

Rule-Making Fact Sheet

(5 M.R.S.A. §8057-A)

AGENCY: Maine Board of Dental Examiners (Affiliated with the Department of Professional and Financial Regulation)

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

Penny Vaillancourt, 143 State House Station, Augusta, ME 04333; 207-287-3333

CHAPTER NUMBER AND RULE TITLE: Chapter 16

STATUTORY AUTHORITY: Public Law 2015, Chapter 2 of the 127th Maine Legislature (First Regular Session (LD 918)) and 32 M.R.S. §§ 1073(2)

DATE AND PLACE OF PUBLIC HEARING: August 14, 2015 at 1:00 p.m. (tentative); Maine Board of Dental Examiners, Conference Room, 161 Capitol Street, Augusta, ME

COMMENT DEADLINE: August 24, 2015

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE: This Chapter implements Public Law 2015, Chapter 2 of the 127th Legislature (First Regular Session), which requires the Board to adopt rules setting the practice standards for Independent Practice Dental Hygienists to expose and process dental radiographs as part of their established scope of practice. The existing rule allowed Independent Practice Dental Hygienists to process radiographs, but only under a pilot program, which expired on March 13, 2015. This proposed amendment removes the pilot program language, the reporting and inspection requirements, the exposure and findings form, as well as the geographic restrictions. It retains the protocols established in the prior adoption of the rule with regard to written agreements and referral protocols.

ANALYSIS AND EXPECTED OPERATION OF THE RULE: N/A

FISCAL IMPACT OF THE RULE: N/A

FOR RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:

INDIVIDUALS OR GROUPS AFFECTED AND HOW THEY WILL BE AFFECTED:

BENEFITS OF THE RULE:

Note: If necessary, additional pages may be used.

Notice of Agency Rule-making Proposal

AGENCY: Maine Board of Dental Examiners (Affiliated with the Department of Professional and Financial Regulation)

CHAPTER NUMBER AND TITLE: CHAPTER 16, RULES FOR INDEPENDENT PRACTICE DENTAL HYGIENISTS TO PROCESS DENTAL RADIOGRAPHS

PROPOSED RULE NUMBER: Chapter 16

CONTACT PERSON FOR THIS FILING: Penny Vaillancourt, Executive Director

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different): N/A

PUBLIC HEARING (if any): August 14, 2015 at 1:00 p.m. (Tentative)

COMMENT DEADLINE: August 24, 2015

BRIEF *SUMMARY: This Chapter implements Public Law 2015, Chapter 2 of the 127th Legislature (First Regular Session), which requires the Board to adopt rules setting the practice standards for Independent Practice Dental Hygienists to expose and process dental radiographs as part of their established scope of practice. The existing rule allowed Independent Practice Dental Hygienists to process radiographs, but only under a pilot program, which expired on March 13, 2015. This proposed amendment removes the pilot program language, the reporting and inspection requirements, the exposure and findings form, as well as the geographic restrictions. It retains the protocols established in the prior adoption of the rule with regard to written agreements and referral protocols.

IMPACT ON MUNICIPALITIES OR COUNTIES (if any): No Impact.

STATUTORY AUTHORITY FOR THIS RULE: Public Law 2015, Chapter 2 of the 127th Maine Legislature (First Regular Session (LD 918)) and 32 M.R.S.A. §§ 1073(2).

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): N/A

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: penny.vaillancourt@maine.gov

** Check one of the following two boxes.*

The above summary is for use in both the newspaper and website notices.

The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____
(authorized signature)

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

313 BOARD OF DENTAL EXAMINERS

**Chapter 16: RULES FOR INDEPENDENT PRACTICE DENTAL HYGIENISTS TO
PROCESS DENTAL RADIOGRAPHS**

Summary: This Chapter implements Public Law 2015, Chapter 2 of the 127th Maine Legislature (First Regular Session)(LD 918), that required the Board to adopt rules that allow Independent Practice Dental Hygienists to Process Radiographs under practice standards developed by the Board.

1. **STANDARDS OF PRACTICE. A BOARD LICENSED INDEPENDENT PRACTICE DENTAL HYGIENIST (IPDH) WHO EXPOSES AND PROCESSES DENTAL RADIOGRAPHS MUST COMPLY WITH THE FOLLOWING:**
 - A. **Written Agreement.** Each IPDH exposing radiographs must have a written agreement with a licensed dentist that provides that the licensed dentist will be available to interpret all dental radiographs within 21 days from the date the radiograph is taken and that the dentist will sign a radiographic review and findings form.
 - B. **Referral.** The Board expects every IPDH exposing radiographs pursuant to this chapter to make reasonable efforts to ensure that all patient referrals are completed in a timely fashion. The IPDH shall ensure that each patient referral includes: a) the IPDH's name; b) the patient's name; c) radiographic finding and date of finding; d) to whom the patient was referred and date of referral; and e) follow up on referred care provided and date of follow up care.