



**Notice of Proposed Changes to Occupational Licensing Fees for Professions
Regulated by the Board of Dental Examiners in the Regulations of the
Department of Commerce, Community, and Economic Development**

Proposed Regulations - FAQ

April 2023

1. Why are new fees being proposed?

The Board of Dental Examiners is proposing to add dental specialist license occupation to the licensing categories. Under AS 08.01.065, the Division 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 Division 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.

2. What are the proposed fees?

The fees proposed will add an application, license, and renewal fees for dental specialist license for dentists.

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

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(b) The following fees for dentists are established:

(1) nonrefundable application fee for

(A) initial license by examination, \$600;

(B) repealed 12/13/2014;

(C) courtesy license, \$50;

(D) repealed 12/13/2014;

(E) deep sedation, moderate sedation, minimal sedation, or general
anesthetic permit, \$100;

(F) temporary permit, \$50;

(G) dental specialist license, \$300;

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(17) dental specialist license fee, for all or part of the initial biennial license period,
\$450;
(18) dental specialist license biennial renewal fee, \$450.
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3. How are the estimated costs determined?

AS 08.01.065 requires *all costs* of regulating the profession to be borne by its licensees. The proposed fees are based on known and anticipated costs.

4. What do licensing fees pay for?

The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.

- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or an individual practices the profession without a license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.

5. There is no additional burden nor expense for the licensure of a specialist versus a general dentist. What would justify these proposed fees?

Obtaining a dental specialty license will require submitting applications and supporting documentation to prove a dentist meets the requirements for the specialty license. This will be in addition to the dentist license, so there is a significant increase in work for the division to process these applications and issue the dental specialty licenses, and as a result, fees are required to cover the cost of that work.

6. A few years ago, the state did away with dental specialty licensing. So, what is the cost of regulating that which does not exist in Alaska?

Correct that dental specialty licenses were discontinued by the Legislature in 2012. However, the legislature added them back through the passing of Senate Bill 173 last year. The new legislation and regulations to regulate dental specialty license will add additional requirements for licensure. As a result of the legislation, which also created a new "advanced practice permit" for dental hygienists, the division received one new full time licensing examiner to process that anticipated influx in licensing applications for the twelve dental specialty licenses that will be created, as well as the advanced practice permit—and to help with other dental applications as needed and as time allows.

7. With the reintroduction of a dental specialist license, will those specialists that currently hold a traditional dental license and who previously held a specialist license be exempt from paying the first-time specialist license fee?

No, the nonrefundable initial license fee and refundable license fee will be required for a new license. There are a few reasons for this: (1) staff will need to re-do all the work that may have been done for the previous specialty licenses; (2) based on state retention policies, licensing files are destroyed 10 years from the date they were received –and since all dental specialty licenses expired in 2012, we no longer have access to these files; and (3) there are no provisions in statute (or regulation) that would allow us to simply “reactive” a previous specialty license. We do apologize for the inconvenience.

8. When will the new fees be effective?

After the public comment deadline, comments received are compiled and given to the Division Director for consideration. The Division Director 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 Department action, the adopted regulations goes to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. Regulation takes effect on the 30th day after they have been filed by the Lt. Governor.

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