

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-.24
Rule Title: Anesthesia Inspection Teams
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 Sharon Thomas
Sharon Thomas

Date Wednesday, May 13, 2026

BOARD OF DENTAL EXAMINERS OF ALABAMA

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-2-.24 Anesthesia Inspection Teams

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
Redefining the scope of the anesthesia inspection teams.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
All interested persons may submit data, views, or arguments concerning the proposed new rule(s) and regulation(s) in writing to:
Mary Beth Finn Board of Dental Examiners 2229 Rocky Ridge Rd Birmingham, AL 35216
or marybeth@dentalboard.org. Comments will be accepted through 5:00 pm on
Friday,
July 10, 2026.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, July 10, 2026

CONTACT PERSON AT AGENCY:
marybeth@dentalboard.org

Sharon Thomas

Sharon Thomas

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

Anesthesia Inspection Teams.

(1) Inspection Teams for General Anesthesia. Preliminary inspections of the facilities, equipment, and personnel of an applicant for a permit to perform general anesthesia, as described in Rule 270-X-2-.17(1)(m), may be performed by such individuals as prescribed by the board. Anesthesia evaluations for general anesthesia permits pursuant to Ala. Code §34-9-60(2)b. shall be performed by ~~two~~three individuals consisting of at least one licensed ~~dentists~~dentist who ~~hold~~holds an active general anesthesia ~~permits and~~permit who shall be selected by the Chair of the Anesthesia Committee, ~~and a previously approved evaluator who has possessed a general anesthesia permit within the last (5) years and selected by the Chair of the Anesthesia Committee, and may include~~ the board's investigator. The Chair of the Anesthesia Committee may delegate his or her authority to make the selections under this Rule to the Executive Director.

(2) Inspection Teams for Parenteral Sedation. Preliminary inspections of the facilities, equipment, and personnel of an applicant for a permit to perform parenteral sedation, as described in Rule 270-X-2-.17(1)(m), may be performed by such individual as prescribed by the board. Anesthesia evaluations for parenteral sedation permits pursuant to Ala. Code §34-9-63(c)(2) shall be performed by ~~two~~three individuals consisting of: at least one licensed ~~dentists~~dentist who ~~hold~~holds an active parenteral sedation ~~permits and who shall be~~or general anesthesia permit who shall be selected by the Chair of Anesthesia Committee, a previously approved evaluator who has possessed a parenteral sedation or general anesthesia permit within the last five (5) years and is selected by the Chair of the Anesthesia Committee, and may include the board's investigator. The Chair of the Anesthesia Committee may delegate his or her authority to make the selections under this Rule to the Executive Director.

(3) Inspection Teams for Oral Conscious Sedation. Inspections for oral conscious sedation permits pursuant to Ala. Code §34-9-86 shall be performed by the board's investigator.

Author: Board of Dental Examiners of Alabama

Statutory Authority: Code of Ala. 1975, §§34-9-43, 34-9-60, 34-9-63, 34-9-86.

History: New Rule: Published September 29, 2023; effective November 13, 2023. **Amended:** Published April 30, 2024; effective June 14, 2024. Amended: Published _____ ; effective _____ .