

**MEMORANDUM**

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

**FROM:** Emily Kaylor, Regulatory Policy Advocate

**DATE:** April 12, 2016

**RE:** **CSI Review – 2015 Chapter 21 (OAC 4715-21-01)**

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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 one amended rule 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 rule sets forth the guidelines and procedures for approval of inpatient, outpatient, and aftercare treatment providers and treatment centers for dental licensees suffering from impairment and substance abuse. The only amendments to the rule were to correct a statutory reference and spelling error.

The rule was determined to be fulfilling its legislative intent by the Board's Law and Rules Review Committee. This committee holds open meetings throughout each calendar year and consists of eleven members from the Board, Ohio Dental Association, and Ohio Dental Hygienists'

Association.

The adverse impact associated with this rule is the time and cost for a licensee to seek and receive the necessary treatment in addition to the lost income from their suspended licensure to practice dentistry. No comments were received that the impacts are burdensome. The impacts are necessary in order for the public to be sure that licensed practitioners are performing their job duties in a responsible manner.

Therefore, after reviewing the proposed rule, the CSI Office has determined the purpose of the rule 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.