

**NOTICE OF INTENT TO ADOPT RULE OF THE GEORGIA STATE BOARD OF DENTISTRY
RULE 150-8-.04 ANIMALS. 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 State Board of Dentistry (hereinafter "Board") proposes a new Rule to Georgia Board of Dentistry Rules: Rule 150-8-.04, ANIMALS. (hereinafter "proposed rule").

This notice, together with an exact copy of the proposed rule and a synopsis of the proposed 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 State Board of Dentistry's web page at <http://gbd.georgia.gov/>.

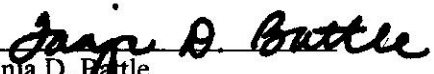
A public hearing is scheduled to begin at 10:00 AM on June 19, 2015 at the Department of Community Health at 2 Peachtree Street NW, Atlanta, Georgia, 30303 to provide the public an opportunity to comment upon and provide input into the proposed rule. At the public hearing, anyone may present data, make 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 must be received prior to June 12, 2015. Written comments should be addressed to Executive Director of the Georgia State 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 for adoption by the Georgia State Board of Dentistry at its meeting scheduled to begin at 10:05 AM on June 19, 2015 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 §§ 43-1-19, 43-11-7, 43-11-17, 43-11-47.

At its meeting on March 20, 2015, 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, 43-11-9. 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 19th day of May, 2015.



Tanja D. Battle
Executive Director
Georgia Board of Dentistry

Posted: May 19, 2015

**SYNOPSIS OF PROPOSED RULE OF THE GEORGIA STATE BOARD OF DENTISTRY
RULE 150-8-.04 ANIMALS.**

Purpose of Rule: The purpose of this rule is to regulate the presence of animals in a dental office.

Main Feature: The main feature of this rule is to restrict the presence of animals in a dental office, except where permitted under applicable state or federal disability law.

**PROPOSED RULE OF THE GEORGIA STATE BOARD OF DENTISTRY
RULE 150-8-.04 ANIMALS.**

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

150-8-.04 Animals.

(1) A licensee:

(a) shall not permit animals or pets in any area of a dental office or operation in which dental procedures are performed, or in any location where tools, instruments, patient charts, medications, or other items regularly moved into and out of areas in which dental procedures are performed are stored.

(b) shall not permit animals or pets in any other area of a dental office or operation unless physically restrained in a manner that ensures the animals or pets cannot access the areas described in the preceding paragraph, and unless maintained within a fully enclosed tank or similar enclosure that ensures hair, dander, fecal particulates, or other similar contaminants, whether airborne or otherwise, cannot be transmitted or transported to the areas described in the preceding paragraph. An air filter or filtration system is to be used when animals or pets other than fish are maintained in such an enclosure. The detection of odor from any animals so maintained shall raise the presumption that the subject animal enclosure does not meet the requirements of this paragraph.

(2) The restrictions of this Rule shall not apply to guide dogs and service dogs as permitted by Title 30 of the Official Code of Georgia or to service animals as permitted under the Americans with Disabilities Act (42 U.S.C. §§12101, et. seq.).

Authority: O.C.G.A. §§ 43-1-19, 43-11-7, 43-11-17, 43-11-47