

**NOTICE OF INTENT TO AMEND RULE OF THE GEORGIA BOARD OF
DENTISTRY
RULE 150-5-.05 REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL
HYGIENISTS**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Dentistry (hereinafter "Board") proposes amendments to Georgia Board of Dentistry Rule 150-5-.05 REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL HYGIENISTS (hereinafter "proposed amendments").

This notice, together with an exact copy of the rule including the proposed amendments and a synopsis of the rule including the proposed amendments, is being forwarded to all persons who have requested, in writing, that they be placed on an interested parties list. A copy of this notice, an exact copy of the rule including the proposed amendments, and a synopsis of the rule including the proposed amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Department of Community Health at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. These documents will also be available for review on the Georgia Board of Dentistry's web page at <http://gbd.georgia.gov/>.

A public hearing is scheduled to begin at 10:00 AM on June 2, 2023 at the Department of Community Health at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334 to provide the public an opportunity to comment upon and provide input into the proposed amendments. During the public hearing, anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received prior to May 26, 2023. Written comments should be addressed to Executive Director of the Georgia Board of Dentistry at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. You may email your comments to elacefield@dch.ga.gov.

The proposed rule amendments will be considered by the Georgia Board of Dentistry during its meeting scheduled to begin at 10:00 AM on June 2, 2023 at the Department of Community Health at 2 Martin Luther King, Jr. Drive SE, East Tower, 11th Floor, Atlanta, GA 30334. According to the Department of Law, State of Georgia, the Georgia Board of Dentistry has the authority to adopt the proposed rule amendments pursuant to authority contained in O.C.G.A §§ 43-11-7, 43-11-9, and 43-11-73.1.

At its meeting on March 3, 2023, the Board voted that the formulation and adoption of these amendments do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-11-7 and 43-11-9.

At its meeting on March 3, 2023, the Board also voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-11-7 and 43-11-9 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these amendments will impact every licensee in the same manner, and each licensee is independently licensed, owned and operated and dominant in the field of dentistry.

For further information, contact the Board office at 404-651-8000.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 28 day of April, 2023.



Eric R. Lacefield
Executive Director
Georgia Board of Dentistry

Posted: April 28, 2023

**SYNOPSIS OF PROPOSED AMENDMENTS OF THE
GEORGIA BOARD OF DENTISTRY
RULE 150-5-.05 REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL
HYGIENISTS.**

- Purpose:** To increase dental licensee education about and training in the area of infection control and infection control practices.
- Main Features:** Addition of a requirement that two hours of the a licensee's required continuing education must be in the area of infection control.

**DIFFERENCES OF PROPOSED AMENDMENTS OF THE
GEORGIA BOARD OF DENTISTRY
RULE 150-5-.05 REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL
HYGIENISTS.**

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

A copy of the draft rule approved by the Board is attached hereto.

Rule 150-5-.05. Requirements for Continuing Education for Dental Hygienists

- (1) Dental hygienists licensed to practice in the state of Georgia shall maintain and furnish to the Board, upon request, official documentation of having completed a minimum of twenty-two (22) hours of continuing education during each biennium. Official documentation shall be defined as documentation from an approved provider that verifies a licensee's attendance at a particular continuing education course. Official documentation of course attendance must be maintained by a dental hygienist for at least three (3) years following the end of the biennium during which the course was taken.
 - (a) Compliance with all continuing education requirements is a condition for license renewal. Failure to complete all hours of mandatory continuing education shall serve as grounds to deny the renewal of a license and may also result in disciplinary action being taken against a licensee.
 - (b) Upon its own motion, the Board may at any time randomly select a percentage of actively licensed dental hygienists for the purpose of auditing their compliance with the continuing education requirements of the Board. Those licensees selected for an audit shall submit official documentation of their compliance within thirty (30) days of receipt of the audit letter. Failure to respond to an audit request in a timely manner shall be grounds for disciplinary action against a licensee.
 - (c) The continuing education requirements shall apply within the first biennium that a dental hygienist is licensed in Georgia. However, in order to meet the continuing education requirements during the first biennium, a newly licensed dental hygienist may submit as their continuing education hours proof of dental hygiene coursework taken within the previous two (2) years of the date of the renewal application from a university or other institution accredited by the Commission on Dental Accreditation of the American Dental Association. Following the first biennium that a dental hygienist is licensed in Georgia such licensees shall comply with the continuing education requirements set forth in Rule 150-5-.05(2) and (3).
 - (d) The continuing education requirements shall not apply to dental hygienists who are on inactive status.
 - (e) The continuing education requirements for dental hygienists holding volunteer licenses may be satisfied by compliance with this rule, or they may alternatively be satisfied by compliance with Rule 150-3-.10.
- (2) Coursework, including home study courses, sponsored or approved by any organization recognized under Rule 150-3-.09(2) will be accepted.
- (3) Course content:
 - (a) All courses must reflect the professional needs of the hygienist providing quality dental health care to the public;
 - (b) At least fifteen (15) hours of the minimum requirement must be scientific courses in the actual delivery of dental services to the patient or to the community;
 - (c) Four (4) credit hours for successful completion of the in-person CPR course required by Georgia law offered by the American Heart Association, the American Red Cross, the American Safety and Health Institute, the National Safety Council, EMS Safety Services, or other such agencies approved by the Board may be used to

satisfy continuing education requirements per renewal period. This requirement may be satisfied by successful completion of an in-person Basic Life Support (BLS) or Advanced Cardiovascular Life Support (ACLS) course.

- (d) Up to eight (8) hours of continuing education per year may be obtained by assisting the Board with administering the clinical licensing examination or by assisting the Board with investigations of licensees. These hours shall be approved by the Continuing Education Committee of the Georgia Board of Dentistry and need not be sponsored by any agency or organization listed in 150-3-.09(2).
 - (e) Up to five (5) hours of continuing education per biennium may be obtained by teaching dental hygiene at any ADA-approved educational facility. These hours shall be awarded, in writing, by the course director at the facility and approved by the Continuing Education Committee of the Georgia Board of Dentistry.
 - (f) Up to five (5) hours of continuing education per biennium may be obtained by providing, uncompensated dental hygiene care at a charitable dental event as defined by O.C.G.A § 43-11-53.
 - (g) Up to ten (10) hours of continuing education per biennium may be obtained by members of the Georgia Board of Dentistry for member service, where one continuing education hour is credited for each five hours of Board service provided.
 - (h) Effective on and after January 1, 2022, one (1) hour of the minimum requirement shall include legal ethics and professionalism in the practice of dental hygiene, which shall include but not be limited to, education and training regarding professional boundaries; unprofessional conduct relating to the commission of acts of sexual intimacy, abuse, misconduct, or exploitation with regard to the practice of dental hygiene; legislative updates and changes to the laws relating to the practice of dental hygiene and rules, policies, and advisory opinions and rulings issued by the Board; professional conduct and ethics; proper billing practices; professional liability; and risk management.
 - (i) Effective on and after January 1, 2024, two (2) hours of the minimum requirement shall include education and training regarding infection control in the practice of dental hygiene, which shall include education and training regarding dental unit water lines.
- (4) Criteria for receiving credit for attending an approved continuing education course:
- (a) Credit hours are not retroactive or cumulative. All credit hours must be received during the two (2) year period to which they are applied; ~~and~~
 - (b) One credit hour for each hour of course attendance will be allowed;
 - (c) Only twelve hours of credit will be accepted per calendar day; ~~and~~
 - (d) Effective January 1, 2008, at least eleven (11) of the required twenty-two (22) hours of credit must be acquired in person at an on-site course or seminar; you are not allowed to acquire all CE hours through on-line courses, electronic means, journal studies, etc.
- (5) Criteria for receiving credit for teaching an approved continuing education course:
- (a) Credit hours for teaching an approved course must be obtained and used during the biennium that the approved course is taught;

- (b) A dental hygienist that teaches an approved continuing education course is eligible to receive two (2) credit hours for each hour of coursework that he or she presents at a particular course. Credit will be given for teaching a particular course on one occasion only. A maximum of five (5) credit hours per biennium may be obtained by a dental hygienist by whom an approved continuing education course is taught;
 - (c) Only continuing education course designated in Rule 150-5.05(2) as being sponsored or approved by recognized organizations will be considered for credit pursuant to this subsection of the rule. Courses taught by a dental hygienist prior to or a part of the process of obtaining his or her R.D.H. shall not be eligible for consideration pursuant to this provision of the rule;
 - (d) In the event that an audit is conducted of the continuing education hours of a dental hygienist who has taught a course approved by a recognized organization, the following shall be required to document the dental hygienist's role in presenting a continuing education course:
 - 1. Documentation from an approved provider verifying that the dental hygienist presented an approved continuing education course;
 - 2. Documentation from an approved provider reflecting the content of the course;
 - 3. Documentation from an approved provider specifying the list of materials used as part of the course; and
 - 4. Documentation from an approved provider verifying the hours earned and the dates and times that the course in question was given.
 - (e) In the event that an approved continuing education course is taught by more than one dental hygienist, continuing education credit will be given for those portions of course work in which the dental hygienist is directly involved and primarily responsible for the preparation and presentation thereof. Continuing education credit will not be available to a dental hygienist whose participation in preparing and presenting an approved course is not readily identifiable.
- (6) Criteria for receiving credit for providing uncompensated indigent dental hygiene care.
- (a) Up to five (5) hours of continuing education per biennium may be obtained by providing uncompensated dental hygiene care at a charitable dental event as defined by O.C.G.A. § 43-11-53.
 - (b) Dental hygienists may receive one hour of continuing education for every four hours of indigent dental hygiene care the dental hygienist provides, up to five (5) hours. Such continuing education credits will be applied toward the dental hygienist's clinical courses.
 - (c) All credit hours must be received during the two (2) year renewal period;
 - (d) Dental hygienists shall at all times be required to meet the minimal standards of acceptable and prevailing practice in Georgia;
 - (e) The Board shall have the right to request the following:
 - 1. Documentation from the organization indicating that the dental hygienist provided the services;

2. Documentation from the organization that it provided medical and/or dental hygiene services to the indigent and/or those making up the underserved populations;
3. Notarized verifications from the organization documenting the dental hygienist agreement not to receive compensation for the services provided;
4. Documentation from the organization detailing the actual number of hours spent providing said services; and
5. Documentation from the dental hygienist and/or organization verifying the services provided.

Authority: O.C.G.A. §§ 43-11-7, 43-11-9, 43-11-53, 43-11-73.