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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Linda Mattson
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: February 4, 2019

RE: **CORRECTED** - Filed Permanent Regulations: Board of Dental Examiners

Board of Dental Examiners Regulations re: 12 AAC 28: Board of Dental Examiners:
New Temporary Permit (12 AAC 28)

Attorney General File:	2018200844
Regulation Filed:	1/22/2019
Effective Date:	2/21/2019
Print:	229, April 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 two pages of regulations, dealing with temporary licenses are hereby certified to be a correct copy of the regulation changes the Board of Dental Examiners adopted at its November 9, 2018 teleconference meeting, under the authority of AS 08.36.070, and AS 08.36.254, 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.

Although no public comments were received, 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 January 1, 2019, as provided in AS 44.62.180.

DATE: Nov 9, 2018
Valdez, Alaska



Dr. Paul Silveira, DDS, Board Chair
Board of Dental Examiners

FILING CERTIFICATION

I, Kevin Meyer ~~Valerie Nurr araaluk Davidson~~, Lieutenant Governor for the State of Alaska, certify that on January 22 ²⁰¹⁹ ~~2018~~ at 10:45 A m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.



Valerie Nurr araaluk Davidson, Lieutenant Governor
Kevin Meyer

Effective: February 21, 2019 - 118
~~January 1, 2019~~

Register: 229, April 2019

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, 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:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K. Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 28. Board of Dental Examiners.

12 AAC 28 is amended by adding a new section to read:

12 AAC 28.953. Temporary permit. (a) The board may issue a temporary permit to practice dentistry to a dentist who meets the requirements of this section for the purpose of substituting for a dentist the board has determined to be "incapacitated" as defined under AS 08.36.254.

- (b) An applicant for a temporary permit under this section ^{must} ~~shall~~ submit to the department
- (1) a complete, notarized application on a form provided by the department;
 - (2) the applicable fees in 12 AAC 02.190;
 - (3) a form completed by the incapacitated dentist ^{or authorized representative of the incapacitated dentist} providing information regarding the reason for the incapacitation and documentation of reasonable effort to find a substitute dentist licensed under this chapter;
 - (4) a form completed by the incapacitated dentist's healthcare provider verifying the dentist is incapacitated and unable to practice;
 - (5) verification of ^{the applicant's} ~~a~~ current license to practice dentistry from a board of dental examiners of a state or territory of the United States; [↑] ~~The~~ verification must include the applicants status and complete information regarding any disciplinary action or investigation taken or pending on behalf of the applicant; ^{the applicant's}
 - (6) verification of graduation from a dental school that at the time of graduation was accredited by the Commission on Dental Accreditation of the American Dental Association by submitting
 - (A) a certified true copy of the applicant's dental school diploma showing credentials similar or equivalent to the incapacitated dentist credentials; or

(B) transcripts sent directly from the issuing educational institution showing credentials similar or equivalent to the incapacitated dentist credentials;

(c) The department shall ^{request} receive a report from the National Practitioner Data Bank on behalf of the applicant. The ~~report shall be reviewed by the~~ board ^{will review the report} as part of the application process and ~~the board~~ may deny a temporary permit application based on report content.

(d) An applicant for a temporary permit may not have had a license to practice dentistry revoked, suspended, or voluntarily surrendered in this state or another state or territory of the United States.

(e) The temporary permit issued will be authorized only for the practice locations of the incapacitated dentist. The name ^J and license number ^J ~~of the dentist~~, and practice locations of the incapacitated dentist will be printed on the license.

(f) The temporary permit will be extended past the initial 90 days if the applicant meets the requirements of AS 08.36.254(f) or (g) and pays the fee required in 12 AAC 02.190. (Eff.

2 / 21 / 2019, Register 229)

Authority: AS 08.36.070 AS 08.36.254