

**NOTICE OF INTENT TO AMEND RULE OF THE GEORGIA STATE BOARD OF
DENTISTRY
RULE 150-7-.03 VOLUNTEERS IN DENTISTRY**

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 150-7-.03 VOLUNTEERS IN DENTISTRY (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 10:00 AM on July 12, 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 July 5, 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 10:05 AM on July 12, 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 §§ 43-11-7, 43-11-8, and 43-11-52.

At its meeting on March 1, 2019, 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 3/1/2019, 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 5th day of June, 2019.

Tanja D. Battle

Tanja D. Battle
Executive Director
Georgia Board of Dentistry

Posted: June 5, 2019

**SYNOPSIS OF PROPOSED AMENDMENTS OF THE
GEORGIA STATE BOARD OF DENTISTRY
RULE 150-7-.03 VOLUNTEERS IN DENTISTRY**

Purpose of amendment: The purpose of this amendment is to separate and define the qualifications for a Georgia licensed dentist or dental hygienist as well as some minor grammatical corrections.

Main Features: The main feature of this amendment is the defining of qualifications for a Georgia licensed dentist or dental hygienist.

**DIFFERENCES OF THE PROPOSED AMENDMENTS FOR THE
GEORGIA STATE BOARD OF DENTISTRY
RULE 150-7-.03 VOLUNTEERS IN DENTISTRY.**

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

150-7-.03 Volunteers in Dentistry.

(1) The Board may issue volunteer licenses in its discretion when it has identified an area of this state in which there is an urgent, unfilled need for dental and/or dental hygiene services, and when it has located a competent dentist or dental hygienist to fulfill such need. In granting these volunteer licenses, the Board shall observe the following criteria:

(a) Need of the Community. A volunteer license shall be issued for the purpose of serving indigent patients in areas of this state in which there is inadequate personnel to supply dental or dental hygiene services. In determining what constitutes an inadequate supply of dental or dental hygiene personnel, the Board shall consider various factors, including the dentist-patient ratio or the dental hygienist-patient ratio in the area in question, the distance between patients and any existing dentist or dental hygienist, the maldistribution of particular types of specialty care, and any other factors which are indicative of an absence of adequate dental or dental hygiene services in or reasonably accessible to the area in question. Any group or groups of persons seeking to secure such a dentist or dental hygienist for a community shall supply the Board with all information necessary for it to make a determination as to the existence of all the foregoing factors.

(b) Qualifications of a Georgia Licensed Dentist.

1. The dentist or dental hygienist must submit an application for a volunteer license to the Board and must be retired from the practice of dentistry or dental hygiene and not currently engaged in such practice either full time or part time, and has prior to retirement maintained full licensure in good standing in dentistry or dental hygiene, or is currently licensed to practice dentistry or dental hygiene in the State of Georgia and whose license is unrestricted and in good standing. This license to practice dentistry or dental hygiene must have been held at least five years while engaged in clinical practice. Applicants must not have failed a clinical licensing exam within the past five years.

2. As a condition precedent to a volunteer license being issued, after five (5) years have passed without the applicant being engaged in the direct observation and treatment of patients, the

Board, in its discretion, may require a refresher course or the passage of an examination administered by the board or a testing agency designated and approved by the board.

3. The applicant dentist or dental hygienist may be asked to submit a statement from a physician attesting to the applicant's physical and mental capacity;

4. The applicant must show proof of current CPR certification;

5. If the applicant is not in compliance with the continuing education requirements established by the Board at the time application is made for the volunteer license (which is forty (40) hours for dentists and twenty-two (22) hours for dental hygienists of continuing education within the last two (2) years including CPR at the basic life support level), the applicant may be issued a nonrenewable temporary license to practice for six months provided the applicant is otherwise qualified for such license.

6. There shall be no application or licensing fee for initial issuance of a volunteer license.

(b)(c) Qualifications of the an Out-of-State Licensed Dentist.

1. The dentist or dental hygienist must submit an application for a volunteer license to the Board and must be retired from the practice of dentistry or dental hygiene and not currently engaged in such practice either full time or part time, and has prior to retirement maintained full licensure in good standing in dentistry or dental hygiene, or is currently licensed to practice dentistry or dental hygiene in any licensing jurisdiction in the U.S. and whose license is unrestricted and in good standing. This license to practice dentistry or dental hygiene must have been issued by a licensing authority following successful completion of a clinical licensing examination, approved by the board and must have been held at least five years while engaged in clinical practice.

Applicants must not have failed a clinical licensing exam within the past five years.

2. As a condition precedent to a volunteer license being issued, after five (5) years have passed without the applicant being engaged in the direct observation and treatment of patients, the Board, in its discretion, may require a refresher course or the passage of an examination administered by the board or a testing agency designated and approved by the board.

3. The applicant dentist or dental hygienist may be asked to submit a statement from a physician attesting to the applicant's physical and mental capacity;

4. The applicant must show proof of current CPR certification;

5. If the applicant is not in compliance with the continuing education requirements established by the Board at the time application is made for the volunteer license (which is forty (40) hours for dentists and twenty-two (22) hours for dental hygienists of continuing education within the last two (2) years including CPR at the basic life support level), the applicant may be issued a nonrenewable temporary license to practice for six months provided the applicant is otherwise qualified for such license.

6. All applicants must show passage with a score of 75 or higher on a jurisprudence examination on the laws and rules governing the practice of dentistry/dental hygiene in the State of Georgia. Such examination shall be administered in the English language;

7. There shall be no application or licensing fee for initial issuance of a volunteer license.

(e)(d) Dental Hygienists are subject to all provisions of direct supervision per O.C.G.A. § 43-11-74 and Rule 150-5-.03.

(d)(e) Renewal of a volunteer license.

1. Volunteer licenses shall expire at the close of December 31 in all odd-numbered years, and shall be administratively revoked for failure to renew on July 1 of the following even-numbered year.

2. There shall be no renewal fee for licensees holding a volunteer in dentistry license.

3. Licenses which have been administratively lapsed for non-renewal shall be reinstated only at the discretion of the board;
 4. Holders of a volunteer in dentistry license are subject to continuing education requirements as outlined in Board Rule 150-3-.10.
 5. Holders of a volunteer in dental hygiene license are subject to continuing education requirements as outlined in Board Rule 150-3-.10.
- (e)(f) Any other provisions of Chapter 11, Title 43 of the Official Code of Georgia Annotated not inconsistent with the intent and purpose of the special license statute shall be fully applicable to all specially licensed dentists.

Authority: O.C.G.A. §§ 43-11-7, 43-11-8, and 43-11-52