

**NOTICE OF INTENT TO ADOPT RULE TO THE GEORGIA BOARD OF DENTISTRY RULES
CHAPTER 150-15, RULE 150-15-.09 EX-PARTE COMMUNICATION. AND NOTICE OF
PUBLIC HEARING**

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 a new Rule to Georgia Board of Dentistry Rules: Rule 150-15-.09 EX-PARTE COMMUNICATION (hereinafter "proposed rule").

This notice, together with an exact copy of the proposed rule and a synopsis of the rule, 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 proposed rule, and a synopsis of the proposed rule 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 Peachtree Street, NW., Atlanta, Georgia, 30303. 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 12:00 PM on July 18, 2014 at the Department of Community Health at 2 Peachtree Street, NW., Atlanta, Georgia, 30303 to provide the public an opportunity to comment upon and provide input into the proposed rule. At 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 may be received prior to July 11, 2014. Written comments should be addressed to Executive Director of the Georgia Board of Dentistry at 2 Peachtree Street NW., Atlanta, Georgia 30303 FAX:678-717-6435. You may email your comments to tbattle@dch.ga.gov.

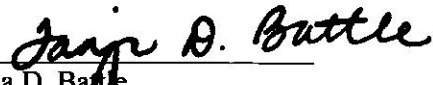
The proposed rule will be considered by the Georgia Board of Dentistry at its meeting scheduled to begin at 12:05 PM on July 18, 2014 at the Department of Community Health at 2 Peachtree Street, NW., Atlanta, Georgia, 30303. According to the Department of Law, State of Georgia, the Georgia State Board of Dentistry has the authority to adopt the proposed rule pursuant to authority contained in O.C.G.A §§ 43-11-7 and 50-13-3.

At its meeting on March 14, 2014, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-11-7, 43-11-9. The formulation and adoption of this rule 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 17th day of June, 2014



Tanja D. Battle
Executive Director
Georgia Board of Dentistry

Posted: June 17, 2014

**SYNOPSIS OF PROPOSED RULE OF THE GEORGIA BOARD OF DENTISTRY RULES
CHAPTER 150-15, RULE 150-15-.09 EX-PARTE COMMUNICATION**

Purpose of Rule: The purpose of this rule is to prohibit ex-parte communication with any member of the Board of Dentistry involved in the decisional process with respect to the merits of a contested case, with the exception of a request for information about the status of a proceeding.

Main Features: The main feature of this rule is to require the Board or its designee and all other parties to be notified immediately about the substance of the communication and the circumstances of its receipt, should such ex-parte communication take place.

**PROPOSED RULE FOR THE GEORGIA BOARD OF DENTISTRY RULES
RULE 150-15-.09 EX-PARTE COMMUNICATION**

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

150-15-.09 Ex-parte Communication

No person not employed by the Board of Dentistry shall communicate *ex-parte* with any member of the Board of Dentistry involved in the decisional process with respect to the merits of a contested case. If any *ex-parte* communication is directed to any person in violation of these rules, the Board or its designee and all other parties shall be immediately informed of the substance of the communication and the circumstances of its receipt; provided, that a request for information with respect to the status of a proceeding shall not be prohibited by this section.

Authority: O.C.G.A §§ 43-11-7 and 50-13-3.