

Valerie Nurr'araaluk Davidson
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Sher Zinn
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: November 9, 2018

RE: Filed Permanent Regulations: Board of Dental Examiners

Board of Dental Examiners regulations re: continuing education, licensure, and additional requirements for sedation permits (12 AAC 28.010(e); 12 AAC 28.015; 12 AAC 28.060(d)(2); 12 AAC 28.061(13); 12 AAC 28.062(4))

Attorney General File:	2018200516
Regulation Filed:	11/9/2018
Effective Date:	12/9/2018
Print:	228, January 2019

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF DENTAL EXAMINERS

The attached ten pages of regulations, dealing with continuing education, licensure requirements, and additional requirements for sedation permits, are hereby certified to be a correct copy of the regulation changes the Board of Dental Examiners adopted at its September 28, 2018 teleconference meeting, under the authority of AS 08.01.065, AS 08.36.070, AS 08.36.100, AS 08.36.234, and AS 08.36.250, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Dental Examiners paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

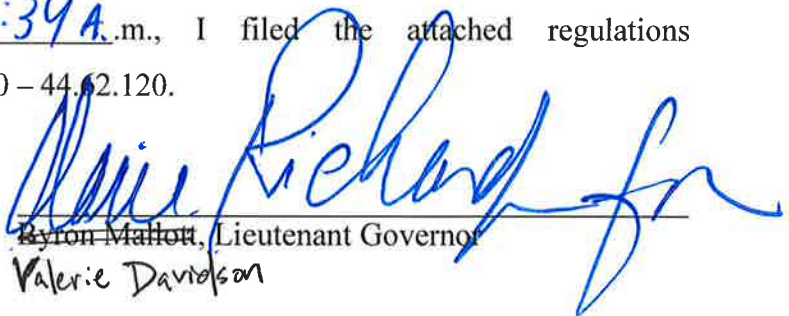
DATE: 10/04/2018
Anchorage, Alaska


Paul Silveira, DDS, Board Chair
Board of Dental Examiners



FILING CERTIFICATION

~~Valerie Nurraraaduk Davidson~~
~~Byron Mallott~~, Lieutenant Governor for the State of Alaska, certify that on _____
Nov. 9, 2018 at 11:34 A. m., I filed the attached regulations
according to the provisions of AS 44.62.040 – 44.62.120.


Byron Mallott, Lieutenant Governor
Valerie Davidson

Effective: December 9, 2019.

Register: 228, January 2019.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, VALERIE NURR'ARAALUK DAVIDSON, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

**Claire Richardson
Scott Meriwether
April Simpson
Kady Levale**

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Anchorage, on October 24, 2018.



A handwritten signature in blue ink, appearing to read "Valerie", is written over a dotted line.

**VALERIE NURR'ARAALUK DAVIDSON
LIEUTENANT GOVERNOR**

Chapter 28. Board of Dental Examiners.

12 AAC 28.010(e) is amended to read:

(e) In addition to meeting the requirements of (b) of this section, on or after March 1, 2019, a dentist who seeks to renew a permit to administer deep sedation or general anesthesia must

(1) during each biennial licensing period participate in four or more contact hours of continuing education that relates specifically to hands-on advanced airway management or general anesthesia; ~~IF THE PERMIT HOLDER PROVIDES ANESTHESIA FOR PATIENTS~~

~~YOUNGER THAN 13 YEARS OF AGE, THE COURSE MUST BE A PEDIATRIC COURSE;~~

(A) if the permit holder provides anesthesia for patients younger than 13 years of age, the course must be a pediatric course;

no bold or underline

(B) if the permit holder provides anesthesia for patients older and younger than 13 years of age, at least four contact hours of continuing education must relate specifically to hands-on advanced airway management of patients older than 13 years of age, and at least four additional contact hours of continuing education must relate specifically to hands-on advanced airway management of patients younger than 13 years of age;

(2) during each biennial licensing period participate in eight contact hours of continuing education that focuses on one or more of the following:

- (A) physical evaluation;
- (B) medical emergencies;
- (C) monitoring and use of monitoring equipment;
- (D) pharmacology of drugs and agents used in deep sedation and general

anesthesia;

[COMPLETE]

(3) complete at least 50 general anesthesia or deep sedation cases each biennial

licensing period; **[and]**

to Publisher: This edit corrects a printing error where "complete" started with an initial capital "C" and should not have.!!!

(4) maintain continuing education records that can be audited, including course

titles, instructors, dates attended, sponsors, and number of contact hours for each course **[and]**

(5) if seeking to renew a permit to administer general anesthesia or deep

sedation to a patient younger than 13 years of age, a dentist must

(A) meet the requirements of this section; and

(B) provide documentation that 20 of the 50 anesthesia or deep

sedation cases were individually managed patients younger than 13 years of age.

(Eff. 4/10/70, Register 34; am 5/29/98, Register 146; am 6/24/2012, Register 202; am

*4
no bold or underline beneath period!!!*

12/15/2013, Register 208; am 4/14/2018, Register 226; am 12 / 9 / 2018, Register 228)

Authority: AS 08.01.065 AS 08.36.100 AS 08.36.234

AS 08.36.070 AS 08.36.110 AS 08.36.250

12 AAC 28.015 is repealed and readopted to read:

12 AAC 28.015. Permit requirements for use of moderate sedation, or for use of minimal sedation for a patient younger than 13 years of age. (a) Unless exempt under 12 AAC 28.065, before administering moderate sedation to a patient, or minimal sedation to a patient younger than 13 years of age, a dentist licensed under AS 08.36 must have a moderate sedation permit issued by the board.

(b) The requirement to obtain a permit to administer moderate or minimal sedation under this section does not apply to a dentist currently permitted under 12 AAC 28.010 to administer deep sedation and general anesthesia.

(c) A dentist who holds a permit under this section may not administer or employ an agent or technique that has so narrow a margin for maintaining consciousness that the agent or technique is most likely to produce deep sedation or general anesthesia. These agents include ketamine, propofol, brexival, and sodium pentothal.

(d) An applicant for an initial or renewed permit to administer moderate or minimal sedation under this section must

(1) submit a completed application on a form provided by the board;

(2) submit a dated and signed affidavit stating that the information provided is true, and that the dentist has read and complied with all applicable statutes and regulations;

(3) submit, on a form provided by the board, a dated and signed affidavit attesting that the dentist's facility meets the requirements of this chapter for the administration of moderate or minimal sedation under this section;

(4) hold a current registration to prescribe and administer controlled substances in this state issued by the United States Drug Enforcement Administration (DEA);

(5) provide proof of current certification in advanced resuscitative techniques with hands-on simulated airway and megacode training for healthcare providers, including basic electrocardiographic interpretation; qualifying certification for an applicant who seeks to treat patients 13 years of age and older includes the American Heart Association's Advanced Cardiac Life Support (ACLS) for Health Professionals; qualifying certification for an applicant who seeks to treat patients younger than 13 year^{CS} of age includes Pediatric Advanced Life Support

(PALS) for Health Professionals; an applicant who seeks to treat patients of any age must also be certified in both ACLS for Health Professionals and PALS for Health Professionals or must be certified in equivalent qualifying certifications under this paragraph, one for advanced cardiac life support for health professionals and one for pediatric advanced life support for health professionals; and

(6) submit the applicable fees specified in 12 AAC 02.190.

(e) In addition to meeting the requirements of (d) and (g) of this section, an applicant for an initial permit to administer moderate sedation to a patient who is at least 13 years of age under this section must

(1) provide documentation that the applicant completed either

(A) training in moderate sedation consistent with the *Guidelines for*

Teaching Pain Control and Sedation to Dentists and Dental Students, as adopted by the American Dental Association (ADA) House of Delegates, October 2016, adopted by subparagraph reference; the applicant must complete the training required under this paragraph while enrolled in

(i) a dental program accredited by the Commission on Dental Accreditation (CODA) of the American Dental Association; or

(ii) a post-doctoral university or teaching hospital program; or

(B) a board-approved continuing education course in sedation consistent with the *Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students*, adopted by reference in (1) of this subsection; the course must consist of a minimum of 60 hours of instruction plus administration of sedation for at least 20

individually managed patients per participant to establish competency and clinical experience in moderate sedation and management of a compromised airway; and

«lower case»
(2) Before administering moderate or minimal sedation to a patient younger than

13 years of age, an applicant for an initial permit must

(A) provide proof that the applicant completed an additional 30 hours of board-approved coursework in pediatric moderate sedation; and

(B) provide proof of administration of sedation for at least 20 individually managed patients younger than 13 years of age.

(f) In addition to meeting the requirements of (d) and (g) of this section, an applicant for an initial permit to administer moderate or minimal sedation only to patients who are younger than 13 years of age under this section must provide proof of administration of sedation for at least 20 individually managed patients younger than 13 years of age to establish competency and clinical experience in management of a compromised airway, and provide documentation that the applicant has completed

(1) a Commission on Dental Accreditation (CODA) accredited residency in pediatric dentistry; or

(2) at least 60 hours of continuing education coursework in pediatric moderate sedation approved by the board.

(g) In addition to meeting the requirements of (d) and *(e)* of this section, or (f) of this section if administering moderate or minimal sedation to a patient who is younger than 13 years of age, an applicant for an initial permit to provide moderate sedation and minimal sedation under this section must provide documentation that

(1) within three years immediately before application, the applicant completed training or education as required in this section in moderate sedation;

(2) if more than three years but less than five years have elapsed since completing training or education as required in this section in moderate sedation, the applicant completed all continuing education that would have been required for a permit under this section;

(3) if more than three years but less than five years have elapsed since completing training or education as required in this section in moderate sedation, the applicant completed a comprehensive review course approved by the board in moderate sedation;

(4) if more than five years have elapsed since completing training or education as required in this section in moderate sedation, the applicant holds a permit for moderate sedation from another jurisdiction where the applicant is also licensed to practice dentistry and where the applicant completed at least 25 anesthesia cases at the moderate sedation level not earlier than the 24 months immediately preceding application; or

(5) demonstrates current competency to the satisfaction of the board that the applicant has skill in moderate sedation to safely deliver moderate sedation services to the public.

(h) In addition to meeting the requirements of (d) of this section, on or after March 1, 2019, a dentist who seeks to renew a permit to administer moderate or minimal sedation under this section must

(1) during each biennial licensing period participate in four or more contact hours of continuing education that relates specifically to hands-on advanced airway management; contact hours earned from certification in health care provider basic life support (BLS), advanced cardiac life support (ACLS), and pediatric advanced life support (PALS) courses may be used to

meet the continuing education requirements for obtaining or renewing a permit to administer moderate or minimal sedation under this section; ✓

(A) if the permit holder provides moderate or minimal sedation for patients younger than 13 years of age, the course must be a pediatric course;

(B) ~~if the permit holder provides~~ moderate or minimal sedation for patients older and younger than 13 years of age, at least four contact hours of continuing education must relate specifically to hands-on advanced airway management of patients older than 13 years of age, and at least four additional contact hours of continuing education must relate specifically to hands-on advanced airway management of patients younger than 13 years of age;

(2) during each biennial licensing period participate in four contact hours of continuing education that focuses on one or more of the following:

(A) venipuncture;

(B) intravenous sedation;

(C) enteral sedation;

(D) physiology;

(E) pharmacology;

(F) nitrous oxide analgesia;

(G) patient evaluation, patient monitoring, or medical emergencies;

(3) complete at least 25 moderate sedation cases each biennial renewal period;

and

(4) maintain continuing education records that can be audited, including course titles, instructors, dates attended, sponsors, and number of contact hours for each course; and

(5) if seeking to renew a permit to administer moderate or minimal sedation to a patient younger than 13 years of age, ~~a dentist must~~

(A) meet the requirements of this section;

(B) provide documentation that 10 of the 25 moderate sedation cases were individually managed patients younger than 13 years of age.

(i) A dentist who holds a permit for parenteral sedation that the board issued before April 14, 2018 will be issued a moderate sedation permit immediately.

(j) After March 1, 2019, in order to provide moderate or minimal sedation to patients younger than 13 years of age, a dentist who holds ~~an adult moderate sedation permit~~ ^(for a patient 13 years of age or older) must

(1) provide proof of an additional 30 hours of board ⁽¹⁾ approved continuing education in pediatric moderate sedation; and

(2) provide proof of administration of sedation for at least 20 individually managed patients younger than 13 years of age.

(k) A dentist who has met the requirements of this section to administer moderate or minimal sedation to patients younger than 13 years of age will be issued a permit that so indicates.

(l) A permit to administer moderate or minimal sedation under this section

(1) will be renewed when the dentist's license to practice is renewed if the dentist demonstrates continued compliance with AS 08.36 and this chapter; and

(2) expires on the date the dentist's license expires.

(m) For purposes of this section,

(1) one contact hour equals 50 minutes of instruction;

(2) one academic semester credit hour equals 15 contact hours;

(3) one academic quarter credit equals 10 contact hours; and

(4) one continuing education credit equals one contact hour.

(n) Credit is given only for class hours and not hours devoted to class preparation. (Eff.

4/14/2018, Register 226; am 12 / 9 / 2018, Register 228)

Authority:	AS 08.01.065	AS 08.36.100	AS 08.36.234
	AS 08.36.070	AS 08.36.110	AS 08.36.250

12 AAC 28.060(d)(2) is repealed:

(lowercase))
~~(d)(2)~~ Repealed 12 / 9 / 2018

(Eff. 4/10/70, Register 34; am 6/24/2012, Register 202; am 12/15/2013, Register 208; am

4/14/2018, Register 226; am 12 / 9 / 2018, Register 228)

Authority: AS 08.36.070

12 AAC 28.061 is amended by adding a new paragraph to read:

(13) the provider must continually monitor a patient's heart rate, blood pressure, and respiration using electrocardiographic monitoring, pulse oximetry, blood pressure monitoring device, and a respiration monitoring device. (Eff. 4/14/2018, Register 226; am

Publisher: To reflect the addition of new 12 AAC 28.061(13), please relocate, from the end of 12 AAC 28.061(11) to the end of 12 AAC 28.061(12), the "and" connector for the series of paragraphs. Also change the period at the end of 12 AAC 28.061(12) to a semicolon.))

12 / 9 / 2018, Register 228)

Authority: AS 08.36.070

12 AAC 28.062 is amended by adding a new paragraph to read:

(4) the dentist shall continually monitor the patient's heart rate, blood pressure, and respiration using electrocardiographic monitoring, pulse oximetry, blood pressure

Publisher: To reflect the addition of new 12 AAC 28.062(4), please relocate, from the end of 12 AAC 28.062(2) to the end of 12 AAC 28.062(3), the "and" connector for the series of paragraphs. Also change the period at the end of 12 AAC 28.062(3) to a semicolon.))

Register 228, January 2019 PROFESSIONAL REGULATIONS

monitoring device, and a respiration monitoring device, unless the patient's behavior prevents it and is documented in the patient record. (Eff. 4/14/2018, Register 226; am 12/9/2018, Register 228)


Authority: AS 08.36.070

MEMORANDUM

State of Alaska Department of Law


To: The Honorable Valerie Nurr'araaluk Davidson
Lieutenant Governor

Date: November 8, 2018

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

File No.: 2018200516

Tel. No.: 465-3600

From: Steven C. Weaver 
Senior Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Re: Board of Dental Examiners regulations re: continuing education, licensure, and additional requirements for sedation permits (12 AAC 28.010(e); 12 AAC 28.015; 12 AAC 28.060(d)(2); 12 AAC 28.061(13); 12 AAC 28.062(4))

The Department of Law has reviewed the attached regulations of the Board of Dental Examiners against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Dental Examiners after the close of the public comment period. The regulations concern continuing education and licensure, particularly with respect to sedation permits, and establish additional requirements for sedation permits.

The August 8, 2018 public notice and the October 4, 2018 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc w/enc:

Paul Silveira, DDS, Chair
Board of Dental Examiners
(via e-mail through Sher Zinn)

Linda Mattson, Regulations Contact
Department of Commerce, Community, and Economic Development

Sara Chambers, Deputy Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Sher Zinn, Regulations Specialist
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Jun Maiquis, Regulations Specialist
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Megyn A. Weigand, Assistant Attorney General
Commercial, Fair Business, and Child Support Section

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.

AFFIDAVIT OF BOARD ACTION

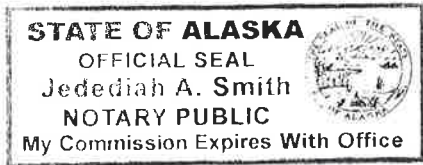
I, Amber Treston, Licensing Examiner for the Board of Dental Examiners, being duly sworn, state the following:

The attached motion dealing with continuing education, licensure requirements, and additional requirements for sedation permits, was passed by the Board of Dental Examiners during its September 28, 2018 meeting.

Date: 10/4/18
Juneau, Alaska

Amber Treston
Amber Treston, Licensing Examiner

SUBSCRIBED AND SWORN TO before me this 4th day of October, 2018.



Jed Smith
Notary Public in and for the
State of Alaska
My commission expires: with office

91 Reviewing the regulation 12 AAC 28.062 (4) the board would like to add the language
92 that if the patient's behavior prevents being monitored then it needs to be documented
93 in the patient's record.

94
95 Requested clarification by changing the language from *a moderate* to *an adult moderate*
96 in 12 AAC 28.015 (j)

97
98 The board discussed the 20 individually managed patients and if these should be
99 required to be supervised. Discussion on who would qualify to supervise these cases.
100 The board would prefer these cases be supervised by someone who holds a higher
101 level of sedation permit than the one the applicant is applying for.

102
103 **On a motion made by Dr. Silveira, seconded by Wahto, and approved by roll call**
104 **vote, it was**

105
106 **RESOLVED to adopt the regulation project that was sent out for public**
107 **comment regarding continuing education that is required to renew their**
108 **sedation permits with the changes that were recommended to 12 AAC**
109 **28.015(j) to change a moderate to *an adult* and 12 AAC 28.062 (4) add *and is***
110 ***documented in the patient's record* and remove 12 AAC 28.062 (5).**

111
112 **Silveira – yea, Kovalski – yea, Walden – yea, Wahto – yea, Wenzell - yea.**

113
114 **5 yeas, 0 nays.**

115
116 **Motion passed.**

117
118 Reviewed the course work that must be covered in a program or continuing education
119 course. Will place this on the website as a guideline for applicants and start a regulation
120 project to add this into regulation. Also discussed having the 20 individually managed
121 patients supervised by someone who holds a higher level of sedation permit. Will
122 anticipate a subcommittee to discuss this further.

123
124 Dr. Nielson joined the meeting at 11:27 a.m.

125
126 The board requested these course requirements be drafted into regulation and propose
127 a teleconference to review the drafted regulation at the end of October. Will require the
128 regulations to state the approval of course of instruction and requirements for course of
129 instructions. Continued discussion on the sedated cases and how to effectively
130 document these were performed safely if they were not supervised. Dr. Nielson and Dr.
131 Wenzell will work on the language for the supervised cases. The board cannot work on
132 this together unless they public notice this. Only two board members can discuss board
133 business at a time.

134
135 **Agenda Item 5 – Temporary Permit Regulations and FAQ Worksheet**

136

**NOTICE OF PROPOSED CHANGES RELATING TO CONTINUING EDUCATION
AND LICENSURE REQUIREMENTS FOR DEEP SEDATION, GENERAL
ANESTHESIA, MODERATE SEDATION, AND MINIMAL SEDATION PERMITS, IN
THE REGULATIONS OF THE BOARD OF DENTAL EXAMINERS**

BRIEF DESCRIPTION: The Board of Dental Examiners proposes to update regulations regarding general anesthesia and deep sedation permit renewal requirements, and moderate sedation permit initial qualifications and renewal requirements.

The Board of Dental Examiners (Board) proposes to adopt regulation changes in Title 12, Chapter 28 of the Alaska Administrative Code including the following:

1. **12 AAC 28.010. Permit requirements for use of deep sedation or general anesthesia**, is proposed to be changed to amend the requirements for renewal of a permit.
2. **12 AAC 28.015. Permit requirements for use of moderate sedation, or for use of minimal sedation for a patient younger than 13 years of age**, is proposed to be changed to amend the requirements for initial application and the requirements for renewal of a permit.
3. **12 AAC 28.060. Requirements for administering deep sedation, general anesthesia, moderate sedation, or minimal sedation for a patient younger than 13 years of age**, is proposed to repeal a paragraph dealing with monitoring of a patient during sedation.
4. **12 AAC 28.061. Additional requirements for administering deep sedation or general anesthesia**, is proposed to change by establishing requirements for monitoring a patient during sedation.
5. **12 AAC 28.062. Additional requirements for administering moderate sedation, or minimal sedation for a patient younger than 13 years of age**, is a proposed to change by establishing requirements for monitoring a patient during sedation.

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 to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@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/190972>, and using the comment link. **The comments must be received not later than 5:00 p.m. on September 10, 2018.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofDentalExaminers.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, no later than September 4, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/DEN-Notice-0818.pdf>.

After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. 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 and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.065; AS 08.36.070; AS 08.36.100; AS 08.36.110; AS 08.36.234; AS 08.36.250

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.065; AS 08.36.070; AS 08.36.100; AS 08.36.110; AS 08.36.234; AS 08.36.250

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

DATE: 8/8/18



Sher Zinn, 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, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION (AS 44.62.190(d))

- 1. Adopting agency:** Board of Dental Examiners – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
- 2. General subject of regulation:** Continuing education requirements, and licensure requirements for administering sedation to patients.
- 3. Citation of regulation:** 12 AAC 28.010, 12 AAC 28.015, 12 AAC 28.060, 12 AAC 28.061, and 12 AAC 28.062.
- 4. Department of Law file number:** 2018200516.
- 5. Reason for the proposed action:** Update and clarification of current regulations.
- 6. Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
- 7. Estimated annual cost to comply with the proposed action to:**
 - A private person:** For current licensed dentists, or new applicants for a permit to administer deep sedation, general anesthesia, moderate sedation, or minimal sedation to a patient younger than 13 years of age, the cost of specific training and continuing education courses.
 - Another state agency:** None known.
 - A municipality:** None known.

8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2019 or in subsequent years.

9. **The name of the contact person for the regulation:**
Amber Treston, Licensing Examiner
Board of Dental Examiners
Division of Corporations, Business and Professional Licensing
Telephone: (907) 465-2542
E-mail: amber.treston@alaska.gov

10. **The origin of the proposed action:** Board of Dental Examiners.

11. **Date:** 8/8/18

Prepared by: 
Sher Zinn
Regulations Specialist

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 268972
ST OF AK/DEC/OCCU
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Order# 0001425940
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Product ADN-Anchorage Daily News
Placement 0300
Position 0301

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

Joleesa Stepetin
being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

August 08, 2018

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed Joleesa Stepetin
Joleesa Stepetin

Subscribed and sworn to before me
this 8th day of August, 2018

Britney Thompson
Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES

2/23/2019

Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES RELATING TO CONTINUING EDUCATION AND LICENSURE REQUIREMENTS FOR DEEP SEDATION, GENERAL ANESTHESIA, MODERATE SEDATION, AND MINIMAL SEDATION PERMITS, IN THE REGULATIONS OF THE BOARD OF DENTAL EXAMINERS

The Board of Dental Examiners (Board) proposes to adopt regulation changes in Title 12, Chapter 28 of the Alaska Administrative Code including the following:

1. 12 AAC 28.010. Permit requirements for use of deep sedation or general anesthesia, is proposed to be changed to amend the requirements for renewal of a permit.
2. 12 AAC 28.015. Permit requirements for use of moderate sedation, or for use of minimal sedation for a patient younger than 13 years of age, is proposed to be changed to amend the requirements for initial application and the requirements for renewal of a permit.
3. 12 AAC 28.060. Requirements for administering deep sedation, general anesthesia, moderate sedation, or minimal sedation for a patient younger than 13 years of age, is proposed to repeal a paragraph dealing with monitoring of a patient during sedation.
4. 12 AAC 28.061. Additional requirements for administering deep sedation or general anesthesia, is proposed to change by establishing requirements for monitoring a patient during sedation.
5. 12 AAC 28.062. Additional requirements for administering moderate sedation, or minimal sedation for a patient younger than 13 years of age, is a proposed to change by establishing requirements for monitoring a patient during sedation.

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 to the Board of Dental Examiners, 1000 West 12th Avenue, Anchorage, Alaska 99501. Comments should be submitted to the Board of Dental Examiners, 1000 West 12th Avenue, Anchorage, Alaska 99501.

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STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 28.010-062, dealing with changes to continuing education, licensure requirements, and additional requirements for sedation permits, has been given by being:

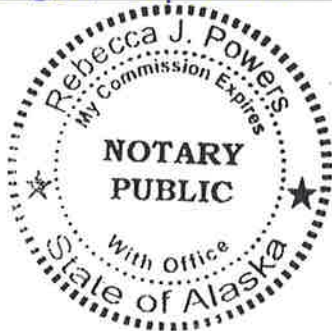
1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the proposed regulation;
6. furnished electronically to incumbent State of Alaska legislators;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 10/8/18

Sher Zinn
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on
October 8, 2018.



Rebecca J. Powers
Notary Public in and for the State of Alaska
My commission expires with office

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

In compliance with AS 44.62.215, the Board of Dental Examiners has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Board of Dental Examiners regulations on dealing with continuing education, license requirements, and additional requirements for sedation permits.

Date: 10/8/18

Sher Zinn
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on
October 8, 2018.



Rebecca J. Powers
Notary Public in and for the State of Alaska
My commission expires: with office