

**MEMORANDUM**

TO: Mindy Franks, Ohio State Dental Board

FROM: Emily Kaylor, Regulatory Policy Advocate

DATE: May 5, 2016

RE: CSI Review – 2015 Chapter Nine (OAC 4715-9-01, 4715-9-01.1, 4715-9-01.2, 4715-9-01.3, 4715-9-02, 4715-9-03, 4715-9-04, 4715-9-05, 4715-9-06, and 4715-9-06.1)

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

The proposed rule package consists of ten rules (five no-change and five amended) being reviewed by the Ohio State Dental Board pursuant to the statutorily required five-year review. The rule package was submitted to the CSI Office with 18 other proposed Dental Board packages on December 8, 2015 and the comment period was held open through January 4, 2016. No comments were received during this time.

The proposed rules regulate the licensure and scope of practice for dental hygienists. The amendments to the rules implement House Bill 463 of the 130th General Assembly, neutralize gender references, correct typographical errors, and allow a dental hygienist to treat a patient if the supervising dentist is not physically present.

The adverse impacts are associated with the application for licensure and disciplinary sanctions that may occur if licensees practice outside of their scope defined in these rules. The Board's Law

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and Rules Review Committee approved of the submitted rules. Stakeholders were notified of the rules through the Board's website or via email. No comments were received that the cost is overly burdensome.

Therefore, after reviewing the proposed rules, the CSI Office has determined the purpose of the rule package is justified.

Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio State Dental Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.