

JUL 15 2021

APPENDIX II-K

COVER SHEET FOR EMERGENCY RULE

ADOPTED RULE
DOCUMENT # <u>13233</u>
FILED <u>7-15-21 @ 1:24</u> PM
EFFECTIVE <u>7-15-21 @ 1:24</u> PM
EXPIRES <u>1-11-22</u>

Document Number 13233 Rule Number Den 301.02 (a) intro. (a)(8)

<p>1. Agency Name & Address:</p> <p>Board of Dental Examiners c/o The Office of Professional Licensure and Certification 7 Eagle Square Concord New Hampshire 03301</p> <p>5. Date of Filing: July 15, 2021</p>	<p>2. RSA Authority: RSA 317-A:12, IV</p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment <u>X</u></p> <p>Repeal _____</p>
---	--

6. Short Title: **Dental Application Procedure – Manikin Examination**

7. Contact person for copies and questions:

Name:	Jessica M. Whelehan	Title:	Board Administrator
Address:	Office of Professional Licensure and Certification 7 Eagle Square Concord New Hampshire 03301	Phone #:	603-271-2855
		Fax#:	
		E-mail:	<u>jessica.m.whelehan@oplc.nh.gov</u>

****PLEASE ATTACH THE FOLLOWING**, numbered to correspond to the numbers on this sheet (a separate sheet is not required for every item):

- 8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.
- 9. A summary of the effect if the rule were not adopted.
- 10. A description of those affected.

***PLEASE SUBMIT 2 COPIES OF THIS COVER SHEET** and all attachments along with 2 copies of the emergency rule to the Office of Legislative Services, Administrative Rules.

***PLEASE SIGN THE FOLLOWING:**

I, the adopting authority,* hereby certify that the attached is an accurate statement explaining why an emergency rule is necessary.

Date: 07/15/2021

Signature: [Handwritten Signature]

Name: DR. PUNEET KOCHHAR

Title: PRESIDENT NH BOARD OF DENTAL EXAMINERS

*("Adopting authority" is the official empowered by statute to adopt the rule, or a member of the group of individuals empowered by statute to adopt the rule.)

8. An explanation of the nature of (a) the imminent peril to public health or safety, demonstrating that the emergency rule is necessary to prevent the imminent peril, or (b) the substantial fiscal harm to the state or its citizens which could otherwise occur if the rule were not adopted as an emergency rule.

Den 301.02 establishes the procedure for dentists applying for a license to practice in the state of New Hampshire. The existing rule requires clinical procedure components which are necessarily in person.

The American Board of Dental Examiners (ADEX) stopped offering live patient testing as a result of the COVID-19 pandemic, relying on manikin testing instead.

Without the enactment of this emergency rule, applicants who have taken the ADEX examination in 2020 or 2021 are unlikely to qualify for a license to practice dentistry in New Hampshire because they will be unable to fulfill the clinical procedure component. This will exacerbate the current shortage of dentists in the State, creating an immediate peril to public health.

The NH Board of Dental Examiners, at their July 12, 2021, voted unanimously to approve an Emergency Rule that would allow the Board/Office of Professional Licensure and Certification to accept ADEX results for those who took the ADEX exam in 2020 or 2021; in other words, those who took the manikin ADEX exam.

9. A summary of the effect if the rule were not adopted.

If this rule were not adopted, dental applicants who had taken the ADEX exam in 2020 or 2021 would not qualify for a license in New Hampshire. This would cause unnecessary unemployment and prevent the State from recruiting newly-graduated students who wished to become licensed with the Dental Board.

10. A description of those affected.

This rule affects dental applicants, business owners who are seeking credentialed dentists, and members of the public who would be delayed in or unable to secure services.

Doc. # 13233 (eff. 7-15-21)
Emergency Rule Expires: 1-11-22 Emergency Rule 07/12/2021

PART Den 301 APPLICATION PROCEDURE

Amend Den 301.02(a)(8), effective 12/6/17 (Document #12428), so that Den 301.02 (a) intro and (a)(8) are cited and read as follows:

Den 301.02 Application for Dental Licensure.

(a) Each applicant for a license to practice dentistry in the state of New Hampshire shall provide the following on the "Dentist Application for Licensure" form:

(8) Whether the applicant has taken and passed the examinations of the:

a. Joint Commission on National Dental Examinations; and

b. American Board of Dental Examiners (ADEX) examination, or other similar U.S. regional or state board clinical examination for dentists, including a clinical periodontal/scaling component, and/or manikin examination for applications submitted since the end of the state of emergency (June 12, 2021);

APPENDIX

RULE	STATE OR FEDERAL STATUTE THE RULE IMPLEMENTS
Den 301.02(a) intro, and (a)(8)	RSA 317-A:9, RSA 541-A:18