



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Zachary Russell, Ohio Dental Board

FROM: Joseph Baker, Regulatory Policy Advocate

DATE: August 9, 2021

RE: **CSI Review – Dentists (OAC 4715-5-01.1, 4715-5-02, 4715-5-03, and 4715-5-08)**

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 contains four no change rules being proposed by the Ohio Dental Board (Board) as part of the statutory five-year review process. The rule package was submitted to the CSI Office on July 13, 2021, and the public comment period was held open through July 27, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on July 13, 2021.

OAC 4715-5-01.1 specifies requirements for initial licensure as a dentist, including that the individual be at least 18 years old, graduate from a qualifying dental college, pass an examination provided by the Joint Commission on National Dental Examinations, and complete a jurisprudence examination approved by the Board, among other requirements. OAC 3715-5-02 outlines the information that must be included on a written work authorization when a dentist contracts with an individual to supply a dental appliance. OAC 4715-5-03 requires each applicant for licensure to provide evidence to the Board that the individual obtained a passing score on each component of the examination established by the regional examining agency, except in cases where the regional examining agency has not established a passing score. If no passing score threshold is established,

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the applicant must pass each component by obtaining a score of at least 75%. Lastly, OAC 4715-5-08 requires licensed dentists to identify each removable prosthesis that replaces one or more teeth and to mark such a prosthesis in a specific manner for identification and recording purposes.

During early stakeholder outreach, the Board notified all parties registered to receive notification regarding rule changes that the rule would be considered at the June 9, 2021 Board meeting. No stakeholder comments were provided at that time or during the CSI public comment period.

The business community affected by the rules includes all applicants for licensure by the Board, and all licensed dentists who currently practice in Ohio. The adverse impacts to business include the time and expenses necessary to complete educational requirements, the examination, and other minimum standards for licensure, as well as to provide evidence of meeting such requirements to the Board when seeking licensure. The adverse impact also includes expenses and effort necessary to comply with reporting requirements for dental appliances and prostheses. The Board estimates in the BIA that the cost of taking the examination depends on which regional examination is taken, and that the cost of an initial license for dentistry is \$454 during even years and \$267 during odd years. The Board states in the BIA that the adverse impact to business is necessary to ensure that only competent and safe practitioners are permitted to practice dentistry in Ohio in order to protect the public.

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.