements for Relicensure of Dentists

A.1 – B. ...

C. **1.** Past and present dentist members of the Louisiana State Board of Dentistry are allowed four hours of continuing dental education credit for each meeting of the American Association of Dental Examiners **Boards** attended by said past or present dentist member.

2. Current dentist members of the Louisiana State Board of Dentistry are allowed one hour of continuing dental education credit for each meeting of the Board attended by said current member.

D. – J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:569 (June 1995), LR 22:24 (January 1996), LR 22:1216 (December 1996), LR 23:1526 (November 1997), LR 24:1117 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:244 (February 2006), LR 35:1237 (July 2009), LR 36:2038 (September 2010), LR 37:2151 (July 2011), LR 37:3515 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:817 (March 2012), LR 38:1959 (August 2012), LR 39:1282 (May 2013), amended by the Department of Health, Board of Dentistry, LR 43:956 (May 2017), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR 50:210 (February 2024), LR

§1613. Continuing Education Requirements for Relicensure of Dental Hygienists

A. – C. ...

D. **1.** Past and present dental hygiene members of the Louisiana State Board of Dentistry are allowed four hours of continuing dental hygiene education credit for each meeting of the American Association of Dental Examiners **Boards** attended by said past or present dental hygiene member.

2. Current dental hygiene members of the Louisiana State Board of Dentistry are allowed one hour of continuing dental education credit for each meeting of the Board attended by said current member.

E. – J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:570 (June 1995), LR 22:24 (January 1996), LR 22:1217 (December 1996), LR 23:1526 (November 1997), LR 24:1118 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:245 (February 2006), LR 35:1237 (July 2009), LR 36:2039 (September 2010), LR 39:86 (January 2013), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS
Part XXXIII. Dental Health Profession
Chapter 17. Examination of Dentists

§1709. Examination of Dentists

A.1. – F. ...

1. has been actively practicing with an unrestricted dental license for five years in another state as defined in R.S. 37:751(A)(2), has not had any discipline by the dental board in any state, and, if deemed necessary, meets in person with the full board, ~~and thereafter a majority of the full board votes to overcome this prohibition~~; or
2. following the last failure of a clinical licensure examination, completes a dental post-doctoral program of a minimum of one year which is accredited by an accreditation agency that is recognized by the United States Department of Education, and, if deemed necessary, meets in person with the full board, ~~and thereafter a majority of the full board votes to overcome this prohibition~~.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(1) and (8).
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1119 (June 1998), amended LR 28:2513 (December 2002), LR 33:2654 (December 2007), LR 37:1407 (May 2011), LR 37:2151 (July 2011), LR 37:3516 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:1959 (August 2012), LR 39:86 (January 2013), LR 39:1282 (May 2013), LR 40:783 (April 2014), amended by the Board of Dentistry, LR 42:1622 (October 2016), amended by the Department of Health, Board of Dentistry, LR 44:48 (January 2018), LR 49:1383 (August 2023), LR

§1711. Examination of Dental Hygienists

A.1. – E. ...

F. Notwithstanding any other law to the contrary or any examination manual of any of the testing agencies, no candidate for licensure in the state of Louisiana will be granted same if said candidate has failed any clinical licensing examination for a total of three times. This number includes the accumulation of all examinations taken regardless of the testing agency. A make-up examination counts as an examination. This prohibition may be overcome if the applicant meets all of the other requirements of this Rule, including the successful completion of an initial licensure examination that included procedures on a live patient, has been actively practicing with an unrestricted Louisiana Administrative Code August 2023 48 license for five years in another state as defined in R.S. 37:751(A)2 and, if deemed necessary, meets in person with the full board, ~~and thereafter the full board votes with a majority to overcome this prohibition~~.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(1) and (8)
HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1119 (June 1998), amended LR 28:1779 (August 2002), LR 33:2654 (December 2007), LR 37:1407 (May

2011), LR 37:2151 (July 2011), LR 37:3516 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:1960 (August 2012). amended by the Department of Health, Board of Dentistry, LR 42:1662 (October 2016), amended by the Department of Health, Board of Dentistry, LR 44:48 (January 2018), 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.

Arthur Hickham, Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

**RULE TITLES: Chapter 1. General Provisions, Chapter 16. Continuing Education Requirements,
Chapter 17. Examination of Dentists**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The estimated implementation costs for the Louisiana State Board of Dentistry (LSBD) are approximately

\$500 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs for state or local government units resulting from the promulgation of the proposed rule changes.

Current board members of the Louisiana State Board of Dentistry would gain the ability to earn up to one hour of continuing dental education per board meeting attended.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change is anticipated to reduce their overall expenses associated with obtaining continuing education credits. While the exact monetary benefit cannot be determined, it represents a cost-saving opportunity for board members.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment.

Arthur Hickham, Jr.
Executive Director