



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 – Dental Assistant Radiographer (OAC 4715-12-01)**

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 one no change rule 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 rule filed with the CSI Office on July 13, 2021.

OAC 4715-12-01 sets forth the permissible procedures and duties that may be performed by a dental x-ray machine operator. The rule permits dental x-ray machine operators to perform standard, diagnostic radiologic procedures in assistance of a supervising dentist, both when the supervising dentist is physically present and when the supervising dentist has previously examined the patient within the past year of the radiologic procedure. The rule additionally requires the machine operator to display his or her certificate or renewal receipt card in a conspicuous place in the office to demonstrate appropriate credentials to perform radiologic services.

During early stakeholder outreach, the Board notified all parties registered to receive notification

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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 individual dental assistant x-ray machine operators in Ohio and the dental practices they serve. The adverse impact created by the rules includes potential disciplinary action for failure to maintain certification. The Board states in the BIA that the adverse impact varies based on the degree of the violation, and that the adverse impact is necessary to ensure that only competent and safe practitioners are permitted to practice dentistry in Ohio.

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.