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# HOUSE COMMITTEE REPORT

(9)

Date Referred: January 10, 1994

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/1/94

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 324

HOUSE BILL NO. 324

EXTEND BOARD OF DENTAL EXAMINERS

"An Act extending the termination date of the Board of Dental Examiners; and providing for an effective date."

- RECOMMENDATIONS:  the same title  
 be replaced with \_\_\_\_\_  a new title
- have attached amendments(s)  
 do pass  
 do not pass  
 no recommendations  
 individual recommendations  
 additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note CED

zero fiscal note(s) \_\_\_\_\_

SIGNING DO-PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	X	<i>Haley Olberg</i>		✓	
<i>[Signature]</i>	X				
<i>[Signature]</i>	X				
<i>[Signature]</i>	X				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	X				

*[Signature]*  
 CHAIRMAN'S SIGNATURE



**Alaska State Legislature**  
**House of Representatives**  
 COMMITTEE ON HEALTH, EDUCATION  
 AND SOCIAL SERVICES

DATE: 3/1/94

PLACE: Capitol Room 106

**SUBJECT OF MEETING:**  
 \* HB 507: LICENSING OF OPTOMETRISTS & PHYSICIANS  
 \* HB 492: REFERRALS INVOLVING DENTAL SERVICES  
 \* HB 324: EXTEND BOARD OF DENTAL EXAMINERS  
 \* INDICATES FIRST PUBLIC HEARING

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
JIM LEHMAN, MD	A.S.M.A.	700 KATLIAN "E" - SITE A	99835		747-5861	(Y)	N	# 507
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

LTN1100-R01  
03/05/94

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 01  
18:19:38

TCN: 40407      DATE & TIME: 03/01/94 15:00 TO 17:00      STATUS:7      STATS. IN

\*\*\*\* ORDER SUMMARY \*\*\*\*

SPONSOR: H-HES HOUSE HEALTH, EDUCATION AND SOCIAL SERVI CHAIRS: TOOMEY  
PURPOSE: PUB PUBLIC HEARING      LEGISLATIVE      BUNDE  
CONTACT:      LYNNE SMITH      TEL#: (907)465-6825  
CHAIRING SITE: JUNEAU      CAPITOL      CAP106

SPONSOR REMARKS(PUB): TESTIMONY:Y ALLOWED      8 MINUTE LIMIT  
TCN REQUESTED ON 03/01/94 AND HAS 3 UPDATES

\*\*\*\* AGENDA \*\*\*\*

- 1 HB 507 LICENSING OF OPTOMETRISTS AND PHYSICIANS
- 2 HB 472 REFERRALS INVOLVING DENTAL SERVICES
- 3 HB 361 APPROP: EDUCATION FUNDING FOR FY 95

\*\*\*\* PARTICIPATING LIOS \*\*\*\*

\* JNU JUNEAU      CAPITOL      CAP106      LOCATION STAFF

\*\*\*\* VOLUNTEER & OFFNET SITES \*\*\*\*

PSG WRG WRANGELL LTC	LONGSHOREMEN'S	MABEL FENNIMORE	(907)874-3013
ZZZ OF1 OFFNET 1	ANCHORAGE	DR. MCGUIRE	(907)562-4142
ZZZ OF2 OFFNET 2	SOLDOTNA	DAN PITTS	(907)262-4989
ZZZ OF3 OFFNET 3	TANANA	RON DELAY	(907)366-7208

PARTICIPANTS IN: JUNEAU

JNU

1	TO	OBSERVE	OBSV. ALL ITEMS
2	TO	OBSERVE	OBSV. ALL ITEMS
3	TO	OBSERVE	OBSV. ALL ITEMS
4	TO	OBSERVE	OBSV. ALL ITEMS
5	TO	OBSERVE	OBSV. ALL ITEMS
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7	TO	OBSERVE	OBSV. ALL ITEMS
8	TO	OBSERVE	OBSV. ALL ITEMS
9	TO	OBSERVE	OBSV. ALL ITEMS
10	TO	OBSERVE	OBSV. ALL ITEMS
11	TO	OBSERVE	OBSV. ALL ITEMS
12	TO	OBSERVE	OBSV. ALL ITEMS
13	TO	OBSERVE	OBSV. ALL ITEMS
14	TO	OBSERVE	OBSV. ALL ITEMS
15	TO	OBSERVE	OBSV. ALL ITEMS
16	TO	OBSERVE	OBSV. ALL ITEMS
17	TO	OBSERVE	OBSV. ALL ITEMS
18	TO	OBSERVE	OBSV. ALL ITEMS
19	TO	OBSERVE	OBSV. ALL ITEMS
20	TO	TESTIFY	TSFY. ALL ITEMS
21	TO	TESTIFY	TSFY. ALL ITEMS
22	TO	TESTIFY	TSFY. ALL ITEMS
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28	TO	TESTIFY	TSFY. ALL ITEMS
29	TO	TESTIFY	TSFY. ALL ITEMS

LTN1100-R01  
03/05/94

LEGISLATIVE TELECONFERENCE NETWORK

PAGE 02  
18:19:38

TCN: 40407 DATE & TIME: 03/01/94 15:00 TO 17:00 STATUS:7 STATS. IN

PARTICIPANTS IN: JUNEAU

JNU

30	TO	TESTIFY	TSFY. ALL ITEMS
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PARTICIPANTS IN: PETERSBURG

PSG

1 DR. ROY, A. BOX \_\_\_\_ OD EYEWARECENTRAL SE TSYF. HB 507  
16185 LENA LOANK RD JUNEAU AK 99801 (907)789-3175

PARTICIPANTS IN: WRANGELL LTC

PSG WRG

1	TO	TESTIFY	TSFY. ALL ITEMS
---	----	---------	-----------------

PARTICIPANTS IN: OFFNET 1

ZZZ OF1

1 DR.9 MCGUIRE TSYF. HB 507  
AK (907)000-0000

PARTICIPANTS IN: OFFNET 3

ZZZ OF3

1 RICH DELAY OBSV. HB 507  
AK (907)000-0000

PARTICIPANTS IN: OFFNET 4

ZZZ OF4

1	TO	TESTIFY	TSFY. ALL ITEMS
2	TO	OBSERVE	OBSV. ALL ITEMS

AK (907)000-0000

# FISCAL NOTE

**STATE OF ALASKA**  
**1994 LEGISLATIVE SESSION**

**BILL NO. HB 324**

Revision Date: 2/25/94  
 Title: An Act extending the termination date of the Board of Dental Examiners and providing for an eff. date  
 Sponsor: Representative Bunde  
 Requestor: Representative Bunde

Department: Commerce and Economic Dev.  
 BRU: Occupational Licensing  
 Component: Operations  
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00	
PERSONAL SERVICES							
TRAVEL							
CONTRACTUAL							
SUPPLIES							
EQUIPMENT							
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
--------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE		(Thousands of Dollars)					
1002 Federal Receipts							
1003 GF Match							
1004 General Fund							
1005 GF/Program Receipts							
1006 GF/MHTIA							
Other							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	

Estimate of any current year (FY 94) cost: \$ None

POSITIONS		FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME		0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME		0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY		0.0	0.0	0.0	0.0	0.0	0.0

**ANALYSIS:** (Attach a separate page if necessary)  
 The bill extends the Board of Dental Examiners to June 30, 1997. Funding for the Board of Dental Examiners is included in the FY 95 operating budget; therefore, new funds are not required.

Prepared by: JoAnne Cummings, Regulations Specialist  
 Division: Occupational Licensing  
 Approved by Commissioner: Paul Fuhs  
 Agency: Commerce and Economic Development

Phone: 465-2537  
 Date: 2/25/94  
 Date: 2-28-94

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office

## **SPONSOR STATEMENT HB 324**

### **“An Act extending the termination date of the Board of Dental Examiners; and providing for an effective date.”**

The Board of Dental Examiners sunset June 30, 1993. Under AS 08.03.020, a board that is not continued by the legislature, shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs. The board is currently in the process of phasing itself out. In order to prevent this from happening I have sponsored HB 324 which seeks to extend the Board of Dental Examiners until June 30, 1997.

The general purpose of the Board of Dental Examiners is to regulate and control licensing, permits, and revocations of the dental profession. Some specific duties of the board include:

1. Responding to questions concerning the regulation of dental hygienists.
2. Investigating the means and mechanisms of assuring quality control of functions delegated to allied dental health professions.
3. Encouraging the Governor's office to expedite appointments and reappointments of board members.
4. Maintaining adequate procedures for background investigations of all licensure applicants.
5. Interacting with testing entities to ensure continued upgrading of examination procedures and content.
6. Distributing licensure information through the board-published newsletter.
7. Developing ethics policies. Supports dental education.
8. Assisting the division in establishment of fees commensurate with costs incurred for each license category.
9. Developing infection control regulations and radiation protection regulations.
10. Maintaining compliance with the Americans for Disabilities Act.

The Board of Dental Examiners is an important board. They protect the public by overseeing the dental industry. I urge your favorable consideration of this legislation.

DEPARTMENT OF COMMERCE AND  
ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

P.O. BOX 110806  
JUNEAU, ALASKA 99811-0806  
PHONE: (907) 465-2534

SEP 13 1993

DATE: September 3, 1993  
TO: Board of Dental Examiners  
FROM: *Karl A. Tuck* Director  
Division of Occupational Licensing  
Department of Commerce and Economic Development  
SUBJECT: Board Sunset

This is to advise you that the Board of Dental Examiners sunset June 30, 1993. Under AS 08.03.020, a board that is not continued by the Legislature, shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs.

Please be advised that legislation to continue your board did not pass during this past legislative session. Therefore, the Board of Dental Examiners is in its "wind-down year" of business and unless legislation passes during the 1994 session, the board will cease to exist on June 30, 1994.

During the wind-down year, the board's power and authority are not reduced. The board should conduct business as usual during this time, except that the board should not initiate any major projects, such as a total rewrite of regulations. However, the board should strive to accomplish its top priorities, i.e., examinations, reviewing applications, etc.

We have made the Governor's Office aware of your sunset status by forwarding a copy of this letter along with a copy of your most recent Annual Report. In addition, we have forwarded this information to the First Legislative Committee of Referral (this committee has responsibility for introducing continuation bills for boards).

Finally, you are encouraged to seek out a friendly legislator who will introduce legislation to continue the board, or if applicable, have your state association take the lead on this issue.

Please contact me should you have any questions regarding this matter.

KAL/lvs0027t  
082493b

cc: Governor's Office  
Board and Commissions  
Legislative Liaison  
First Legislative Committee of Referral

SEP 13 1993

# Board of Dental Examiners

BOARD OF DENTAL EXAMINERS

IDENTIFICATION

	<u>Term</u>
Ronald L. Martinelli, DDS P.O. Box 2035 Soldotna, AK 99669 (Home) 262-5325 (Work) 262-6595 (Fax) 262-6595	February 1, 1995
T. Greg Remaklus, DMD 4200 Lake Otis Parkway, #201 Anchorage, AK 99508 (Home) 248-0765 (Work) 561-1884	February 1, 1995
Royann Royer, Secretary, Hygienist 4200 Bridle Circle Anchorage, AK 99517 (Home) 243-8199 (Work) 276-7366 (Msg.) 786-1701	February 1, 1995
George Shaffer, Chairperson, DMD 306 Main Street, #202 Ketchikan, AK 99901 (Home) 225-6027 (Work) 225-9439 (Fax) 907-225-6702	February 1, 1993
Robert W. Robinson II, DMD 935 Westpoint Drive, Suite 201 Wasilla, AK 99654 (Home) 376-2723 (Work) 373-0747 (Fax) 907-373-7500	February 1, 1994
Carolyn Michels, Public Member P.O. Box 299 Nome, AK 99762 (Home) 443-2026 (Work) 443-3206	February 1, 1997
Kevin L. Gottlieb, DDS 12720 Toilsome Hill Anchorage, AK 99516 (Home) 345-3918 (Work) 276-2717 (Fax) 258-5212	February 1, 1997

Susan L. Cameron, Hygienist  
1610 Laurie Lane  
Juneau, AK 99801  
(Home) 780-4457  
(Work) 789-2135

February 1, 1997

Staff

Carol J. Whelan, Licensing Examiner  
Division of Occupational Licensing  
Department of Commerce & Economic  
Development  
P.O. Box 110806  
Juneau, AK 99811-0806  
(Work) 465-2542  
(Fax) 465-2974

Dick Slisz, Investigator  
3601 "C" Street, Suite 722  
Anchorage, AK 99503  
(Work) 561-2878  
(Fax) 562-5781

02/23/94  
15:09:56

PUBLIC OPINION MESSAGE SYSTEM  
MEMBER OFFICE BUN Bunde

POMS100  
LHSCZAN

From: Dr. Arthur  
1329 McGrath Rd

Hansen

dds

Fairbanks

AK 99712

Tel: 457-4638

NON CONSTITUENT  
Bill# HB 324 Title: EXTEND BOARD OF DENTAL EXAMINERS  
Subject

SUPPORTS THIS LEGISLATION

Message: A SPECIAL THANKS TO REP. CON BUNDE FOR SPONSORING THIS BILL, TO  
EXTEND THE BOARD OF DENTAL EXAMINERS. I FULLY SUPPORT THIS BILL.

Entered By: LIOCFRA on 2/21/94 PomID 5695 Distribution 60  
MSG:  
Enter Next Message PF4 Menu PF6 WasteBasket PF7 Previous POM PF10 BigWaste

SUPPORT



## Alaska Dental Society

3400 Spenard Road, Suite 10  
Anchorage, Alaska 99503  
(907) 277-4675 • FAX: 274-2960

Wednesday, February 23, 1994

Representative Gary Davis  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, Alaska 99801-1182

Dear Representative Davis:

The Alaska Dental Society is pleased to provide you with the attached information sheet relative to the following House and Senate Bills currently under review:

**Senate Bill 201 - *COORDINATING INSURANCE BENEFITS***

**House Bill 324 - *KEEPING THE BOARD OF DENTAL EXAMINERS***

**House Bill 476 - *ANY WILLING PROVIDER (Freedom of Choice for Dental Patients)***

**House Bill 472 - *DENTAL REFERRAL SERVICES (Disclosure of fees paid)***

The information sheet provides you with a comparison of the various types of dental reimbursement plans currently being offered to employees as well as a glossary of dental benefits terminology. We have devised this chart as a means of educating people about the differences between the various programs.

*The Alaska Dental Society supports all of the above legislation because it helps protect the interests and freedoms of our patients. If you have any questions with regards to the information contained herein, please contact the Alaska Dental Society at (907) 277-4875.*

Sincerely,

The Alaska Dental Society

**ALASKA STATE BOARD OF DENTAL EXAMINERS**  
**ANNUAL REPORT**  
**FISCAL YEAR 1993**

August 1, 1993

The Honorable Walter J. Hickel  
Office of the Governor  
P.O. Box 110001  
Juneau, AK 99811-0001

Dear Governor Hickel:

Enclosed is the Alaska State Board Annual Report for Fiscal Year 1993. This is in accordance with Alaska Statutes 08.36.070.

The Dental Board's goals and objectives, significant discussions and actions by the board, adopted regulations and future legislative recommendations are listed on the following pages. Statistical overview of board information by the Licensing Examiner is also included.

Respectfully submitted:

George Shaffer, DMD  
Chairperson  
Alaska State Board of Dental  
Examiners

Prepared by:

Royann Royer, RDH, MPH  
Secretary  
Alaska State Board of Dental  
Examiners

GS/RR/CJW/dgl4876D  
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# BOARD OF DENTAL EXAMINERS

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## BOARD OF DENTAL EXAMINERS

### GOALS AND OBJECTIVES - FY 93

1. Cooperate with the Sunset Review Committee and Legislative Audit Committee. Improve the representation and communications with the committees from the entire board.
2. Be responsive to questions concerning the regulation of dental hygienists in areas such as:
  - a. placement of pit and fissure sealants;
  - b. topical medicament;
  - c. coronal polishing; and
  - d. supervision required for hygienists utilizing local anesthetic agents.
3. Investigate the means and mechanisms of assuring quality control of functions delegated to allied dental health professions.
  - a. dental auxiliaries placing pit and fissure sealants;
  - b. minimum competency requirements for dental auxiliaries placing pit and fissure sealants;
  - c. auxiliaries placing topical medicaments; and
  - d. guidelines for placing topical medicaments.
4. Encourage the Governor's Office to expedite appointments and re-appointments of board members.
5. Maintain adequate procedures for background investigations of all licensure applicants.
6. Continue to interact with testing entities to ensure continued upgrading of examination procedures and content.
7. Distribution of licensure information to licensees through the board-published newsletter.
8. Investigate with WREB the use of limited specialty licensing examinations for ADA recognized dental specialties.
9. Develop policy with regard to ethics to include dental advertising.

10. Support a cooperative relationship with dental education institutions to continue to supply adequate numbers and quality of allied health professionals.
  - o Support courses that could be used for continued competency assurance to upgrade the knowledge of the state's allied health professionals.
11. Continue to investigate further methods to insure adequacy in our licensing procedures.
12. Assist the division in establishment of fees commensurate with costs incurred for each license category.
13. Investigate extension programs for dental auxiliary training.
14. Continue to promote continued competency. Monitor continuing education and compliance with state statutes and regulations:
  - a. develop infection control regulations;
  - b. develop radiation protection regulations;
  - c. develop regulations for the use of dental laser devices; and
  - d. develop regulations for identification of dental prosthesis.

**BOARD OF DENTAL EXAMINERS**  
**REVIEW OF PRIOR YEAR OBJECTIVES**

A copy of the Goals and Objectives for FY 92 precedes the following highlights and current status of the board's actions or involvement regarding these issues:

1. The board wishes to cooperate with the Sunset Review Committee and Legislative Audit Committee in all respects. It is essential to enhance communication with the department and to demonstrate the need and important role the board represents for maintaining the highest quality dental profession in the State of Alaska and as advocates for the consumers of their services.
2. (a-d): The board is currently involved in ongoing discussions trying to clarify the board's opinions and regulations of the dental hygienist's scope of practice. These discussions can be read in the excerpts from the minutes that have been included in the narrative section.
3. (a-f): Again, as identified in the minutes the board is continuing controversial discussions in regard to requiring minimum competency requirements for dental auxiliaries. A regulation was proposed and passed by the board to allow dental assistants to place pit and fissure sealants and topical medicants. This regulation was repealed after receiving our Attorney General's opinion that, since these duties are listed under the state's dental hygiene statutes, they cannot be delegated to dental assistant.
4. The board would like to emphasize how important it is for the Governor's Office to expedite appointments and reappointments of board members. It is crucial for maintaining appropriate representation of dental professionals throughout the state. At minimum, it is needed to ensure a quorum is available to conduct business during board meetings when not all board members are available to attend. Also, Board has ongoing commitments with the Western Regional Examining Board. Board members provide manpower to develop and administer examinations for licensure. This requires a fully staffed board since extensive time and travel are required from all board members. WREB schedules may also conflict with state board meetings.
5. The board has developed and adopted new/additional procedures which should now maintain adequate background investigations of all licensure applications. These include Verification of Dental Association Membership; Drug Enforcement Administration Verification; Impaired Practitioner Affidavit; Affidavit of Professional Reference; and Certification of Practice, including three letters of reference and verification from Federal Jurisdiction (if applicable).

6. The board continues to participate in the Western Regional Board Examinations and interact with the American Association of Dental Examiners and Western Conference of Dental Examiners through conferences to ensure continued upgrading of examination procedures and content. The board currently has a representative for the State of Alaska on the WREB. Board members share responsibility of two meetings a year for the WREB Board of Directors. Dental hygiene examinations are four to five days of travel, and dental exams are five to seven days in length. All members try to participate in one or two exams per year. This responsibility is one of the major factors in having an adequate number of members on the state board.
7. The board has chosen to utilize the Alaska State Dental Association newsletter, Alaska Update, as its medium for distribution of licensure information to licensees. A biannual insert of board information will be mailed to all licensees, not only to members of the Alaska State Dental Association. Additional articles will be published as needed in this quarterly publication.
8. The board continues to investigate the use of limited specialty licensing examinations for ADA-recognized dental specialties. Western Regional Examining Board is currently researching possibilities for conducting these examinations.
9. The American Dental Association has outlined and defined appropriate guidelines for ethical advertising in dentistry which can be utilized under Sec. 08.36.315(3) in the Alaska Statutes. This statute identifies grounds for discipline, suspension or revocation of a license. The board has also voted to accept the ADA Code of Ethics as Alaska's ethics guideline in dentistry.
10. The board strives to maintain a cooperative relationship with the only state dental education institution at the University of Alaska at Anchorage Dental Programs. The goal is to supply adequate numbers and quality allied health professionals in Alaska. Also, the University and the State Dental and Dental Hygiene Associations have offered an adequate number and quality continuing education courses for dental professionals throughout this fiscal year.
11. The board continues to investigate further methods to insure adequacy in our licensing procedures. Regulations have been developed during these last two fiscal years in regard to licensing by credentials. However, legal interpretations continue to confuse the validity of these regulations. Adequate legal counsel is needed when making decisions pertaining to these regulations.
12. The board feels that the current fees do not reflect and compensate for actual operating costs to the division. A request for revising and assisting the division in establishment of fees is provided in the Budget Recommendations section of this report.

13. The board will continue to encourage extension programs for dental auxiliary training as requested by the community and/or mandated by new statutes or regulations.
14.
  - a. Infection control regulations have been mandated by the current OSHA guidelines. Dental professionals throughout the country must implement these guidelines into their practices. These mandated guidelines are enforced by the federal government. Therefore, the board fees additional infection control regulations are no longer needed.
  - b. A committee was formed and recommendations provided for developing radiation protection regulations for dental auxiliaries this fiscal year. The majority of the board does not want to develop regulations at this time and will delete this objective from its FY 94 goals.
  - c. Regulations were developed for use of dental laser devices. These regulations were approved as detailed in Regulation Recommendations section of this report.
  - d. Regulations were developed and approved for identification of dental prosthesis. See Regulation Recommendations section.

**BOARD OF DENTAL EXAMINERS**  
**GOALS AND OBJECTIVES - FY 94**

1. Cooperate with the Sunset Review Committee and Legislative Audit Committee. Improve the representation and communications with the committees from the entire board.
2. Be responsive to questions concerning the regulation of dental hygienists in areas such as:
  - a. placement of pit and fissure sealants;
  - b. topical medicament;
  - c. coronal polishing; and
  - d. supervision required for hygienists utilizing local anesthetic agents.
3. Investigate the means and mechanisms of assuring quality control of functions delegated to allied dental health professions.
  - a. dental auxiliaries placing pit and fissure sealants;
  - b. minimum competency requirements for dental auxiliaries placing pit and fissure sealants;
  - c. auxiliaries placing topical medicaments; and
  - d. guidelines for placing topical medicaments.
4. Encourage the Governor's Office to expedite appointments and re-appointments of board members.
5. Maintain adequate procedures for background investigations of all licensure applicants.
6. Continue to interact with testing entities to ensure continued upgrading of examination procedures and content.
7. Distribution of licensure information to licensees through the board-published newsletter.
8. Investigate with WREB the use of limited specialty licensing examinations for ADA recognized dental specialties.
9. Develop a policy with regard to ethics to include dental advertising.

10. Support a cooperative relationship with dental education institutions to continue to supply adequate numbers and quality of allied health professionals.
  - o Support courses that could be used for continued competency assurance to upgrade the knowledge of the state's allied health professionals.
11. Continue to investigate further methods to insure adequacy in our licensing procedures.
12. Assist the division in establishment of fees commensurate with costs incurred for each license category.
13. Investigate extension programs for dental auxiliary training including training in infection control and radiation protection. Continue to promote continued competency. Monitor continuing education and compliance with state statutes.
  - a. develop infection control regulations; and
  - b. develop radiation protection regulations.
14. Maintain compliance with the Americans With Disabilities Act, PL 101-336.

**BOARD OF DENTAL EXAMINERS**  
**SUNSET PERFORMANCE AUDIT RECOMMENDATIONS**

The board is under Sunset Review and will sunset on June 30, 1993 unless extended. The board has one year, June 30, 1994, to conclude its business and will cease to exist as of June 30, 1994 unless extended.

## BOARD OF DENTAL EXAMINERS

### BUDGET NARRATIVE

This section details the number of board meetings requested and travel requests for board members. The number of meetings coincide with the number mandated. Teleconferences are conducted only when matters of significant importance need to be acted on and cannot be detained till the next scheduled meeting.

Travel requests have been reduced to an absolute minimum for outside meetings. The two meetings requested, American Association of Dental Examiners Conferences, are essential for the board to attend. The Dental Board is required to belong to this organization to maintain the state's participation in the Western Regional Board Exam. Members need to attend these meetings in order to keep abreast of current issues and examination procedures discussed and developed during these conferences.

The board would like to request a comparison of the allocated "line item" budget for the dental component of the Division of Occupational Licensing and expenses incurred by the Dental Board during the last fiscal year. If this budget represents enumeration of fees collected through licensing and renewals but does not cover expenses, fees should be increased to compensate for this difference. This request by the board for increased fees to cover expenses incurred is also included.

**BOARD OF DENTAL EXAMINERS  
FOUR TWO-DAY MEETINGS PER YEAR**

	ANCHORAGE
Examiner (Juneau)	\$1,776.00
Per Diem	1,064.00
Martinelli (Soldotna)	496.00
Per Diem	996.00
Robinson (Wasilla)	94.08
Per Diem	288.00
Eichman (Juneau)	1,776.00
Per Diem	840.00
Michels (Nome)	2,320.00
Per Diem	1,456.00
Remaklus (Anchorage)	0.00
Royer (Anchorage)	<u>0.00</u>
Arneson (Kodiak)	1,544.00
Per Diem	544.00
Cameron (Juneau)	1,776.00
Per Diem	840.00
<b>TOTAL MEETING COST</b>	<b><u>\$15,810.08</u></b>

Costs determined by full coach air fare, per diem: first day prorated, last day 36.00, daily rate at higher season rate (examiner travel not prorated on first day of travel).

Board requests out-of-state travel for two members to attend three conferences (AADE Annual and Mid-Year-Winter and Western Conference) - these costs are not provided for in these figures.

BOARD OF DENTAL EXAMINERS

OUTSIDE TRAVEL COSTS

		<u>Approximate Cost</u>
<u>AADE Annual Meeting</u> November 4-5, 1993 San Francisco, California	For One Member)	\$1,151.00
Transportation:	427.00	
Per Diem x 4 days:		
Actuals: Lodging @ \$105.00 x 3	315.00	
Meals - 36.00 x 4	<u>144.00</u>	
	459.00	
Registration:	265.00	
 <u>AADE Mid-Year Meeting</u> April 1994 Chicago, Illinois	For One Member)	 659.00
Transportation:	Paid by ADA	
Per Diem x 4 days:		
Actuals: Lodging @ \$105.00 x 3	315.00	
Meals - 36.00 x 4	<u>144.00</u>	
	459.00	
Registration:	200.00	
 <u>Western Regional Board Conference</u> Dates Unknown - Summer Rates San Francisco, California	(For One Member)	 1,159.00
Transportation:	500.00 (Ultra Saver)	
Per Diem:		
Actuals: Hotel @ \$105.00 x 3	315.00	
Meals - 36.00 x 4	<u>144.00</u>	
	459.00	
Registration:	200.00	

**BOARD OF DENTAL EXAMINERS  
BOARD TRAVEL REQUEST**

**A. In-State Regular Board Meetings:**

Number of board meeting authorized by statute: 4

FY 93

FY 94

July 27, 1992  
(Special Meeting  
called by Chair)

October 2-3, 1992

September 24-25, 1993

Number of board meetings requested: 4

FY 92

FY 93

November 5, 1992  
(Teleconference)

November 19-20, 1993

January 14-15, 1993

February 4-5, 1994

May 6-8, 1993

May 4-5, 1994

July 18, 1993  
(Teleconference)

Locations:

Anchorage  
Juneau - if needed

**B. Out-of-State Travel:**

Name of event/conference  
Location (City, State)  
Date(s)  
Who is anticipated to attend? (Name of board member(s), staff)  
Name of alternate attendee.

- |  |                                       |
|--|---------------------------------------|
| 1. AADE Annual Meeting<br>October 1993<br>San Francisco, California  | 1 Dental Member<br>1 Dental Hygienist |
| 2. AADE Mid-Winter Meeting<br>Chicago, Illinois<br>April 1993  | 1 Dental Member<br>1 Dental Hygienist |
| 3. Western Regional Board<br>Conference<br>San Francisco, California<br>(Dates unknown as of this<br>report) | 1 Dental Member<br>1 Dental Hygienist |

**BOARD OF DENTAL EXAMINERS**  
**LEGISLATIVE AND REGULATION RECOMMENDATIONS**

The following regulations were approved or proposed by the board in FY 93. See attached documents.

TO: Division of Occupational Licensing

FROM: State Board of Dental Examiners

RE: Budget for Fiscal Year 1995

The State Board of Dental Examiners would like to make its requests known to the Division concerning the budget for the next Fiscal Year. As per AS 08.01.065, the Board wishes to become self-sufficient, and revise its fees to reflect, and compensate for, actual operating costs. We cannot comply with this statute unless we are given a detailed accounting of costs which apply to each specific Board function. Each fee category must be revised accordingly to enable the Board to operate in a break-even fashion.

- Progress in becoming self-sufficient has been stifled by the Division's failure to agree to fee increases. The Board therefore petitions the Division to calculate adjustments to each fee category based on the current record of expenses and income. The aforementioned license and other fees are delineated in 12 AAC 02.190.

The Board cites the following goals which necessitate increased budgetary considerations:

- 1) Compliance with the legislative mandate
- 2) The ability to function effectively in our capacity
- 3) The opportunity to retain necessary legal counsel where necessary
- 4) Funding to allow attendance at WREB, AADE, and other meetings critical to our function.
- 5) Compensation for Expert Witnesses where needed
- 6) Disciplinary action for Dental and Dental Hygiene offenders
- 7) Other travel, contractual, and commodity expenses

DIVISION OF OCCUPATIONAL LICENSING

*Prepared for:*

*Board of Dental Examiners*

*The information shown below provides an estimate of meeting(s) and exam(s) that can be held with the Travel allocation shown on the attached FY 94 Cost Allocation page.*

*This information should be used strictly as a guide. For example, a board may choose to hold a meeting by teleconference in lieu of a face-to-face meeting in order to use travel funds for other trips. As a reminder, activities requiring travel funds must remain within the allocated funding for travel.*

**The Travel Allocation can provide:**

**4 - two-day meetings.**

## DENCA.XLS

TITLE:		FY 94 COST ALLOCATION		
PROGRAM:		DENTAL		
DATE:		May-93		
NUMBER OF LICENSEES	28,717	1,048		
PERCENT OF LICENSEES	100	3.65%		
		<b>TOTAL</b>	<b>DIRECT (Program)</b>	<b>IN-DIRECT (Division)</b>
<b>PERSONAL SERVICES</b>				
Division Support		51,188	0	51,188
Lic. Examiner PCN (08- \$48,109	2008	12,688	12,688	0
SUB TOTAL		63,876	12,688	51,188
<b>TRAVEL/PER DIEM</b>				
Division		554	0	554
Program		13,359	13,359	0
SUB TOTAL		13,913	13,359	554
<b>CONTRACTUAL</b>				
Professional Services		15,164 *	6,978	1,224
Communications		5,791	1,462	4,329
Transportation		1,041	153	888
Advertising/Printing		2,782	1,168	1,614
Repairs/Maintenance		898	0	898
Rentals/Leases		1,113	225	888
Other (Mbrships, etc.)		2,151	1,676	476
SUB TOTAL		28,940	11,661	10,316
<b>SUPPLIES</b>				
Division		1,846	0	1,846
Program		129	129	0
SUB TOTAL		1,975	129	1,846
<b>EQUIPMENT</b>				
Division		3,608	0	3,608
Program		0	0	0
SUB TOTAL		3,608	0	3,608
<b>TOTAL COSTS</b>		<b>112,311</b>	<b>37,837</b>	<b>67,511</b>

\*Includes a \$6,962 FY 92 (in-direct) legal services increase.

**BOARD OF DENTAL EXAMINERS  
ANNUAL REGULATIONS REPORT  
FY 93**

- 1. Regulations projects pending at the end of FY 92** **Status**
- 
- A. CPR/Credentials Closed - approved in 2 parts; effective 2/18/93  
and 4/8/93
- B.
- C.
- 
- 2. New projects started in FY 93** **Status**
- 
- \* A. Lasers/prosthetics A. Adopted - pending review by Dept. of  
Law
- \* B. Licensure by credentials B. Adopted - pending review by Dept. of  
Law
- \* C. Consultants, continuing education C. Pending board review
- 
- 3. Number of public regulations hearings held in FY 93: 2**
- 4. Number of board meetings the regulations specialist attended**
- 0 in person**
- 3 by teleconference**

(\* indicates a regulations project that is pending at the end of FY 93)

REGULATIONS APPROVED

12 AAC 28.105 EXAMINATIONS

Made necessary word changes to comply with new statute.

12 AAC 28.400 CONTINUING EDUCATION REQUIREMENTS

Made necessary language changes for requirements for cardiopulmonary resuscitation (CPR) be made to be in compliance with AS 08.36.070 and 12AAC 28.920, and defines contact hours of continuing education.

12 AAC 28.410 APPROVED CONTINUING EDUCATION COURSES

Adds cardiopulmonary resuscitation training to the list.

12 AAC 28.420(a)(3) REPORT OF CONTINUING EDUCATION

Made necessary word changes to comply with regulations.

12 AAC 28.500(b) DENTAL HYGIENIST EXAMINATION

Addition of on or after January 1, 1987.

12 AAC 28.920 CPR CERTIFICATION

Added a new section defining CPR requirements.

12 AAC 28.930 INACTIVE LICENSE RENEWAL

Added a new section for renewal of an inactive license and methodology to reinstate as an active license.

12 AAC 28.950 cessation of licensing by credentials

Repealed.

12 AAC 28.951 LICENSURE BY CREDENTIALS

Added a new section defining the requirements that are considered generally equivalent licensing requirements.

12 AAC 02.190(b)(8) & (9) BOARD OF DENTAL EXAMINERS

Added initial and biennial parenteral sedation permit fees.

REGULATIONS RECOMMENDATIONS

12 AAC 28.410 APPROVED CONTINUING EDUCATION COURSES

Requests that AS 08.36.234(1)(H) be included.

12 AAC 28.700 IDENTIFICATION OF DENTAL PROSTHESIS

Requests that dentures be identified with the name of the owner.

12 AAC 28.710 USE OF LASER DEVICES

Requests that laser devices be in compliance with radiation requirements, used only by a licensed dentist, and cannot be used in false advertising.

12 AAC 28.910(b) DENIAL OF LICENSURE

Requests addition of (b) that the board may deny a license for the same grounds as imposing discipline under AS 08.36.315.

12 AAC 08.28.940 LICENSURE OF A DENTAL CONSULTANT OR REVIEW AGENT

Requests that any person who diagnosis, approves, disapproves, determines, or decides the dental care or treatment performed in this state must be licensed to practice dentistry in this state.

12 AAC 28.990(6) DEFINITIONS

Requests addition of a definition of "graduate of a dental school accredited by the Commission on Accreditation of the American Dental Association, or its successor agency". AS 08.234(a)(1)(A) needs to be in agreement with AS 08.36.110(1)(A) which is the requirements for all licensees.

12 AAC 28.951(3) LICENSURE BY CREDENTIALS

Requests addition of subjects of examination.

12 AAC 02.190 BOARD OF DENTAL EXAMINERS

Requests additions and fee changes.

BOARD/COMMISSION RECOMMENDATIONS FOR  
PROPOSED LEGISLATION

The Division of Occupational Licensing requests that each board or commission proposing legislative requests complete this form in its entirety. Completion of this analysis will provide division staff with a clearer understanding of the board's/commission's intent and position on relevant issues concerning the proposed changes.

1. Proposed language:  
AS 08.36.070(b)(3) refuse to grant a license to any applicant for the same reasons that it may impose disciplinary sanctions under AS 08.32.160 and AS 08.36.315.
2. Public/Industry/Profession benefit and consequences:  
For the protection and safety of the public the board should be able to refuse to grant a license for the same reasons it would discipline, suspend or revoke a license.
3. State the problem or purpose prompting this request identifying the serious risk to the consumer's life, health, safety, and economic well-being:  
Without the explicate statute allowing the board to refuse to grant a license
4. Briefly state the history of this problem or proposal:  
This change is necessary to treat all applicants the same and not to discriminate or have two different sets of requirements.
5. Identify the alternatives to this legislation (if any) and an analysis as to whether the benefits to the public are outweighed by the harmful effects of not having the recommended statute:  
There are no alternatives. Not having the recommended statute could force the board to issue a license to an applicant by examination that it would not have issued to an applicant under AS 08.36.234(a)(1)(G).
6. Cite any similar statutes from other states or other professions.  
The medical profession has this same wording in their statutes AS 08.64.240(b).

7. Which alternative mentioned would be most acceptable?

No Alternative identified.

8. Does the entire board/commission agree with this legislative request?

Yes the board voted unanimously in support of the change.

9. In the event questions should be raised during review of this request, please indicate below which board member we should contact?

\_\_\_\_\_

Board/Commission Member: Robert W. Robinson II, D.M.D.

Day Phone: 907 373-0747

**BOARD/COMMISSION RECOMMENDATIONS FOR  
PROPOSED LEGISLATION**

The Division of Occupational Licensing requests that each board or commission proposing legislative requests complete this form in its entirety. Completion of this analysis will provide division staff with a clearer understanding of the board's/commission's intent and position on relevant issues concerning the proposed changes.

1. Proposed language:  
AS 08.36.110(1)(C) has not had a license to practice dentistry revoked, suspended, or voluntarily surrendered in [THIS] a state, territorial, local, or federal dental licensing jurisdiction.
2. Public/Industry/Profession benefit and consequences:
3. State the problem or purpose prompting this request identifying the serious risk to the consumer's life, health, safety, and economic well-being:
4. Briefly state the history of this problem or proposal:  
The board unanimously voted that (C) should be as inclusive as (D) & (E) and should conform with the rest of the reading of the practice act.
5. Identify the alternatives to this legislation (if any) and an analysis as to whether the benefits to the public are outweighed by the harmful effects of not having the recommended statute:
6. Cite any similar statutes from other states or other professions.  
AS 08.36.110(1)(D) & (E)

7. Which alternative mentioned would be most acceptable?
8. Does the entire board/commission agree with this legislative request?  
The board voted unanimously for this change.
9. In the event questions should be raised during review of this request,  
please indicate below which board member we should contact?

\_\_\_\_\_

\_\_\_\_\_

Board/Commission Member: Robert W. Robinson II, D.M.D.  
907 373-0747

Day Phone: \_\_\_\_\_

BOARD/COMMISSION RECOMMENDATIONS FOR  
PROPOSED LEGISLATION

The Division of Occupational Licensing requests that each board or commission proposing legislative requests complete this form in its entirety. Completion of this analysis will provide division staff with a clearer understanding of the board's/commission's intent and position on relevant issues concerning the proposed changes.

1. Proposed language:  
AS 08.36.234(1)(A) is a graduate of a dental school that at the time of graduation is accredited by the Commission on Accreditation of the American Dental Association, or its successor agency, ....
2. Public/Industry/Profession benefit and consequences:  
To have AS 08.36.234(1)(A) agree with AS 08.110(1)(A) which covers all applicants for a license to practice dentistry. This will avoid any confusion or possible litigation.
3. State the problem or purpose prompting this request identifying the serious risk to the consumer's life, health, safety, and economic well-being:  
To protect the public from unnecessary legal expense. To protect the public from a possible situation of a dentist practicing without having graduated from an accredited dental school.
4. Briefly state the history of this problem or proposal:  
Recently passed statute needing to conform to the language of Chapter AS 08.36 of which it is a part.
5. Identify the alternatives to this legislation (if any) and an analysis as to whether the benefits to the public are outweighed by the harmful effects of not having the recommended statute:
6. Cite any similar statutes from other states or other professions.  
AS 08.36.110(1)(A)

7. Which alternative mentioned would be most acceptable?

8. Does the entire board/commission agree with this legislative request?  
The Board voted unanimously in support of this request for statute change.

9. In the event questions should be raised during review of this request, please indicate below which board member we should contact?

\_\_\_\_\_  
\_\_\_\_\_  
Board/Commission Member: Robert W. Robinson II, D.M.D.

Day Phone: 907 373-0747

**BOARD/COMMISSION RECOMMENDATIONS FOR  
PROPOSED LEGISLATION**

The Division of Occupational Licensing requests that each board or commission proposing legislative requests complete this form in its entirety. Completion of this analysis will provide division staff with a clearer understanding of the board's/commission's intent and position on relevant issues concerning the proposed changes.

1. Proposed language:

SEE ATTACHED LANGUAGE

2. Public/Industry/Profession benefit and consequences:

To limit the liability of the public and professionals who are complying with review organizations without which could lead to liability of those who are trying to protect the public.

3. State the problem or purpose prompting this request identifying the serious risk to the consumer's life, health, safety, and economic well-being:

Now only the State Medical Board and the people providing information to them have a limitation on liability. The State Dental Board and those people providing information to them also need protection.

4. Briefly state the history of this problem or proposal:

The State Dental Board issued a subpoena for records of a patient who had no current address. The dentist of record, who was not under investigation, incurred possible liability by complying with the subpoena.

5. Identify the alternatives to this legislation (if any) and an analysis as to whether the benefits to the public are outweighed by the harmful effects of not having the recommended statute:

6. Cite any similar statutes from other states or other professions.  
AS 18.23

7. Which alternative mentioned would be most acceptable?

8. Does the entire board/commission agree with this legislative request?  
Yes

9. In the event questions should be raised during review of this request, please indicate below which board member we should contact?

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Board/Commission Member: Robert W. Robinson II, D.M.D.

Day Phone: 907 373-0747

AS 08.02.020(3) change: ... to a person licensed under AS 08.64 [ . ], AS 08.32, and 08.36.

Add new section: AS 08.02.21 Limitation on liability for persons providing information. (a) A person providing information to a licensing board or peer review committee established to review a licensing matter is not subject to action for damages or other relief by reason of having furnished that information, unless the information is false and the person providing the information knew or had reason to know the information was false.

(b) A privilege of confidentiality arising from a health care provider-patient relationship may not be invoked to withhold pertinent information from review by a licensing board or peer review committee.

AS 18.23.010(b) change: ... arising from a [physician-patient] health care provider-patient relationship may not ....

AS 18.23.030(d) add: ... in a report submitted to the Board of Dental Examiners or the State Medical Board, and information gathered by the board during an investigation, under AS 08.36.315-340 and AS 08.64.336 is not subject ...

AS 18.23.070(5) add: the Board of Dental Examiners established by AS 08.36.010

BOARD/COMMISSION RECOMMENDATIONS FOR  
PROPOSED LEGISLATION

The Division of Occupational Licensing requests that each board or commission proposing legislative requests complete this form in its entirety. Completion of this analysis will provide division staff with a clearer understanding of the board's/commission's intent and position on relevant issues concerning the proposed changes.

1. Proposed language:

AS 08.36.70(b)(4) appoint a person who has been licensed and engaged in the practice of dentistry in the state for five years immediately preceding appointment to approve continuing education courses.

2. Public/Industry/Profession benefit and consequences:

It creates undue hardships on the licensees, public and the board to be unable to designate someone to represent the board in matters such as approving continuing education courses.

3. State the problem or purpose prompting this request identifying the serious risk to the consumer's life, health, safety, and economic well-being:

Until the board has its scheduled meeting many dentists and hygienist are unable to know if a course will be approved. This also can lead to a reduction of courses available.

4. Briefly state the history of this problem or proposal:

There have been many inquiries to the department and board as to whether an upcoming course will meet the requirements of continuing education. The board wants to designate someone to approve courses.

5. Identify the alternatives to this legislation (if any) and an analysis as to whether the benefits to the public are outweighed by the harmful effects of not having the recommended statute:

To leave as is and therefore not give approval until the board has its scheduled meeting. It can be as long as four months between meetings and could mean a licensee must guess the boards decision or the course cancels for lack of approval.

6. Cite any similar statutes from other states or other professions.

AS 08.36.130 authorizes the board to appoint persons to conduct or supervise the dental examination.  
AS 08.64.336(c); AS 08.64.101(6) allows the State Medical Board to appoint.

7. Which alternative mentioned would be most acceptable?

Change the statute to allow the board to appoint a person to approve continuing education courses.

8. Does the entire board/commission agree with this legislative request?

Yes

9. In the event questions should be raised during review of this request, please indicate below which board member we should contact?

\_\_\_\_\_

Board/Commission Member: Robert W. Robinson II, D.M.D.

Day Phone: 907 373-0747