

## NOTICE OF INTENT

### Department of Health and Hospitals Board of Dentistry

#### Continuing Education Requirements (LAC 46:XXXIII.1611)

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the Dental Practice Act, R.S. 37:751, et seq., and particularly R.S. 37:760 (8), notice is hereby given that the Department of Health and Hospitals, Board of Dentistry intends to amend LAC 46:XXXIII.1611.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1611 to change the continuing education requirements for a sedation permit from 12 hours every 4 years to 6 hours every 2 years which will coincide with licensure renewal and no sedation continuing education will be required during the first renewal period after first receiving the anesthesia permit.

The Louisiana State Board of Dentistry is also amending LAC 46:XXXIII.1611 to change the continuing education requirements for having a pediatric sedation permit from 12 hours every 4 years to 6 hours every 2 years, which will coincide with licensure renewal.

### **Title 46** **PROFESSIONAL AND OCCUPATIONAL** **STANDARDS** **Part XXXIII. Dental Health Profession** **Chapter 16. Continuing Education Requirements**

#### **§1611. Continuing Education Requirements for Relicensure of Dentists**

A. – G.2 ...

H. In order to renew permits for the administration of general anesthesia or moderate sedation, each full licensee shall complete an in person adult sedation course of a minimum of 6 hours pertinent to the level of their sedation permit no less than once every license period, with this requirement only beginning in the second renewal period after the permit is issued. If the permit has a pediatric certification, then the aforementioned 6 hours must address pediatric sedation. If the permit holder has a pediatric certification, the permit holder must take both the adult and the pediatric sedation courses for a total of 12 in-person hours. If the permit holder has a pediatric certification and sedates only persons below the age of 13, and signs a certification to that effect, then only the 6 hour in-person pediatric sedation course is necessary. These hours will count towards the requirement of §1611.A.1. The CPR, ACLS, and PALS courses required in §§1503 and 1504 do not count toward the requirements set forth in this Section. Recertification for deep sedation or general anesthesia as required by the American Association of Oral and Maxillofacial Surgeons every five years shall satisfy this requirement.

I. Dentists successfully completing the calibration training for the administration of the clinical licensing examination administered by a testing agency approved of by the board may be awarded up to 20 hours of clinical continuing education per each renewal period.

J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8) and (13).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 20:661 (June 1994), amended LR 21:569 (June 1995), LR 22:24 (January 1996), LR 22:1216 (December 1996),

LR 23:1526 (November 1997), LR 24:1117 (June 1998), LR 25:510 (March 1999), LR 26:489 (March 2000), LR 30:2307 (October 2004), LR 32:244 (February 2006), LR 35:1237 (July 2009), LR 36:2038 (September 2010), LR 37:2151 (July 2011), LR 37:3515 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:817 (March 2012), LR 38:1959 (August 2012), LR 39:1282 (May 2013), amended by the Department of Health, Board of Dentistry, LR 43:956 (May 2017), amended by the Department of Health, Board of Dentistry, LR 44:47 (January 2018), LR

### **Family Impact Statement**

There will be no family impact in regard to issues set forth in R.S. 49:972.

### **Poverty Statement**

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

### **Provider Impact Statement**

The proposed rulemaking should not have any know or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect of the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

### **Public Comment**

Interested persons may submit written comments on these proposed rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, P.O. Box 5256, Baton Rouge, Louisiana, 70821. Written comments must be submitted to and received by the Board within 20 days of the date of the publication of this notice. A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be made in writing and received by the Board within 20 days of the date of the publication of this notice.

### **Public Hearing**

A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be in writing and received by the board within 20 days of the date of the publication of this notice.

Arthur Hickham, Jr.  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Chapter 16. Continuing Education Requirements**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The LA State Board of Dentistry (LSBD) is proposing an amendment to current rules that will change the continuing education requirements for dentists with a sedation permit from 12 hours every 4 years to 6 hours every 2 years, which will coincide with licensure renewal. Additionally, no sedation-related continuing education will be required during the first renewal period after first receiving the anesthesia permit. The LSDB is also amending this rule to change the continuing education requirements for having a pediatric sedation permit from 12 hours every 4 years to 6 hours every 2 years, which will coincide with licensure renewal.

Currently, dentists who complete calibration training for the administration of the clinical licensing examination administered by the Council of Interstate Testing Agencies (CITA) may be awarded up to 20 hours of clinical continuing education per renewal period. The proposed rule changes “Council of Interstate Testing Agencies (CITA)” to “a testing agency approved of by the board,” in recognition of a recent merger between CITA and other testing agencies.

The proposed rule change will result in a one-time SGR expenditure of \$500 in FY 24 for the LA State Board of Dentistry (LSBD) to publish the notice of intent and proposed rule revision in the Louisiana Register. The proposed rule change will not affect expenditures of local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule change will benefit licensed dentists by aligning continuing education deadlines with licensure renewal periods. Any dentist renewing his or her anesthesia permit will benefit from this rule change because the continuing education requirements will be changed from 12 hours every 4 years to 6 hours every 2 years, which will coincide with licensure renewal and will begin in the second renewal period after the first permit is issued.

In addition, any dentist renewing his or her pediatric sedation permit will benefit from this rule change because the continuing education requirements will be changed from 12 hours every 4 years to 6 hours every 2 years, which will coincide with licensure renewal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not have an effect on competition and employment.

Arthur Hickham, Jr.  
Executive Director