

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 Friday, November 8, 2024, and filed with the agency secretary on Friday, November 8, 2024.

AGENCY NAME: Board of Dental Examiners of Alabama

INTENDED ACTION: Amend

RULE NO.: 270-X-1-.08

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

RULE TITLE: Meetings Of The Board

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

Adopted with changes. 270-X-1-.08 (3)...typo. Change the word "memorize" to "memorialize".

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 12, AAM,
DATED MONDAY, SEPTEMBER 30, 2024.

STATUTORY RULEMAKING AUTHORITY: Code of Ala. 1975, §§34-9-41,
34-9-42, 34-9-43(1)(10), 34-9-44-(13)
(a)

(Date Filed)
(For IRS Use Only)
REC'D & FILED
NOV 12, 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-1-.08

Meetings Of The Board.

(1) The Board of Dental Examiners of Alabama shall comply with all the requirements of Ala. Code § 36-25A-1 through -11, concerning their meetings.

(2) The secretary-treasurer shall keep a record of all meetings of the Board of Dental Examiners of Alabama. The place of each meeting of the Board, names of the members present, all official acts of the Board, and the votes shall be recorded in the minutes. The minutes shall be presented for approval or amendment at the next meeting of the Board, which upon approval will be signed by the secretary-treasurer. The minutes shall be open to public inspection.

(3) Reports of investigations or complaints alleging violation of any law or rule; documents subpoenaed by the Board; reports of any investigators or investigative agency appointed or employed by the Board; memorandum or reports of the Board's counsel; memorandum or reports of the Board's counsel relating to investigations or complaints alleging violation of any law or rule; statements of persons interviewed by the Board or any committee or member thereof, unless made at a public hearing; reports of information received by the Board or any member thereof in confidence; reports ~~memorized~~memorialized either in physical or digital form, of sensitive personnel records or other gathered information; reports of pending criminal investigations or reports or information, the disclosure of which would be detrimental to the best interests of the public, shall be considered privileged and confidential and shall not be disclosed except to an agent, attorney, or employee of the Board of Dental Examiners of Alabama. The foregoing non-public records or writings shall not be subject to public disclosure and shall not be subject to subpoena except upon the express order of a court of competent jurisdiction.

(4) Anyone wishing to address the Board at a regularly scheduled Board meeting will be required to submit a written request to the Board no later than one week prior to the Board meeting date. The request should include the topic to be addressed and the name(s) of the presenter(s). If time permits, the matter will be placed on the Board's agenda; otherwise, the matter will be placed on the agenda of the next regularly scheduled Board meeting. All presenters will be given a presentation time limit to be determined by the Board to present their requests to the Board.

(5) Out of the funds of the Board the members thereof shall receive the sum of \$100.00 per hour, not to exceed \$300.00 in any single calendar day, as compensation for the performance of their official duties. Compensable official activities include:

(a) Participation in official public meetings of the Board, including participation by remote means as authorized in Ala. Code § 36-25A-5.1;

(b) Documented time spent in review of assigned cases while serving on an Investigative or Complaint Review Team;
(c) Any other official activity authorized in advance by the Board.

(6) Board members who participate in the licensing examinations conducted by an approved testing agency shall be compensated by the testing agency, and not by the Board.

Author: Board of Dental Examiners of Alabama

Statutory Authority: Code of Ala. 1975, §§34-9-41, 34-9-42, 34-9-43(1)(10), 34-9-44(13)(a).

History: Filed August 8, 1985. **Amended:** Filed October 7, 2009; effective November 11, 2009. **Amended:** Filed December 18, 2009; effective January 22, 2010. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Published ~~_____~~; ~~effective _____~~ November 27, 2024; effective January 11, 2025.