

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4715-3-01

Rule Type: Amendment

Rule Title/Tagline: Definitions.

Agency Name: State Dental Board

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 11/25/2024
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4715.03
5. **What statute(s) does the rule implement or amplify?** 4715.03
6. **What are the reasons for proposing the rule?**

The amendments are mostly to make changes to the Anesthesia/Sedation terms regarding moderate and deep sedation.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule sets the definitions used by the Board which includes terms for advertising, sedation, prescribing, and personnel, etc. Amendments have been proposed to add new definitions, update sedation definitions, and reorganize rule language.

8. **Does the rule incorporate material by reference?** No

9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Revisions were made to this rule to include the American Medical Technologists Registered Dental Assistant examination for dental assistants enacted March 23, 2022 by SB166.

02/13/2023 No changes have been made to the rule from the previous filing. The rule is being revise filed to correct the Board's Public Hearing information.

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.00

Not Applicable.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The business community impacted by the rule includes those that are licensed to practice dentistry in Ohio. Impacts of the rule include licensing requirements and requirements for licensed individuals to meet standards of care.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

The adverse impact to business is justified to comply with the Board's statutory obligations to regulate eligibility criteria, application procedures, and safe practice standards.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? No

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No

The rule includes only stand-alone definitions of terms, does not create an adverse impact, but are necessary to carry out the duties and obligations of the Board.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No

The stand-alone definitions do not impose a criminal penalty, civil penalty, or other sanction. However, the terms and how they are applied within other rules could result in disciplinary action of a regulated individual by the Board for non-compliance.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

Not Applicable.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable