

**MEMORANDUM**

**TO:** Mindy Franks, Ohio State Dental Board

**FROM:** Sophia Papadimos, Regulatory Policy Advocate

**DATE:** April 15, 2016

**RE:** **CSI Review – 2015 Chapter Ten (OAC 4715-10-01, 4715-10-02, 4715-10-02.1, 4715-10-03, 4715-10-04, and 4715-10-04.1)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

The proposed rule package consists of six rules (five no-change and one amended) being reviewed by the Ohio State Dental Board pursuant to the five-year review requirement in statute. The rule package was submitted to the CSI Office, along with 18 other proposed Dental Board packages, on December 8, 2015 and the comment period was held open through January 4, 2016. No comments were received during this time.

The proposed rules pertain to the Oral Health Access Supervision Program (OHASP). OHASP allows dental hygienists with additional required education to practice under relaxed supervision in certain designated underserved locations outside of the dental office without the presence of a dentist. This allows dentists and dental hygienists to reach traditionally underserved locations such as nursing homes, schools in dental health resource shortage areas, and other locations to serve populations who may have had difficulty obtaining dental care. The proposed rules outline the requirements necessary for dentists and dental hygienists to receive oral health access supervision

permits. The draft rules also explain the process for permit renewal, permit suspension, and permit revocation. The rule being proposed with amendments is Ohio Administrative Code (OAC) 4715-10-03 and pertains to the application process for OHASP for dental hygienists. As a result of recently enacted House Bill 463, dental hygienists now need to have completed one year and 1,500 hours of experience in the clinical practice of dental hygiene. Prior to the passage of HB 463, two years of experience and 3,000 hours were required.

The adverse impacts explained in the BIA include the fee for the permit (established by statute), and the time and cost associated with pursuing additional course work as a dental hygienist in order to be eligible for the permit. No comments were received that adverse impacts are overly burdensome. Additionally, the Board has decreased the hours of experience required, as a result of statute. Therefore, after reviewing the proposed rules, the CSI Office has determined the purpose of the rules is justified.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio State Dental Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.