

APPENDIX II-G

COVER SHEET FOR FINAL PROPOSAL

Notice Number 2021-134 Rule Number Den 403.07

| | |
|---|--|
| <p>1. Agency Name & Address: Board of Dental Examiners c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301</p> | <p>2. RSA Authority: <u>RSA 317-A:12, XI; RSA 317-A:20, II(c)</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p><input type="checkbox"/> Adopt</p> <p><input type="checkbox"/> Amendment (only if Initial Proposal was filed before 9/27/20.)</p> <p><input type="checkbox"/> Repeal</p> <p><input type="checkbox"/> Readoption</p> <p><input checked="" type="checkbox"/> Readoption w/amendment</p> |
|---|--|

5. Short Title: **Continuing Education Categories of Credit**

6. Contact person for copies and questions:

| | | | |
|----------|--|----------|------------------------------|
| Name: | Tina M. Kelley | Title: | Program Specialist IV |
| Address: | Office of Professional Licensure and Certification 7 Eagle Square Concord, NH 03301 | Phone #: | (603) 271-5247 |

7. The rulemaking notice appeared in the Rulemaking Register on December 30, 2021.

**SEE THE INSTRUCTIONS--PLEASE SUBMIT ONE COPY OF THIS COVER SHEET AND ONE COPY OF THE FOLLOWING:
(optional to number correspondingly)**

8. The "Final Proposal-Fixed Text," including the cross-reference table required by RSA 541-A:3-a, II as an appendix.

9. Yes N/A Incorporation by Reference Statement(s) because this rule incorporates a document or Internet content by reference for which an Incorporation by Reference Statement is required pursuant to RSA 541-A:12, III.

10. Yes N/A The "Final Proposal-Annotated Text," indicating how the proposed rule was changed because the text of the rule changed from the Initial Proposal pursuant to RSA 541-A:12, II(d).

11. Yes N/A The amended fiscal impact statement because the change to the text of the Initial Proposal affects the original fiscal impact statement (FIS) pursuant to RSA 541-A:5, VI.

Notice Number 2021-134

Rule Number Den 403.07

| | |
|---|--|
| 1. Agency Name & Address: Board of Dental Examiners c/o Office of Professional Licensure & Certification 7 Eagle Square Concord, NH 03301 | 2. RSA Authority: <u>RSA 317-A:12, XI; RSA 317-A:20, II(c)</u> 3. Federal Authority: <u>n/a</u> 4. Type of Action: Adoption _____ Repeal _____ Readoption _____ Readoption w/amendment <u>X</u> |
|---|--|

5. Short Title: **Continuing Education Categories of Credit**

6. (a) Summary of what the rule says and of any proposed amendments:

Den 403.07 describes the continuing education categories of credit for dentist and dental hygienists and is being readopted with amendment to the percent of credit allowed by participating in audio-visual or online programs or live webinars from 40% to 50%.

6. (b) Brief description of the groups affected:

The groups affected by this change are licensed dentists and dental hygienists renewing their license.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

| Rule | Specific State Statute the Rule Implements |
|-------------|---|
| Den 403.07 | RSA 317-A:12, XI, RSA 317-A:20, II(c) |
| | |

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina M. Kelley**

Title: **Program Specialist IV**

Address: **Office of Professional
Licensure and Certification
7 Eagle Square
Concord, NH 03301**

Phone #: **(603) 271-5247**

Fax#: **(603) 271-0597**

E-mail: **OPLC-Rules@oplc.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Monday, February 7, 2022 at the conclusion of the public hearing**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Monday, February 7, 2022 at 3:30 p.m.**
Office of Professional Licensure and Certification
Place: **7 Eagle Square**
Concord, NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 21:144, dated 12-20-2021

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference in costs when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**
 - A. **To State general or State special funds:**
None
 - B. **To State citizens and political subdivisions:**
None
 - C. **To independently owned businesses:**
None

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program or responsibility to any political subdivision in any way.

CONSENT/EDIT**Edit: Insert "as amended effective 2/8/2022 (Document #13341, Emergency),"****Readopt with amendment Den 403.07, effective 4/9/20 (Document #13021), to read as follows:**Den 403.07 Categories of Credit.

(a) A licensee shall be entitled to obtain up to 100% of the required continuing education units (CEU) in any or all of the following categories:

(1) Education and scientific courses sponsored or approved by the following:

- a. American Dental Association, component societies and constituent societies;
- b. Academy of General Dentistry;
- c. American Dental Hygienists Association, component societies, and constituent societies;
- d. State or local dental or dental hygiene professional associations or societies;
- e. Dental schools, medical schools, and dental hygiene schools;
- f. Hospital sponsored courses and conferences;
- g. Governmental health agencies and health institutions; and
- h. Postgraduate dental schools or postgraduate dental hygiene schools; and

Edit: Remove annotation

(2) Courses required to maintain certification in any nationally recognized professional specialty board.

(b) A licensee shall receive credit for 100% of required CEUs for passing the written portion of the American Board of Dental Examiners (ADEX), or other similar U.S. regional or state board clinical examination for dentists or dental hygienists.

(c) A licensee shall receive credit for 3 CEUs per biennium for successful completion of BLS-HCP course(s) given by an American Heart Association, Red Cross, National Safety Council, American Safety and Health Institute, American College of Emergency Physician, or Military Training Network qualified instructor, or sponsored or approved by organizations referenced in Den 403.07 (a)(1). BLS-HCP shall be considered a clinical care subject. All BLS-HCP, ACLS, and PALS courses shall include a hands-on component.

(d) A licensee shall receive credit for up to 15% of the required CEUs in the following categories:

- (1) An original, dental-related scientific paper written by the licensee and published in a peer reviewed scientific or professional journal; or
- (2) An original presentation of a paper, essay, or formal lecture to a group of fellow professionals.

Edit: Remove annotation

(e) A licensee who holds a faculty or research appointment at an accredited dental school, dental hygiene school, or medical school shall receive credit for up to 20% of the required CEUs by teaching or performing research at least one full day per week per academic year.

(f) A licensee shall receive credit for up to 20% of the required CEUs for a licensee's original presentation at a table clinic or exhibit at a regional or national meeting. Such activity shall be credited as 2 CEUs per original presentation.

(g) A licensee shall receive credit for up to 20% of the required CEUs by participating in correspondence courses which require the successful completion of a written examination by the licensee to be scored by the provider of such programs.

(h) A licensee shall receive credit for up to 50% of the required CEUs by participating in audio-visual or online programs or live webinars which require the successful completion of a written examination by the licensee to be scored by the provider of such programs.

(i) A licensee shall receive credit for up to 10% of the required CEUs by attending regional or national meetings of the American Dental Association and its components, the Academy of General Dentistry, the American Dental Hygienists' Association, and the national and regional specialty organizations.

(j) A licensee who serves as expert consultant for the administrative prosecutions unit of the consumer protection bureau of the NH department of justice shall:

- (1) Be credited with one clinical CEU for every 3 hours engaged as a consultant, up to 10 CEU's per biennium;
- (2) Have an active New Hampshire dental or dental hygiene license; and
- (3) Not be a member of the board.

(k) A licensee shall receive credit for up to 20% of the required CEUs by participating in the Commission on Dental Competency Assessments (CDCA).

APPENDIX

| Rule | Statute |
|-------------|------------------|
| Den 403.07 | RSA 317-A:12, XI |