



## NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing  
 Notice without a scheduled hearing  
 Replication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.  
Previous publication of text was published in Volume:                      Issue:

1. Rule-Making Agency: The North Carolina State Board of Dental Examiners
2. Link to agency website pursuant to G.S. 150B-19.1(c): <a href="http://www.ncdentalboard.org">www.ncdentalboard.org</a>
3. Proposed Action -- Check the appropriate box(es) and list <u>rule citation(s)</u> beside proposed action: <input type="checkbox"/> ADOPTION:  <input type="checkbox"/> READOPTION <u>with</u> substantive changes:  <input type="checkbox"/> READOPTION <u>without</u> substantive changes:  <input checked="" type="checkbox"/> AMENDMENT:    21 NCAC 16R.0201  <input type="checkbox"/> REPEAL:
4. Proposed effective date: September 1, 2018
5. Is a public hearing planned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  If yes:    Public Hearing date: June 7, 2018 Public Hearing time: 6:00 pm Public Hearing Location: 2000 Perimeter Park Drive, Suite 160, Morrisville, North Carolina 27560
6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

**7. Explain Reason For Proposed Rule(s):** The Dental Board seeks to amend 21 NCAC 16R.0201 to add a requirement of six (6) hours of professionalism and ethics continuing education for applicants licensed after January 1, 2019.

**8. Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

**Rule(s) is automatically subject to legislative review. Cite statutory reference:**

**9. The person to whom written comments may be submitted on the proposed rule(s):**

**Name:** Bobby D. White, Esq.

**Address:** 2000 Perimeter Park Drive, Suite 160, Morrisville, North Carolina 27560

**Phone (optional):**

**Fax (optional):**

**E-Mail (optional):**

**10. Comment Period Ends:** July 2, 2018

**11. Fiscal impact (check all that apply).**

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- State funds affected
- Environmental permitting of DOT affected  
Analysis submitted to Board of Transportation
- Local funds affected
- Substantial economic impact ( $\geq$ \$1,000,000)
- Approved by OSBM
- No fiscal note required by G.S. 150B-21.4
- No fiscal note required by G.S. 150B-21.3A(d)(2)

**12. Rule-making Coordinator:** Whitney Waldenberg

**Address:** 2000 Perimeter Park Drive, Suite 160,  
Morrisville, NC 27560

**Phone:** 919-610-0573

**E-Mail:** whitney@brockerlawfirm.com

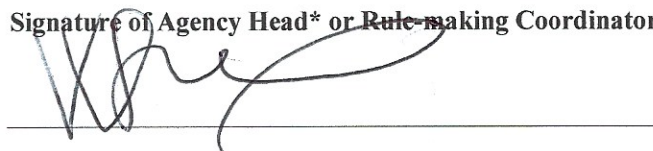
**Agency contact, if any:**

**Phone:**

**E-mail:**

**13. The Agency formally proposed the text of this rule(s) on  
Date:** March 9, 2018

**14. Signature of Agency Head\* or Rule-making Coordinator:**



**\*If this function has been delegated (reassigned) pursuant to  
G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:** Whitney Waldenberg

**Title:** Rulemaking Coordinator

1 21 NCAC 16R .0201 is proposed for amendment as follows:  
2

3 **SECTION .0200 - CONTINUING EDUCATION**  
4

5 **21 NCAC 16R .0201 CONTINUING EDUCATION REQUIRED**

6 (a) Except as permitted in Rule .0204 of this Section as a condition of license renewal, every dentist shall complete  
7 a minimum of 15 clock-hours of continuing education each calendar year.

8 (b) For licensees who prescribe controlled substances, One one hour of the total required continuing education hours  
9 shall consist of a course designed to address prescribing practices, including instruction on controlled substance  
10 prescribing practices and controlled substance prescribing for chronic pain management.

11 (c) Each applicant who receives an Instructor's license or a license to practice general dentistry after January 1,  
12 2019, and who is actively engaged in the practice or teaching of dentistry in North Carolina shall take a six-hour  
13 course in professionalism and ethics in the first year that the applicant is required to meet the continuing education  
14 requirements of Paragraph (a) of this Rule.

15 (1) The six-hour professionalism and ethics course shall be included in the 15 clock-hour requirement of  
16 Paragraph (a) of this Rule.

17 (2) The professionalism and ethics Course shall include segments addressing coding and billing, record  
18 keeping, informed consent, patient and staff boundaries, office management, duties delegable to dental  
19 auxiliaries, the American Dental Society's Code of Ethics, and professionalism.

20 (3) A dentist who receives a variance or exemption from continuing education requirements under 21  
21 NCAC 16R .0204(a)(1),(3),or (4) shall be exempt from taking the professionalism and ethics course  
22 until such time as he or she resumes full practice. A dentist classified as a semi-retired Class II dentist  
23 shall complete the professionalism and ethics course.

24 ~~(e)(d)~~ Any or all of the hours may be acquired through self-study courses, provided that the self-study courses are  
25 related to clinical patient care and offered by a Board-approved sponsor listed in Rule .0202 of this Section. The  
26 dentist shall pass a test following every self-study course and obtain a certificate of completion.

27 ~~(d)(e)~~ Courses taken to maintain CPR certification shall not count toward the mandatory continuing education hours  
28 set forth in this Rule.  
29

30 *History Note: Authority G.S. 90-31.1;*

31 *Eff. July 1, 2015;*

32 *Amended Eff. \_\_\_\_\_; August 1, 2016;*

33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*  
34 *2018.*  
35  
36