

**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-4-.09

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

RULE TITLE: Criteria And Fees For Mobile Dental Facilities Of Portable Dental Operations

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. 12, AAM, DATED MONDAY, SEPTEMBER 30, 2024.

STATUTORY RULEMAKING AUTHORITY: Code of Ala. 1975, §§34-9-6.01, 34-9-16, 34-9-43(10).

(Date Filed)
(For LRS 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.)

**Criteria And Fees For Mobile Dental Facilities
Of Portable Dental Operations.**

(1) All applications for a Certificate of Registration to operate a mobile dental facility or portable dental operation must be complete and comply with all the requirements of Code of Ala. 1975, §34-9-6.1. The required initial application or renewal will not be acted upon if not fully completed. The initial application or any renewal must be forms approved by the Board.

(2) No initial Certification of Registration to operate a mobile dental facility or portable dental operation shall be issued until there has been an inspection by the Board or its authorized representative. If there is a determination as a result of the inspection that the application will not be granted, a list of the deficiencies noted shall be provided to the applicant within ten (10) days from the date of the inspection. If the applicant desires another inspection, a request must be made in writing to the Board.

(3) No Certificate of Registration or renewal thereof shall be issued until the required fee is paid.

(4) The fee for the initial Certificate of Registration and the required inspection shall be an amount to be determined by the Board. In the event of an unsuccessful inspection, the applicant will be required to submit an additional amount to be determined by the Board for re-inspection.

(5) The fee for renewal of the Certificate of Registration shall be an amount to be determined by the Board.

(6) Any and all Mobile Dental Facilities/Portable Dental Operations must comply with applicable provisions of the Americans with Disabilities Act.

(7) Notwithstanding anything herein to the contrary, the Board may waive any fees that would otherwise be assessed for mobile dental facilities and/or portable dental operations in connection with a specific charitable event organized for the specific purpose of providing free or reduced cost dental care and/or education to Alabama residents who would otherwise experience substantial lack of access to dental care, if:

(a) the Board finds that there is a public purpose in waiving the fees;

(b) no Board member, Board employee, nor any family member of the foregoing will receive any personal gain; and

(c) the Board votes in a properly noticed public meeting to waive the fees.

Author: Board of Dental Examiners of Alabama

Statutory Authority: Code of Ala. 1975, §§34-9-6.01, 34-9-16, 34-9-43(10).

History: New Rule: Filed July 24, 2009; effective August 28, 2009. **Amended:** Filed September 20, 2010; effective October 25, 2010. **Amended:** Filed February 22, 2012; effective March 28,

2012. **Amended:** Published November 27, 2024; effective January 11, 2025.