

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 270

Department or Agency: Board of Dental Examiners of Alabama

Rule No.: 270-X-3-.04

Rule Title: Alabama Dental Hygiene Program Requirements

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

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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

Stephen Morris
Stephen Morris

Date

Thursday, May 8, 2025

REC'D & FILED

MAY 20, 2025

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-3-.04 Alabama Dental Hygiene Program
Requirements

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The Board proposes to amend its existing rules regarding the Alabama Dental Hygiene Program to update the requirements of the program.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

All interested persons may submit data, views, or arguments concerning the proposed rule in writing to: Stephen Morris, 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 July 7, 2025. Persons wishing to submit data, views, or comments, should contact Stephen Morris by email (stephen@dentalboard.org) during the comment period. Interested persons may also present comments at a public meeting/hearing anticipated to be held on July 17-18, 2025.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Monday, July 7, 2025

CONTACT PERSON AT AGENCY:

Stephen Morris

Stephen Morris

Stephen Morris

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

(1) Each applicant for the ADHP must be at least nineteen (19) years of age when applying to begin training, of good moral character, either free of communicable diseases covered by Title 22, Chapter 11A, Article 3 of the Alabama Code or cleared to practice, with or without conditions, by the State Health Officer pursuant to that statute, a citizen of the United States or a person who is legally present in the United States with appropriate documentation from the federal government, and must be a graduate of an accredited high school or hold a GED certificate.

(2) Each ADHP student must have had at least twenty-four (24) full months of full-time employment as a dental assistant, or the equivalent of twenty-four (24) full months in part-time employment within the three (3) years immediately preceding the student's enrollment in the ADHP. That time must have been spent assisting a dentist(s) ~~and/or hygienist(s) at the chair at the~~ chair, and at least twelve (12) months must have been spent assisting the sponsoring dentist. Full-time shall mean employment of at least three and one-half (3-1/2) days or thirty (30) hours of Board approved employment per week. ~~Graduates~~ The prerequisites to entry into the ADHP program established by this subsection shall be deemed satisfied as to any applicant who either:

(a) Is a graduate of a CODA-accredited school of dental assisting within the three ~~of an approved school of dental assisting will be given~~ years immediately preceding the student's enrollment in the ADHP and who has performed ~~credit~~ chair-side dental assisting work described in the above subsection (2) for at least fifteen ~~for such course on~~ (15) months in the immediately-preceding three (3) years; or a ~~formula determined~~

(b) Holds the foreign equivalent of Doctor of Dental Surgery (D.D.S.) or Doctor of Medicine in Dentistry (D.M.D.) degree awarded by an institution not accredited by the American Dental Association Commission on Dental Accreditation, which educational credential shall be verified to the satisfaction of the Board by means of the "U.S. Course by Course Report" issued by Educational Credential Evaluators, Inc.

(3) Each ADHP student must be and remain employed full time during the effective period of the training permit ~~before being eligible to take the dental hygiene licensure examinations specified by the Board~~. Full time shall mean employment of at

least three and one-half (3-1/2) days or thirty (30) hours of Board approved employment per week with their primary certified dentist instructor whose name appears on the training permit. "Board approved employment" means employment that can provide the student the opportunity to perform the types and quantities of procedures required by the ADHP. Any dentist licensed and practicing dentistry full time in the—
State of Alabama may be issued an "ADHP Instructor Certificate" upon completion of the ADHP Instructor Certification Training and application to the Board of Dental Examiners, which shall—
have the discretion to grant or deny such certification. The issued certification shall be valid for three (3) years from the date of issuance.

(4) ADHP students may practice only under the direct supervision of the dentist whose name appears on the training permit; however, another dentist employed in the same office who is certified pursuant to this Rule may perform pre and post prophylactic examinations of the ADHP student's patients.

(5) The closing date for accepting applications for training permits for each year will be determined by the ADHP.

(6) ADHP students are allowed one transfer of their training permit per course year, upon written request, and only upon approval by the ADHP or the Board. During the period of the ADHP student training permit, should the student's employment with their initial instructor-dentist be terminated, the student will be allowed to continue in the program only if their employment was terminated for a reason acceptable to the Board. Any ADHP student who fails to be employed or supervised by an instructor certified dentist for more than ~~sixty (60)~~thirty (30) calendar days during the course of the program shall be dismissed from the ADHP. An ADHP student who has participated in the Alabama Dental Hygiene Program twice unsuccessfully may apply to participate in the program a third time at the discretion of the Board after two (2) years of continual full-time employment as a dental assistant.

(7) Each ADHP student must attend every academic instruction session. A student who fails to attend any session of academic instruction ~~is no longer eligible for a training permit without consent of the Board, which shall be at the Board's discretion. If an ADHP student misses any part of an academic instruction session, the student must submit~~shall be dismissed from ADHP unless the student submits a written explanation of the absence within five (5) business days of the absence to the Board office ~~for review and request, and receives~~ permission from the Board to continue in the program.

(8) No dentist shall be permitted to train more than one (1) ADHP student at a time.

(9) ADHP students who obtain training in the ADHP must pay a fee in an amount fixed by—
the Board (this includes training permit, education, and instructional materials fees), which must be enclosed with the application. ~~The education portion of the fee may be refunded only within the first thirty (30) days of issuance and only at the Board's discretion.~~

(10) Any instance of dishonesty of any kind in any way related to the ADHP shall result in dismissal from the program.

(11) The Board may limit the number of participants to ensure adequate function and integrity of the ADHP.

(12) Any ADHP student who is in good academic standing but, due to pregnancy or maternity, becomes unable to complete the ADHP program (including inability to satisfy the continual employment requirements imposed by subsection (3)) may apply to the Board for permission to withdraw from the current ADHP session and to re-enroll in the next following ADHP session, without payment of the application fee or tuition applicable to the next session.

Author: Alabama Board of Dental Examiners

Statutory Authority: Code of Ala. 1975, §§34-9-26, 34-9-43.

History: Filed September 28, 1982. **Amended:** Filed December 19, 1994; effective January 23, 1995. **Amended:** Filed April 3, 1997; effective May 8, 1997. **Amended:** Filed January 30, 1998; effective March 6, 1998. **Amended:** Filed September 26, 2000; effective October 31, 2000. **Amended:** Filed February 18, 2003; effective March 25, 2003. **Amended:** Filed August 11, 2004; effective September 15, 2004. **Amended:** Filed August 10, 2006; effective September 14, 2006. **Amended:** Filed December 16, 2008; effective January 20, 2009. **Amended:** Filed July 21, 2009; effective August 25, 2009. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Filed December 21, 2012; effective January 25, 2013. **Amended:** Filed December 10, 2014; effective January 14, 2015. **Amended:** Filed July 14, 2015; effective August 18, 2015. **Amended:** Filed January 22, 2018; effective March 8, 2018. **Amended:** Published November 30, 2020; effective January 14, 2021. **Amended:** Published November 30, 2021; effective January 14, 2022. **Amended:** Published _____; effective _____.