

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 270
Department or Agency: Board of Dental Examiners of Alabama
Rule No.: 270-X-2-.22
Rule Title: Patient Records
Intended Action: Amend

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? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making 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

W. Blake Strickland
W. Blake Strickland

Date

Sunday, September 15, 2024

REC'D & FILED

SEP 16, 2024

LEGISLATIVE SVC AGENCY

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-2-.22 Patient Records

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to amend its existing rule to include language to cover modern technology and to clarify all required documents that should be maintained.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to : W. Blake Strickland, Executive Director, Board of Dental Examiners of Alabama, 2229 Rocky Ridge Road, Birmingham, AL 35216, by mail or in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, until and including November 4, 2024. Persons wishing to submit data, views, or comments should contact W. Blake Strickland by email (blake@dentalboard.org) during the comment period. Interested persons may also present comments at a public meeting/hearing to be held on November 8, 2024. Copies of proposed rules may be obtained on the Board's website, www.dentalboard.org.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, November 4, 2024

CONTACT PERSON AT AGENCY:

W. Blake Strickland, Executive
Director, Board of Dental
Examiners of
Alabama, 2229 Rocky Ridge Road,
Birmingham, AL 35216

W. Blake Strickland

W. Blake Strickland

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

270-X-2-.22

Patient Records.

(1) A dentist shall maintain complete records on all patients and said records may include such information as the dentist deems appropriate but shall at a minimum include the following:

(a) Patient's first and last name, address, and contact information; and,

(b) Current health history; and,

(c) The date treatment rendered. The type of treatment rendered. The reason for the treatment rendered and the full name of the name and/or initials of treating dentist and/or dental hygienist; and,

(d) Records of financial transactions should be retained or recorded; and,

(e) Applicable radiographs and/or digital intraoral images; and,

(f) Correspondence between treating dentist and any prior and subsequent dentists, physicians and/or referral sources/recommendations; and,

(g) Pathology reports and all related correspondence; and

(h) A record of all controlled substances prescribed, administered, and/or dispensed, including dosages, quantities, and authorized refills, if any.

(2) When appropriate, records may also include but not be limited to:

(a) Treatment plan(s); and,

(b) Informed consent(s).

(3) Records ~~may be maintained in physical or digital format and may be disposed of in accordance with current American Dental Association (ADA) guidelines.~~ shall be maintained in accordance with Rule 270-X-2-.26.

Author: ~~James S. Ward~~ Board of Dental Examiners of Alabama

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

History: New Rule Filed: March 15, 2006; effective April 19, 2006. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Filed April 17, 2013; effective May 22, 2013.

Amended: Published ; effective .