

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Saturday, April 6, 2024, and filed with the agency secretary on Saturday, April 6, 2024.

AGENCY NAME: Board of Dental Examiners of Alabama

INTENDED ACTION: Amend

RULE NO.: 270-X-3-.07

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

RULE TITLE: Annual Registration For Hygienists

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 5, AAM,
DATED THURSDAY, FEBRUARY 29, 2024.

STATUTORY RULEMAKING AUTHORITY: Ala. Code 1975, §34-9-43(10)

(Date Filed)
(For LRS Use Only)

REC'D & FILED

APR 6, 2024

LEGISLATIVE SVC AGENCY

W. Blake Strickland

W. Blake Strickland

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

270-X-3-.07

Annual Registration For Hygienists.

(1) No person shall practice dental hygiene in the State of Alabama unless licensed by the Board and registered annually as required by Code of Ala. 1975.

(2) The secretary-treasurer of the Board shall furnish to every dental hygienist currently licensed and registered to practice in the State of Alabama on or before September 1 of each year, a registration form which shall contain space for the insertion of his/her name, address, date, and number of his/her license certificate and such other information as the Board shall deem necessary.

(3) No later than September 30 of each year, every dental hygienist licensed and registered to practice in the State of Alabama shall transmit to the secretary of the Board the completed form prescribed by the Board, together with the prescribed annual registration fee. The valid period of a certificate of registration shall be exactly one year, commencing on October 1 and ending on September 30 of the following calendar year, without regard to the date on which the annual registration takes place. On October 1 of each year, the license of any dental hygienist who shall have failed to complete the annual registration process as provided in this subsection shall be converted to expired status.

(4) Between October 1 and December 31 of each year, any dental hygienist whose license is converted to expired status as provided in subsection (3) may reinstate his or her license to active status by meeting all applicable requirements for renewal, and by paying the prescribed annual registration fee.

(5) On or about December 1 of each year, the Executive Director shall cause the issuance of the written notices described in Ala. Code § 34-9-15(c)(2), via U.S. Mail, to all dental hygienists who, as of such date shall not have completed the annual registration process.

(6) On January 1 of each year, the licenses of all dental hygienists who shall have failed to complete the annual registration process shall automatically be suspended. Any dental hygienist whose license is automatically suspended as provided in this subsection and has remained suspended for less than five years may reinstate his or her license by completing all of the following:

- (a) meeting all applicable requirements for reinstatement;
- (b) paying the prescribed annual registration fee for all intervening years up to a maximum of five years; and
- (c) paying the statutory maximum reinstatement penalty as prescribed by Ala. Code § 34-9-16.

(7) Any person who performs any act constituting the practice of dental hygiene without a valid license and annual registration as prescribed by law shall be subject to disciplinary action.

(8) In no case shall a dental hygienist be permitted to complete the annual license registration process unless he or she demonstrates that he or she has fulfilled the continuing education requirements prescribed by Rule 270-X-4-.04.

Author: Board of Dental Examiners of Alabama

Statutory Authority: Code of Ala. 1975, §§34-9-2, 34-9-4, 34-9-28, 34-9-43.

History: Filed September 28, 1982. **Amended:** Filed January 30, 1998; effective March 6, 1998. **Amended:** Filed July 21, 2009; effective August 25, 2009. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Published April 30, 2024; effective June 14, 2024.