

**EMERGENCY RULE**

**Document# 13341**

**Filed: 2/8/22**

**Effective: 2/8/22**

**Expires: 8/7/22**

APPENDIX II-K

COVER SHEET FOR EMERGENCY RULE

Document Number 13021 Rule Number Den 403.07 (h)

1. Agency Name & Address:  
NH Board of Dental Examiners  
The Office of Professional Licensure and Certification  
7 Eagle Square  
Concord New Hampshire 03301

2. RSA Authority: RSA 317-A:12, XI

3. Federal Authority: \_\_\_\_\_

4. Type of Action:

Adoption \_\_\_\_\_

Amendment X

Repeal \_\_\_\_\_

5. Date of Filing: February 8, 2022

6. Short Title: Acceptance of 100% Virtual CEUs for Dentist's 2022 Renewal Cycle

7. Contact person for copies and questions:

Name: Jessica M. Whelehan

Title: Board Administrator

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E-mail: [jessica.m.whelehan@opl.c.nh.gov](mailto:jessica.m.whelehan@opl.c.nh.gov)

**\*\*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: 02/08/2022

Signature: 

Name: PUNEET KOCHHAR

Title: PRESIDENT, 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.)

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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 403.07 establishes the requirements for Continuing Education Units (CEUs) for renewal of licensure, breaking the requirements into specific categories, and detailing that 40% of CEUs in a 2-year renewal period may be from virtual courses or webinars; the remainder of the required CEUs (60%, or 25 hours) are to be obtained at live, in-person classes or programs. Dentist renewal applications are due no later than April 30, of every even-numbered year.**

**Due to the on-going COVID-19 Pandemic, live, in-person classes have not been scheduled frequently, and if scheduled, have often been canceled. Dentists licensed in NH have been unable to find enough live, in-person classes/programs to obtain the required 60%, or 25 hours.**

**Without the enactment of this emergency rule, applicants for renewal will not meet the minimum requirements, and their applications may be denied, resulting in a reduction in the workforce.**

**The NH Board of Dental Examiners, at their February 7, 2022, meeting, voted to approve an Emergency Rule that would allow the Board/Office of Professional Licensure and Certification to accept up to 100% of the required CEUs, 40 hours, obtained virtually. This emergency ruling will apply only to dentists that are applying for renewal in 2022.**

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

**If this rule were not adopted, dentists applying for renewal in NH may not be able to meet the requirements for renewal, resulting in license renewals being denied. These denials would result in a reduction in the workforce which would present an imminent peril to the public health or safety. It would also present substantial fiscal harm to those licensees whose renewals were denied, and/or those offices which were forced to cease operations as a result of no longer having a licensed dentist in the office.**

10. A description of those affected.

**This rule affects currently licensed dentists who are applying for renewal by April 30, 2022, business owners who are seeking credentialed dentists, hygienists who must work under the supervision of a licensed dentist, and members of the public who would be delayed in or unable to secure services.**

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CHAPTER Den 400 DENTAL ASSISTANTS AND HYGIENISTS DUTIES

PART Den 403 CONTINUING EDUCATION

**Amend Den 403.07(h), effective 04/09/2020 (Document 13021) cited and to read as follows:**

Den 403.07 Categories of Credit.

(h) A licensee shall receive credit for up to **100%** ~~40%~~ of the required CEUs by participating in audio-visual or online webinars which require the successful completion of a written examination by the licensee to be scored by the provider of such programs.

**APPENDIX**

RULE	STATE OR FEDERAL STATUTE THE RULE IMPLEMENTS
Den 403.07 (h)	RSA 317-A:12, XI