



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Joseph Baker**, Director

### MEMORANDUM

**TO:** Justin Sheridan, Ohio State Dental Board

**FROM:** Jacob Ritzenthaler, Business Advocate

**DATE:** November 29, 2022

**RE:** **CSI Review – Ohio Automated Rx Reporting System and Acute Prescribing (OAC 4715-6-01 and 4715-6-02)**

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On behalf of Lt. Governor Jon Husted, 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 Board as provided for in ORC 107.54.

#### Analysis

This rule package consists of two amended rules proposed by the Ohio State Dental Board (Board). The draft rule was submitted to the CSI Office on October 26, 2022, and the public comment period was open through November 4, 2022. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on October 26, 2022.

Ohio Administrative Code (OAC) Chapter 4715-6 establishes requirements for review of the Ohio Automated Rx Reporting System (OARRS). OAC 4715-6-01 lists definitions, standards of care, and procedures for OARRS review. The rule is amended to update references and language. OAC 4715-6-02 lists requirements for dentists prescribing opioid analgesics for acute pain and is amended to updated referenced rules.

During early stakeholder outreach, the Board reviewed the rules during meetings of its Law and Rule Review Committee and sent the rules to interested parties via email. No comments were received during that time or during the CSI public comment period.

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The business community impacted by the rules includes dental auxiliary personnel and supervising dentists. The adverse impact created by the rules includes the cost of fees for certification or registration, as well as potential penalties for violations of the rule requirements. Initial fees and renewal fees cost \$32 for dental x-ray machine operators, \$25 for expanded function dental auxiliaries, and \$19 for the initial fee for coronal polishers. Disciplinary actions for noncompliance can include required training and education, probation, suspension, or certificate revocation. The Board states that the adverse impacts are necessary to ensure the competency of dental practitioners and the safety of patients.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.