

**NOTICE OF INTENT TO AMEND RULE OF THE GEORGIA STATE BOARD OF
DENTISTRY
RULE 150-4-.01 INVESTIGATIONS**

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 amendments to Georgia Board of Dentistry Rule 150-4-.01 INVESTIGATIONS (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 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 11:05 AM on March 1, 2019 at the Department of Community Health at 2 Peachtree Street, NW, 5th Floor, Atlanta, Georgia, 30303 to provide the public an opportunity to comment upon and provide input into the proposed amendments. 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 February 22, 2019. Written comments should be addressed to Executive Director of the Georgia State Board of Dentistry at 2 Peachtree Street NW, 6th Floor, Atlanta, Georgia 30303. You may email your comments to tbattle@dch.ga.gov.

The proposed rule amendments will be considered by the Georgia State Board of Dentistry during its meeting scheduled to begin at 11:05 AM on March 1, 2019 at the Department of Community Health at 2 Peachtree Street, NW, 5th Floor, 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 amendments pursuant to authority contained in O.C.G.A §§ 43-1-19, 43-1-21, 43-11-2.1, 43-11-7, 43-11-47, and 43-11-72.

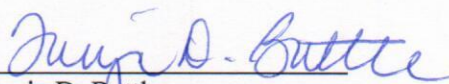
At its meeting on June 15, 2018, the Board voted that the formulation and adoption of these amendments do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A §§ 43-11-7 and 43-11-9.

At its meeting on 6/15/2018, 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 30th day of January, 2019.



Tanja D. Battle
Executive Director
Georgia Board of Dentistry

Posted: Jan 30, 2019

**SYNOPSIS OF PROPOSED AMENDMENTS OF THE
GEORGIA STATE BOARD OF DENTISTRY
RULE 150-4-.01 INVESTIGATIONS.**

Purpose of amendment: The purpose of this amendment is to update when investigation records may be released to the public and clarify interview notification.

Main Features: The main feature of this rule is to set forth the circumstances in which a matter pertaining to an investigation may be made public and clarify the language regarding interview notification.

**DIFFERENCES OF THE PROPOSED AMENDMENTS FOR THE
GEORGIA STATE BOARD OF DENTISTRY
RULE 150-4-.01 INVESTIGATIONS.**

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

150-4-.01 Investigations.

(1) The Board shall promptly conduct investigations to determine whether violations of the rules and laws governing the practice of dentistry or dental hygiene have occurred. Disciplinary proceedings may be initiated by the Board upon its own motion or upon receipt of a written complaint.

(2) Any matter pertaining to an investigation shall be kept in confidence by the Board until such matter is made part of a public document, is introduced as evidence at a hearing, ~~or~~ is provided to a law enforcement agency or another lawful licensing authority of this state or any other state upon inquiry by said agency or authority under to O.C.G.A. §§43-1-19(h)(2), 43-1-21, or is otherwise released as required or permitted under applicable state and/or federal law. ~~Upon the revocation or suspension of a license to practice dentistry or dental hygiene, notice may be released to the press and other news media.~~

(3) The Board, in its discretion, may schedule an interview with a licensee as a part of its investigation of a matter. Notice of the date, time and location of the interview shall be provided to the ~~dentist or hygienist~~licensee along with information apprising ~~him or her of the subject matter of the allegations to be discussed~~ the licensee of the primary concern to be discussed.

Authority: O.C.G.A. §§ 43-1-19, 43-1-21, 43-11-2.1, 43-11-7, 43-11-47, 43-11-72.