



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Commerce, Community,
and Economic Development**

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

P.O. Box 110806
Juneau, Alaska 99811-0800
Main: 907.465.2550
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September 30, 2014

Dear licensees and interested parties:

Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations...to implement the adjustments."

With the addition of a statutorily dedicated investigator, as well as the higher legal and regulatory activity of the Board of Dental Examiners during this time period, the division proposed increasing licensing fee amounts in order to comply with the statute listed above and to continue to deliver its current level of service for the dental licensing program.

The Board moved and approved at their September 5, 2014, meeting to increase the application, anesthetic, and sedation fees above what was recommended by the division. A breakdown of the proposed fees is enclosed, as well as located on the Board's web page at <http://commerce.alaska.gov/dnn/cbpl/ProfessionalLicensing/BoardofDentalExaminers.aspx>. You may have received a copy of proposed fees in the last few weeks. That version did not reflect the Board's changes, so please see the attachment for the correct notice.

This fee proposal will enter a public comment period this week. The division encourages all licensees and interested parties to comment on this proposal through the division's Regulations Specialist, whose contact information is enclosed on the public notice. After the comment period closes and the division reviews all comments received, the division may adopt the regulation as drafted, may amend a proposed fee, or may withdraw the regulations in part or in its whole.

All comments received will be reviewed and taken into consideration prior to adopting the final regulations. The final decision will result in the fee to be implemented during this winter's license renewal.

Please feel welcome to contact me at sara.chambers@alaska.gov or (907) 465-2538 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Sara Chambers".

Sara Chambers
Director

Encl.

**SUPPLEMENTAL NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT**

BRIEF DESCRIPTION: The Department of Commerce, Community, and Economic Development proposes to change occupational license fees charged to dentists and dental hygienists.

The Department of Commerce, Community, and Economic Development proposes to adopt regulation changes in Title 12, Chapter 02 of the Alaska Administrative Code, dealing with occupational licensing fees related to the Board of Dental Examiners, including the following:

12 AAC 02.190, Board of Dental Examiners, is proposed to be changed to alter the application, license, renewal, permit, review, endorsement, and continuing education course submittal and resubmittal fees for dentists and dental hygienists, and also to repeal obsolete fees.

This is a **SUPPLEMENTAL NOTICE** adding to the **NOTICE OF PROPOSED CHANGES** that was issued on September 23, 2014 concerning these proposed regulation revisions contained in the Department of Law file number JU2014200755. This **SUPPLEMENTAL NOTICE** is being issued because under the initial **NOTICE OF PROPOSED CHANGES** the document containing the proposed regulation changes dealing with application, review, permit, continuing education course submittal and resubmittal fees for dentists and dental hygienists inadvertently omitted some proposed fee changes and contained some incorrect proposed fee changes. Therefore, the department is adding these corrected fee provisions and extending the written comment period in order to give interested persons an opportunity to comment on these corrected proposed regulation changes. If you previously submitted written comment under the September 23, 2014 **NOTICE OF PROPOSED CHANGES**, you need not resubmit those comments under this notice as those comments are part of the record and will be considered by the department.

Under AS 08.01.065, the Department of Commerce, Community, and Economic Development must establish fee levels so that the total amount of fees collected for an occupation approximately equals the actual regulatory costs for the occupation. The Department of Commerce, Community, and Economic Development has reviewed the income and expenses for the occupational licensing program for the Board of Dental Examiners and proposes fee changes that reflect, to the extent possible, the actual costs of the activities related to the program.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments by mail, fax, or e-mail to:

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
P.O. Box 110806
Juneau, AK 99811-0806
Fax: (907) 465-2974
E-mail: jun.maiquis@alaska.gov

Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system at <http://notice.alaska.gov/174202>, and using the "comment" link.

The written comments must be received no later than 4:30 p.m. on October 31, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 no later than October 24, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jun Maiquis at the address or phone number above, or go to <http://commerce.alaska.gov/dnn/portals/5/pub/DEN-Fees-0914-%28Rev.9-30-14%29.pdf>

After the public comment period ends, the Department of Commerce, Community, and Economic Development will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.01.100; AS 08.32.097; AS 08.36.250; AS 08.36.290

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.01.100; AS 08.32.097; AS 08.36.250; AS 08.36.290

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 10/01/14

/s/

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, please send your request to the Division of Corporations, Business and Professional Licensing at the address above and include your name, address, and the occupational area in which you are interested.

ADDITIONAL REGULATIONS NOTICE INFORMATION (AS 44.62.190(d))

1. **Adopting agency:** Department of Commerce, Community, and Economic Development – Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Occupational licensing fees.
3. **Citation of regulation:** 12 AAC 02.190.
4. **Department of Law file number:** JU2014200755.
5. **Reason for the proposed action:** Compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2015 or in subsequent years.
8. **The name of the contact person for the regulations:**

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 465-2537
E-mail: jun.maiquis@alaska.gov

9. **The origin of the proposed action:** Division of Corporations, Business and Professional Licensing.

10. **Date:** 10/01/14

Prepared by: /s/
Jun Maiquis, Regulations Specialist

Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 02.190 is amended to read:

12 AAC 02.190. Board of Dental Examiners. (a) The following fees for dental hygienists are established:

(1) nonrefundable application fee for

(A) initial license, **\$100** [\$85];

(B) courtesy license, **\$60** [\$50];

(C) initial restorative function endorsement, **\$60** [\$50];

(D) local anesthetic permit, \$60;

(2) **repealed** / / [BOARD CONDUCTED EXAMINATION, \$3,000];

(3) license fee for all or part of the initial biennial license period, **\$150** [\$120];

(4) biennial license renewal fee, **\$150** [\$120];

(5) [TEMPORARY LICENSE OR] local anesthetic permit, **\$60** [\$50];

(6) credential review fee, **\$110** [\$100];

(7) local anesthetic permit renewal fee, **\$60** [\$50];

(8) courtesy license fee, \$50;

(9) restorative function endorsement fee, for all or part of the initial endorsement period, **\$60** [\$50];

(10) restorative function endorsement renewal fee, **\$60** [\$50].

(b) The following fees for dentists are established:

(1) nonrefundable application fee for

- (A) initial license by examination, **\$600** [\$300];
- (B) **repealed** / / [INITIAL SPECIALTY LICENSE, \$400];
- (C) courtesy license, **\$100** [\$50];
- (D) **repealed** / / [BRANCH OFFICE REGISTRATION OR PERMIT, \$50];
- (E) parenteral sedation or general anesthetic permit, **\$100** [\$50];
- (2) nonrefundable application and review fee for license by credentials, **\$1,000** [\$400];
- (3) **repealed** / / [BOARD CONDUCTED CLINICAL EXAMINATION, \$5,000];
- (4) license fee for all or part of the initial biennial license period, **\$350** [\$290];
- (5) **repealed** / / [SPECIALTY LICENSE FEE FOR ALL OR PART OF THE INITIAL BIENNIAL LICENSE PERIOD, \$290];
- (6) biennial license renewal fee, **\$350** [\$290];
- (7) **repealed** / / [BIENNIAL SPECIALTY LICENSE RENEWAL FEE, \$290];
- (8) **repealed** / / [BRANCH OFFICE REGISTRATION, \$25];
- (9) parenteral sedation permit fee for all or part of the initial biennial permit period, **\$1,000** [\$50];
- (10) biennial parenteral sedation permit renewal fee, **\$250** [\$50];
- (11) **repealed** / / [BIENNIAL BRANCH OFFICE REGISTRATION RENEWAL FEE, \$25];
- (12) general anesthetic permit fee for all or part of the initial biennial permit

period, **\$1,000** [\$50];

(13) biennial general anesthetic permit renewal fee, **\$250** [\$50];

(14) courtesy license fee, **\$100** [\$50].

(c) The following fees are established for submission of dental and dental hygiene continuing education courses for approval under 12 AAC 28.410:

(1) initial continuing education course submittal fee, **\$40** [\$25];

(2) continuing education course resubmittal fee, **\$30** [\$15]. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 2/18/93, Register 125; am 5/28/93, Register 126; am 10/29/94, Register 132; am 11/15/96, Register 140; am 4/19/97, Register 142; am 11/24/2000, Register 156; am 6/21/2001, Register 158; am 4/10/2003, Register 166; am 12/24/2006, Register 180; am 12/27/2007, Register 184; am 12/12/2008, Register 188; am 4/17/2011, Register 198; am ___/___/___, Register ___)

Authority: AS 08.01.065 AS 08.32.097 AS 08.36.290

AS 08.01.100 AS 08.36.250