

# RULE SUBMISSION MEMORANDUM

To: Erin Bennett, Regulatory Compliance Division Director

From: Lauren Studdard, General Counsel, Texas State Board of Dental Examiners

Date: September 30, 2022

Subject: 22 TAC §101.2 Dental Licensure by Examination

22 TAC §101.3 Dental Licensure by Credentials 22 TAC §103.2 Hygiene Licensure by Examination 22 TAC §103.3 Hygiene Licensure by Credentials

The Texas State Board of Dental Examiners (Board) has proposed amendments to licensure rules 22 TAC §§101.2, 101.3, 103.2, and 103.3. The rules were published in the September 30, 2022 issue of the *Texas Register*. The rules may affect market competition and are submitted to the Regulatory Compliance Division for review. The PDF versions of the preamble and text of the rules as published in the *Texas Register*, and the language of any amendments to the rules that the Board intends to adopt, are attached to this memorandum.

To facilitate the Regulatory Compliance Division's review of the proposed rules, the Board provides answers to the following questions:

## 1. Briefly describe the proposed rules.

The proposed amendments to 22 TAC §§101.2, 101.3, 103.2, and 103.3 clarifies that clinical examinations must use live patients or hands-on simulations. These portions of the rules may affect market competition.

The proposed amendments also reflect the merger of the regional examining board CDCA-WREB-CITA, the name change of the regional examining board SRTA, and changes the time period the Board will accept examination results. These portions of the rules do not affect market competition.

# 2. What is the purpose of the proposed rules?

The purpose of the proposed amendments is to clarify that licensure candidates must take examinations with a live patient or hands-on simulation.

3. Describe any relevant factual background to the proposed rules and the impetus for the state agency to consider rulemaking.

As part of its mission, the Board is to protect the public health and safety and promote high quality and safe dental care by ensuring licensure candidates meet all requirements. One of the licensing requirements is to successfully complete a clinical examination administered by an examining board. The Board interprets "clinical" to mean that the examination must have a live patient or hands-on component. The impetus for the Board to amend these rules is to clarify that licensure candidates are required to take a clinical examination with a live patient or hands-on simulation.

- 4. Describe the legal authority for the proposed rules.
  - a. Are the proposed rules specifically required or authorized by state statute? If so, list the statute(s).

Yes. Chapter 256, Texas Occupations Code.

b. Are the proposed rules within the scope of the state agency's general authority to regulate in a given occupation or industry? If so, describe how the proposed rules are within the scope, and reference the applicable state statute(s).

Yes. Pursuant to Texas Occupations Code §254.001(a)(2), the Board "may adopt and enforce rules necessary to ensure compliance with state laws relating to the practice of dentistry to protect public health and safety." The proposed amendments are within the scope of the Board's authority to regulate because it implements the requirements of Chapter 256, Texas Occupations Code pertaining to the licensing of dentists and dental hygienists.

5. Describe the process that the state agency followed in developing the proposed rules, including any public hearings held, public comments invited, studies conducted, and data collected or analyzed.

A Licensing Committee meeting was held on August 11, 2022, and a Board meeting was held on August 12, 2022. Several of the Board members are both members and examiners for the regional examining boards (e.g., CDCA-WREB-CITA), and the board members provide examination updates at the meetings. The Board members discussed trends pertaining to licensing examinations and heard public comments. The Board will continue to review comments during the public comment period.

6. Describe the harm that the proposed rules are intended to address and how the proposed rules will address the harm.

The proposed amendments will clarify that licensure candidates must take clinical examinations with a live patient or hands-on simulation to ensure that candidates are qualified to treat Texas patients.

7. Do any less restrictive alternatives to the proposed rules exist for addressing the same harm? If so, include a comparison of the proposed rules to the alternatives and a justification for not pursuing a less restrictive alternative. If no less restrictive alternatives exist, explain why.

A less restrictive alternative is not to amend the rules, but the Board is providing clarification with the proposed amendments.

8. Indicate how the proposed rules affect market competition (See Section 57.105(d), Texas Occupations Code).

The proposed amendments may create a barrier to market participation in the state and result in higher prices or reduced competition for a product or service provided by or to a license holder in the state.

9. Describe the specific impact that the proposed rules will have on market competition and how that effect is consistent with state policy as established by the Legislature in state statute.

The proposed amendments may affect market competition by providing licensure candidates with fewer options for examination. The proposed amendments are consistent with state policy in that they align with the Board's mission to protect the public.

10. Do the proposed rules relate to a question that is the subject of an opinion request pending before the Office of the Attorney General? Do the proposed rules relate to an opinion previously issued by the Office of the Attorney General?

No and no.

11. Do the proposed rules relate to a matter on which there is pending litigation or a final court order?

No.

12. Is there anything else that the state agency would like the Regulatory Compliance Division to know about the proposed rule?

The Board respectfully requests an expedited review of the rules to allow for adoption at its November 3, 2022 meeting.

# **TITLE 22. EXAMINING BOARDS**

PART 5. STATE BOARD OF DENTAL EXAMINERS

CHAPTER 101. DENTAL LICENSURE 22 TAC §101.2

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §101.2, concerning licensure by examination for dentists. The proposed amendment updates the language to clarify that clinical examinations must use live

patients or hands-on simulations. The amendment reflects the merger of the regional examining board CDCA-WREB-CITA, and the name change of the regional examining board SRTA. The amendment also changes the time period the Board will accept examination results.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this rule will be the protection of public safety and welfare.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IM-PACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this rule.

GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) the implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule does not create a new regulation; (6) the proposed rule does expand an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

COST TO REGULATED PERSONS: This proposed rule does not impose a cost on a regulated person and, therefore, is not subject to Tex. Gov't. Code §2001.0045.

Comments on the proposed amendment may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to official\_rules\_comments@tsbde.texas.gov for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

No statutes are affected by this proposed rule.

## §101.2. Licensure by Examination.

(a) In addition to the general qualifications for licensure contained in §101.1 of this chapter (relating to General Qualifications for Licensure), an applicant for licensure by examination who is a graduate of an accredited school must present proof that the applicant:

- (1) Has graduated and received either the "DDS" or "DMD" degree from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association (CODA);
- (2) Has taken and passed the examination for dentists given by the American Dental Association Joint Commission on National Dental Examinations; and
- (3) Has taken and passed the appropriate general dentistry live patient or hands-on simulation clinical examination administered by a regional examining board designated by the Board.
- (b) In addition to the general qualifications for licensure contained in §101.1 of this chapter, an applicant for licensure by examination who is a graduate of a non-accredited school must present proof that the applicant:
- (1) Has graduated from a dental school that is not CODA-accredited;
- (2) Has successfully completed training in an American Dental Association-approved specialty in a CODA-accredited education program that consists of at least two years of training as specified by the Council on Dental Education;
- (3) Has taken and passed the examination for dentists given by the American Dental Association Joint Commission on National Dental Examinations; and
- (4) Has taken and passed the appropriate general dentistry live patient or hands-on simulation clinical examination administered by a regional examining board designated by the Board. Many regional examining boards require prior written approval by the participating member state in order for graduates of non-accredited schools to be tested. Prior to submitting an application for regional examination, graduates of non-accredited schools must obtain such permission from the Board.
  - (c) Designated regional examining boards.
- (1) The following regional examining boards have been designated as acceptable by the Board as of the effective dates shown:
- (A) The Commission on Dental Competency Assessments-The Western Regional Examining Board-The Council of Interstate Testing Agencies (CDCA-WREB-CITA), August 1, 2022; [Western Regional Examining Board, January 1, 1994;]
- (B) Central Regional Dental Testing Service (CRDTS), January 1, 2002; and
- [(C) The Commission on Dental Competency Assessments, January 9, 2015;]
- (SRTA), [Southern Regional Testing Agency,] January 1, 2005.[; and]
- [(E) Council of Interstate Testing Agencies (CITA), January 1, 2009.]
- (2) Examination results will be accepted for <u>seven</u> [five] years from the date of the examination.

## (d) Remediation.

(1) If an applicant for Texas dental licensure fails three general dentistry <u>live</u> patient or hands-on <u>simulation</u> clinical examination attempts, the applicant must complete 80 hours of clinical remediation through a CODA-accredited dental school before approval will be issued to take another <u>live</u> patient or hands-on <u>simulation</u> clinical examination.

- (2) If an applicant fails four or more general dentistry <u>live</u> patient or hands-on <u>simulation</u> clinical examination attempts, the applicant must complete one of the following before approval will be issued to take another <u>live patient or hands-on simulation</u> clinical examination:
- (A) the repetition of the final year of a graduate dental program from a CODA-accredited dental school; or
- (B) a clinical remediation course offered by a CODA-accredited dental school, consisting of no less than 1,000 clinical hours.
- (3) All programs of clinical remediation require prior approval by the Board. Applicants will be responsible for locating, identifying and obtaining approval from the Board prior to registration for any program.
- (4) Re-examination must be accomplished within 18 months following the date the Board approves a remediation program for the applicant.
- (e) An applicant who takes an examination after January 1, 2019, must also successfully complete the periodontics and prosthodontics sections of an exam approved under subsection (c)(1) of this section.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 19, 2022.

TRD-202203778
Lauren Studdard
General Counsel
State Board of Dental Examiners
Earliest possible date of adoption: October 30, 2022
For further information, please call: (512) 305-8910

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#### 22 TAC §101.3

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §101.3, concerning dental licensure by credentials. The proposed amendment updates the language to clarify that clinical examinations must use live patients or hands-on simulations.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this rule will be the protection of public safety and welfare.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IM-PACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this rule. GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) the implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule does expand an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

COST TO REGULATED PERSONS: This proposed rule does not impose a cost on a regulated person and, therefore, is not subject to Tex. Gov't. Code §2001.0045.

Comments on the proposed amendment may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to official\_rules\_comments@tsbde.texas.gov for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

No statutes are affected by this proposed rule.

§101.3. Licensure by Credentials.

- (a) In addition to the general qualifications for licensure contained in §101.1 of this chapter (relating to General Qualifications for Licensure), an applicant for licensure by credentials must present proof that the applicant:
- (1) Has graduated and received either the "DDS" or "DMD" degree from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association (CODA);
- (2) Is currently licensed as a dentist in good standing in another state, the District of Columbia, or a territory of the United States, provided that such licensure followed successful completion of a general dentistry live patient or hands-on simulation clinical examination administered by another state or regional examining board;
  - (3) Has practiced dentistry:
- (A) For a minimum of three years out of the five years immediately preceding application to the Board, pursuant to section 256.101(a-1) of the Dental Practice Act; or
- (B) As a dental educator at a CODA-accredited dental or dental hygiene school for a minimum of five years immediately preceding application to the Board;
- (4) Is endorsed by the state board of dentistry in the jurisdiction in which the applicant practices at the time of the application. Such endorsement is established by providing a copy under seal of the applicant's current license and by a certified statement that the applicant has current good standing in said jurisdiction;

- (5) Has taken and passed the examination for dentists given by the American Dental Association Joint Commission on National Dental Examinations;
- (6) Has met the requirements of §101.8 of this title (relating to Persons with Criminal Backgrounds) and has completed background checks for criminal or fraudulent activities, to include information from: the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, and/or the American Association of Dental Boards (AADB) Clearinghouse for Disciplinary Action; and
- (7) Has completed 12 hours of continuing education taken within the 12 months preceding the date the licensure application is received by the Board. All hours shall be taken in accordance with the requirements for continuing education as mandated by Chapter 104 of this title (relating to Continuing Education).
- (b) Practice experience described in subsection (a)(3) of this section must be subsequent to applicant having graduated from a CODA-accredited dental school.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 19, 2022.

Lauren Studdard General Counsel State Board of Dental Examiners Earliest possible date of adoption: October 30, 2022 For further information, please call: (512) 305-8910

# CHAPTER 103. DENTAL HYGIENE LICENSURE

### 22 TAC §103.2

TRD-202203779

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §103.2, concerning licensure by examination for dental hygienists. The proposed amendment updates the language to clarify that clinical examinations must use live patients or hands-on simulations. The amendment reflects the merger of the regional examining board CDCA-WREB-CITA, and the name change of the regional examining board SRTA. The amendment also changes the time period the Board will accept examination results.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this rule will be the protection of public safety and welfare.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IM-PACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this rule.

GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) the implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule does not create a new regulation; (6) the proposed rule does expand an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

COST TO REGULATED PERSONS: This proposed rule does not impose a cost on a regulated person and, therefore, is not subject to Tex. Gov't. Code §2001.0045.

Comments on the proposed amendment may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to official\_rules\_comments@tsbde.texas.gov for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

No statutes are affected by this proposed rule.

- *§103.2. Licensure by Examination.*
- (a) In addition to the general qualifications for licensure contained in §103.1 of this chapter (relating to General Qualifications for Licensure), an applicant for dental hygienist licensure by examination must present proof that the applicant has taken and passed the appropriate live patient or hands-on simulation clinical examination administered by a regional examining board designated by the Board.
  - (b) Designated regional examining boards.
- (1) The following regional examining boards have been designated as acceptable by the Board as of the effective dates shown:
- (A) The Commission on Dental Competency Assessments-The Western Regional Examining Board-The Council of Interstate Testing Agencies (CDCA-WREB-CITA), August 1, 2022; [(A) Western Regional Examining Board, January 1, 1994;]
- (B) Central Regional Dental Testing Service (CRDTS), January 1, 2002; and
- [(C) The Commission on Dental Competency Assessments, January 9, 2015;]
- (C) [(D)] States Resources for Testing and Assessments (SRTA), Southern Regional Testing Agency January 1, 2005. [; and]
- [(E) Council of Interstate Testing Agencies (CITA), January 1, 2009.]

(2) Examination results will be accepted for <u>seven</u> [five] years from the date of the examination.

#### (c) Remediation.

- (1) If an applicant for Texas dental hygienist licensure fails three dental hygiene <u>live patient or hands-on simulation</u> clinical examination attempts, the applicant must complete 40 hours of clinical remediation through a CODA-accredited dental hygiene program before approval will be issued to take another <u>live patient or hands-on simulation</u> clinical examination.
- (2) If an applicant fails four or more dental hygiene <u>live patient or hands-on simulation</u> clinical examination attempts, the applicant must complete 150 hours of clinical remediation through a CODA-accredited dental hygiene program before approval will be issued to take another <u>live</u> patient or hands-on simulation clinical examination.
- (3) All programs of clinical remediation require prior approval by the Board. Applicants will be responsible for locating, identifying and obtaining approval from the Board prior to registration for any program.
- (4) Re-examination must be accomplished within 18 months following the date the Board approves a remediation program for the applicant.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 19, 2022.

TRD-202203780 Lauren Studdard General Counsel State Board of Dental Examiners

Earliest possible date of adoption: October 30, 2022 For further information, please call: (512) 305-8910



## 22 TAC §103.3

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §103.3, concerning dental hygiene licensure by credentials. The proposed amendment updates the language to clarify that clinical examinations must use live patients or hands-on simulations.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this rule will be the protection of public safety and welfare.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IM-PACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this rule. GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) the implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule does not create a new regulation; (6) the proposed rule does expand an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

COST TO REGULATED PERSONS: This proposed rule does not impose a cost on a regulated person and, therefore, is not subject to Tex. Gov't. Code §2001.0045.

Comments on the proposed amendment may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to official\_rules\_comments@tsbde.texas.gov for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

No statutes are affected by this proposed rule.

§103.3. Licensure by Credentials.

- (a) In addition to the general qualifications for licensure contained in §103.1 of this chapter (relating to General Qualifications for Licensure), an applicant for dental hygienist licensure by credentials must present proof that the applicant:
- (1) Is currently licensed as a dentist or dental hygienist in good standing in another state, the District of Columbia, or territory of the United States, provided that such licensure followed successful completion of a dental hygiene <u>live patient or hands-on simulation</u> clinical examination administered by another state or regional examining board;
  - (2) Has practiced dentistry or dental hygiene:
- (A) For a minimum of three years out of the five years immediately preceding application to the Board; or
- (B) As a dental educator at a CODA-accredited dental or dental hygiene school for a minimum of five years immediately preceding application to the Board;
- (3) Is endorsed by the state board of dentistry that has jurisdiction over the applicant's current practice. Such endorsement is established by providing a copy under seal of the applicant's current license and by a certified statement that the applicant has current good standing in said jurisdiction;
- (4) Has completed 12 hours of continuing education taken within the 12 months preceding the date the licensure application is received by the Board. All hours shall be taken in accordance with the requirements for continuing education as mandated by Chapter 104 of this title (relating to Continuing Education); and

- (5) Has successfully passed background checks for criminal or fraudulent activities, to include information from: the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank and/or the American Association of Dental Boards (AADB) Clearinghouse for Disciplinary Action.
- (b) Practice experience described in subsection (a)(2) of this section must be subsequent to applicant having graduated from a CODA-accredited dental or dental hygiene school.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 19, 2022.

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Lauren Studdard
General Counsel
State Board of Dental Examiners
Earliest possible date of adoption: October 30, 2022
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