



Notice of Proposed Changes to Regulations of the Board of Dental Examiners

Proposed Regulations - FAQ

May 2020

1. What are the regulations being proposed? Why are the regulations being amended?

12 AAC 28.940, Dental licensure by examination. This section is being amended by repealing the patient based periodontics testing, amending the constructive response testing, and adding the use of a mannequin for the clinical examination. These changes will allow for either a patient or mannequin based clinical examination skills test during the 2020 exam season due to the national COVID-19 emergency. The regulation will also add an Objective Structured Clinic Test (OSCE) option, covering treatment planning and other subject areas instead of just the constructive response written test option.

The Board is proposing to allow the use of a mannequin in lieu of a live person if the examination is taken before December 31, 2020.

The COVID-19 pandemic has forced all dental schools to cancel or postpone regional live patient clinical exams. Live patient exams are currently required for initial licensure in Alaska. Regional exams began to offer mannequin exams as a result, and the Board feels the mannequin exams are a satisfactory alternative at this time. Also, by accepting an OSCE type exam in addition to the constructive response exam, the Board will essentially expand what it considers generally equivalent regional exams, thus opening up licensure to more applicants.

The regulation changes will give new dental school graduates the opportunity to take a clinical exam in 2020 and apply for a license in Alaska they otherwise would not be able to qualify for. It will allow acceptance of more regional exams for initial licensure through 2020.

The negative consequences of this regulation could be the quality of the mannequin exam itself. The Board felt it was necessary to have an end date added to the regulation which allows for a mannequin based substitute for a live patient only during the COVID-19 pandemic until December 31, 2020. This is because the Board would like to have more time to evaluate the new mannequin based exams. Before the end date of December 31, 2020 is removed, the Board needs to make sure the simulated test teeth meet certain requirements and the exam has proper fidelity. The potential of

this negative consequence is outweighed by the ability of recent graduates to get their dental license in Alaska without having to wait well into 2021.

If this regulation becomes law, which regional clinical exams will Alaska accept in 2020?

Any regional exam in the United States that tests for mannequin based endodontic access on a molar and obturation and access of an anterior tooth, mannequin based prosthodontic test of a bridge or crown, two operative procedures including at least one class II on a live patient or mannequin, and either a constructive response or OSCE type treatment planning exam.

Can I get an initial license by taking an OSCE type exam only?

No. You need a mannequin or live patient based clinical hand skills test as well.

Will a mannequin based operative exam be accepted for initial licensure in 2021-2025?

Only if you took the exam before December 31, 2020. The Board will reevaluate the mannequin exam in 2021.

12 AAC 28.953, Registration with the prescription drug monitoring program controlled substance prescription database. This section is being amended to clarify for the licensed dentist that they must register with the prescription drug monitoring program (PDMP) within 30 days either after initial licensure in this state, or registration with the Drug Enforcement Administration (DEA), whichever is later. This section also requires the licensee to comply with the statutes and regulations that pertain to the PDMP. This is not a new requirement, but adds the regulation citation under the Board of Pharmacy which has the requirements for reviewing and reporting to the PDMP for all pharmacists and prescribing practitioners, when prescribing or dispensing an opioid medication for more than a 3-day supply.

The purpose of the regulation is for the general public safety when prescribing or dispensing an opioid by a dentist. The regulations will help bring providers into compliance with state law regarding the prescribing of opioid pain medication.

Will there be any disciplinary action taken for violation of the new regulations?

Most likely at some point. The Board is constructing a penalty matrix to address confirmed and properly investigated violations. Also, a compliance module is being built to better track prescribing practices of extreme outliers.

12 AAC 28.957, Maximum dosage of an opioid for acute pain. This is a new section limiting the dosage of an opioid for acute pain. The licensed dentist will be limited to prescribing or dispensing an opioid of no more than 60 morphine milligram equivalents (MME) a day.

The purpose of this regulation is to ensure the public safety by reducing the amount of and quantity of opioid prescriptions by dentist.

3. Are there any costs to the licensee for these changes?

There are not additional costs expected to comply with the proposed regulations.

When will the new regulations be effective?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the regulation as written/publicly noticed, may amend and adopt them, or choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Board action, the adopted regulations go to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the lieutenant governor for filing. Regulation takes effect on the 30th day after they have been filed by the lieutenant governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.