

APPENDIX II-C

**RULEMAKING NOTICE FORM**

Notice Number \_\_\_\_\_ Rule Number Den 300 various

<p>1. Agency Name &amp; Address:</p> <p><b>Board of Dental Examiners c/o Office of Professional Licensure &amp; Certification 7 Eagle Square Concord, NH 03301</b></p>	<p>2. RSA Authority: <u>RSA 317-A:12, III, IV, &amp; XIV</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal <u>X</u></p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: Licensing Requirements

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

**The Board of Dental Examiners is proposing to repeal or readopt with amendment various rules in Chapter Den 300 on licensing requirements. The Board is proposing the following changes:**

1. **Readopt with amendment Den 301.01 describing the application for dental hygienist licensure requirements. The proposed changes are as follows:**
  - **Remove the description of the “Dental Hygienist Application for Licensure” and require the “Universal Application for Initial Licensure” be used;**
  - **Require additional information specific to the hygienists on the hygienist’s addendum to the universal application;**
  - **Cite the requirement to complete the rural health professional survey;**
  - **List all items necessary to be submitted with the application for licensure;**
  - **Provide the content of the form titled “Statement of Professional Character”;**
  - **Clarify that exams be successfully completed, and verification be sent to the Office of Professional Licensure and Certification (OPLC); and**
  - **Describe the examination on content of the laws and rules as the jurisprudence examination with a specified passing score;**
  
2. **Readopt with amendment Den 301.02 describing the application for dentist licensure requirements. The proposed changes are as follows:**
  - **Require additional information specific to the dentists on the dentist addendum to the universal application;**
  - **Cite the requirement to complete the rural health professional survey;**
  - **List all items necessary to be submitted with the application for licensure;**
  - **Require a “Statement of Professional Character” from at least 3 signed certifications of good professional character, with at least 2 from a licensed dentist in good standing;**

- Clarify that exams be successfully completed, and verification be sent to the OPLC; and
  - Describe the examination on content of the laws and rules as the jurisprudence examination with a specified passing score;
3. Repeal Den 301.03 describing the application for dental hygienist licensure registration and renewal;
  4. Repeal Den 301.04 describing the application for dental licensure registration and renewal and renumber Den 301.05 through Den 301.07 as Den 301.03 through Den 301.05;
  5. Repeal Den 301.08 describing various fees and renumber Den 301.09 and Den 301.10 as Den 301.06 and Den 301.07;
  6. Repeal Den 301.11 describing the use of a social security number and renumber Den 301.12 and Den 301.13 as Den 301.08 and Den 301.09; and
  7. Readopt with amendment Den 303.03 describing the jurisprudence examination , by requiring the exam be provided either on a secure website provided by the OPLC or' if requested by the applicant, using pen and paper and requiring the passing score be 75%.

Part of this rule (Den 301.11 and Den 303.03) is scheduled to expire October 7, 2024, but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

**These rules affect applicants for dental and dental hygienist licensure.**

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

<b>RULE</b>	<b>STATUTE</b>
Den 301.01	RSA 317-A:12, III; RSA 317-A:21, II
Den 301.02	RSA 317-A:12, III; RSA 317-A:21, II
Den 301.03 (repeal)	RSA 317-A:12, III; RSA 317-A:21, II
Den 301.04 (repeal)	RSA 317-A:12, III; RSA 317-A:21, II
Den 301.08 (repeal)	RSA 317-A:12, XIV
Den 301.11 (repeal)	RSA 161-B:II, VI-a
Den 303.03	RSA 317-A:12, IV; RSA 317-A:12, XIV

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Tina M. Kelley** Title: **Rules Coordinator**  
Mailing Address: **Office of Professional Licensure & Certification** Phone #: **(603) 271-2855**  
**7 Eagle Square** Fax#: **None**  
**Concord, NH 03301**

E-mail: **OPLC-Rules@oplcnh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:  
**Thursday, November 14, 2024 at 4:00 pm.**

Fax

E-mail

Other format  
(specify):

9. Public hearing scheduled for:

Date and Time: **Monday, November 4, 2024 at 9:00 a.m.**  
Physical Location: **Office of Professional Licensure and Certification  
7 Eagle Square  
Concord NH 03301**  
Electronic Access (if applicable): **n/a.**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 24:194, dated 9/17/2024

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**  
There is no difference in costs when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**  
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**  
The proposed rules reorganize and clarify the requirements for Dentists and Dental Hygienists. They also update the fees to align with those established in Plc 1002.11, which have been in effect since August 2023 resulting in no cost or benefits to State funds, citizens, political subdivisions or independently owned businesses.
  - A. **To State general or State special funds:**  
None
  - B. **To State citizens and political subdivisions:**  
None
  - C. **To independently owned businesses:**  
None

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

**These rules do not violate Part I, Article 28-a of the New Hampshire Constitution. These rules do not mandate or assign this program to any political subdivision in any way.**