

**Comprehensive Review of Administrative Rules as of July 28, 2020**

**Report Submitted by:** Susan Rogers

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**Method Used to Conduct Review:** **Review of Administrative Rules and Statutes**

**TOTAL NUMBER OF UNECESSARY, COSTLY, INEFFECTIVE, DUPLICATIVE OR OUTDATE REGULATIONS:** **35 Approximate**

**Additional Information:**

*In the past few years, the Board has been working with the legislature to update and change some of the dental statutes to avoid legal issues that have arisen in other states. The Board and the Dental Associations currently have committees set up to review the rules and request changes this upcoming year to reflect the changes previously requested in statute. Additionally, there have been a lot of recent changes in final dental licensing testing across the nation and in light of the covid related issues, precipitating needed changes to allow for flexibility.*

**Title 195 Oklahoma Dentistry Administrative Rules**

Chapter 1- Organization, Operation and Purposes

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:1-2(b), (c)	Board authority and composition	Prior to 2003			x	statutes	x		Repeats the statute and is unnecessary(b) Section (c) is governed by open meetings laws
195:1-1-4.	Board Office Holidays	Prior to 2003					x		This is currently governed by other State Adm Rules and State Laws
195:1-1-5	Written Communication to the Board	Prior to 2003					x	x	Wording needs to be updated regarding official filings of documents with the Board.
195:1-1-6	Inspection of Records	Prior to 2003					x	x	Should refer to Open Records Law in Other statute

Chapter 2. Internal Operations and Procedures

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:2-1-1	Purpose	Prior to 2003			x	Statutes	x	x	Need to refer to statute and remove conflicting language already covered.
195:2-1-2.(b)	Nominations, petitions and election of Board members	Prior to 2003						x	Needs to be updated to include current technology
195:2-1-5.	Annual Meeting of the Board	Prior to 2003			x	Statutes	x		Conflicts with statute. Remove and/or refer to statute
195:2-1-6.(a) (b)	Annual Registration and Retired Members	Prior to 2003			x	Statutes	x		Remove, recently moved to statutes
195:2-1-7	Fees	2010					x	x	Needs to be updated to reflect changes in statute

Chapter 3 Complaints, Investigations and Hearings

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:3-1-8	Record of Hearing	Prior to 2003					x		Needs to be updated to current technology and language
195:3-1-9	Petition for promulgation, amendment or repeal of rules	Prior to 2003					x		Needs to be removed or changed, current rulemaking procedures and adm laws prohibit this process as stated.
195:3-1-10	Request for declatory ruling	Prior to 2003					x	x	Section needs to be reworked and refer to adm law statutes

Chapter 10- Examinations and Licensing of Dentists and Hygienists

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:10-1-2. (1-5)	Eligibility to take examinations and Applications Procedures	Prior to 2003			x	statute	x	x	Remove sections discussing Oklahoma dental exam and refer to section of statutes w regional exam, update procedures for current technology

195:10-1-2. (7)	“	“					x	x	Update language to reflect “official copy” and in good standing
195:10-1-2. (11)	“	“					x	x	Change language to reflect upcoming changes in NBE exams beginning 2021,
195:10-1-2. (13)							x		Remove refers to exam no longer given
195:10-1-2. (14)	“	“					x		Remove conflicting sections and sections regarding denying acceptance of exam results – potential ADA violation;
195:10-1-2. (16)	“	“					x	x	Update to current technology – board office and website
195:10-1-2. (17)	“	“					x		remove
195:10-1-2. (18)	“	“					x		remove
195:10-3-1. (1-7)(12)	Eligibility to take examination and application procedure	Prior to 2003					x	x	Remove language referring to OK exam and refer to statutes; update all technology language, mail/email etc.
195:10-3-1. (8)	“	“					x	x	Update language to United States Dept of Education accredited and CODA
195:10-3-1. (13)	“	“					x		Remove conflicting language and potential ADA violative language.
195:10-3-1. (14)	“	“					x		Remove
195:10-3-1. (15-17)	“	“					x	x	Combine sections 15, 16 and 17 and remove redundant language.
195:10-5-2	Requirements for reciprocal licensure	“				x	statutes	x	Most of this has been moved to the statutes; remove all except procedures, documents required and official certifications.
195:10-7-2	Requirements for the issuance of Temporary licenses	Prior to 2003				x	statutes	x	This section was moved to the statutes, remove everything except procedures and actual documents required with application.
195:10-7-3	Temporary Permits for Internships, Residencies etc.	Prior to 2003				x	statutes	x	This section was also recently moved to the statutes, combine with section above and remove it.

195:10-9-1 through (9)	Specialties recognized by the Board and qualifying requirements	Prior to 2003					x		Remove entire section. Specialty exams no longer given, legal issues with recognized groups and necessary portions are in the statutes.
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Chapter 15. Duties for Dental Assistants and the Rules Regulating the Practice of Dental Hygiene

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:15-1-4	Expanded duty permits for dental students	2010					x	x	This section is currently being reviewed by a committee to revise and update the requirements for training programs.
195:15-1-9	Committee on Allied Education	2010			x	statutes	x		This section has been moved to the statutes and should be removed.
195:15-1-10	Dental Hygiene Advisory	2010			x	statutes	x		This section was moved to the statutes in the last rewrite and should be removed.

Chapter 20. Rules Governing the Administration of Anesthesia

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:20-1-2	Definitions	2010 updated					x	x	Section needs to be updated to coincide with changes in definitions under national standards

Chapter 25. Rules for Continuing Education

Section	Title	Date Created	Costly	Ineffective	Duplicate	Location Of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
195:25 – 1-2	Continuing Education Required	2010 updated					x	x	This section needs to be updated and portions removed in light of covid related issues and moving to 2-year cycle to coincide with statute.

Chapter 35. Infection Control

<b>Section</b>	<b>Title</b>	<b>Date Created</b>	<b>Costly</b>	<b>Ineffective</b>	<b>Duplicate</b>	<b>Location of Duplication</b>	<b>Outdated/ Unnecessary</b>	<b>Necessary</b>	<b>Explanation of determined category</b>
195:35 - 1-1.	Infection Control	2010 updated					x	x	Most of this section needs to be removed and refer to state and federal infection control health laws to coincide with the statutes

**END OF REPORT**