

**NOTICE OF INTENT TO ADOPT RULE TO THE GEORGIA BOARD OF DENTISTRY RULES  
CHAPTER 150-20, RULE 150-20-.04 SUBPOENA 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 150-20-.04 SUBPOENA (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/>.

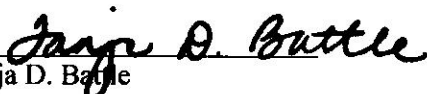
A public hearing is scheduled to begin at 12:00 PM on July 18, 2014 at the Department of Community Health at 2 Peachtree Street, NW., Atlanta, Georgia, 30303 to provide the public an opportunity to comment upon and provide input into the proposed rule. At the public hearing, anyone may present data, 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](mailto: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 §§ 43-1-3, 43-11-2.1, 43-11-7, 43-11-13, 43-11-14, 43-11-47, 50-13-13, and 50-13-15.

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

  
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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 150-20, RULE 150-20-.04 SUBPOENA**

Purpose of Rule: The purpose of this rule is to state how subpoena may be issued in contested cases.

Main Features: The main feature of this rule is to permit the issuance of subpoena at any time after the issuance of a Notice of Hearing but to require the party requesting the issuance of subpoena to serve them.

**PROPOSED RULE FOR THE GEORGIA BOARD OF DENTISTRY RULES  
RULE 150-20-.04 SUBPOENA**

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

**150-20-.04 Subpoena**

(1) In contested cases, subpoenas shall be issued without discrimination between public and private parties. At any time after issuance of the Notice of Hearing, and prior to the scheduled date for the hearing, the parties may request the issuance of subpoenas by filing a written request with the Executive Director, in accordance with Rule 150-15-.04, with appropriate service on the opposing party or counsel. Subpoena requests shall state the name and complete address of the person to whom it is directed.

(2) Subpoenas issued pursuant to a request in accordance with Rule 150-20-.04(1) shall not be issued in blank. Every subpoena issued by the Executive Director shall state the name of the Board of Dentistry and the title of the action, and shall command each person to whom it is directed to attend and give testimony at the hearing at a time and place therein specified, or to produce documents for examination at the hearing, or both.

(3) If such a subpoena is directed to any member, investigator, employee, or other agent or representative of the Board, including experts retained by the Board for purposes of the particular case, production of documentary evidence from the Board or investigative file of the applicant or licensee and the taking of testimony at the hearing from such person or persons shall be governed by applicable provisions in the Dental Practice Act.

(4) The party requesting the issuance of the subpoena shall be responsible for serving the same and paying the cost of securing the attendance of witnesses, in the same manner as prescribed by law in civil cases in superior court.

Authority: O.C.G.A §§ 43-1-3, 43-11-2.1, 43-11-7, 43-11-13, 43-11-14, 43-11-47, 50-13-13, and 50-13-15.