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TITLE 828 STATE BOARD OF DENTISTRY

Proposed Rule

LSA Document #02-112

DIGEST

Adds 828 IAC 0.5-2-6 concerning fees related to approval of sponsors of continuing education. Amends 828 IAC 1-5-1 concerning approval of study clubs as sponsors of continuing education. Adds 828 IAC 1-5-1.5 concerning approval of study clubs as sponsors of continuing education. Amends 828 IAC 1-5-2 concerning approval of organizations or individuals as sponsors of continuing education. Adds IAC 1-5-2.5 concerning approval of organizations or individuals as sponsors of continuing education. Amends 828 IAC 1-6-1 concerning renewal requirements for dental hygienists. Effective 30 days after filing with the secretary of state.

828 IAC 0.5-2-6

828 IAC 1-5-2

828 IAC 1-5-1

828 IAC 1-5-2.5

828 IAC 1-5-1.5

828 IAC 1-6-1

SECTION 1. 828 IAC 0.5-2-6 IS ADDED TO READ AS FOLLOWS:

828 IAC 0.5-2-6 Continuing education; sponsor approval fees

Authority: IC 23-1.5-2-9; IC 23-1.5-2-10; IC 25-1-8-2; IC 25-13-1-5; IC 25-14-1-13

Affected: IC 25-13-1-8; IC 25-13-2-2; IC 25-14-1-10; IC 25-14-3-2

Sec. 6. (a) This section applies to study clubs applying for approval under IC 25-13-2-2(12) or IC 25-14-3-2(12).

(b) This section applies to organizations or individuals applying for approval under IC 25-13-2-2(18) or IC 25-14-3-2(18).

(c) The board shall charge and collect the following fees related to the approval of study clubs, organizations, and individuals as sponsors of continuing education:

(1) Study club application for approval \$ 250

(2) Organization or individual application for approval \$ 250

(State Board of Dentistry; 828 IAC 0.5-2-6)

SECTION 2. 828 IAC 1-5-1 IS AMENDED TO READ AS FOLLOWS:

828 IAC 1-5-1 Application for approval of study clubs

Authority: IC 25-13-2-10; IC 25-14-3-12

Affected: IC 25-13-2; IC 25-14-3

Sec. 1. (a) Study clubs must submit a written request an application and a fee for approval of the study club at least thirty (30) days prior to the date of the study club's presentation of a program for as a sponsor of continuing education credit for dentists and/or dental hygienists. Programs presented:

(1) prior to the receipt of approval; or

(2) after the withdrawal or termination of approval of the study club;
by the board shall not count toward continuing education requirements.

(b) The **written request application** for approval shall include the following:

- (1) The name of the study club.
- (2) The address of the study club.
- (3) A statement that the study club is organized for the purpose of scientific study.
- (4) A statement that the study club operates under the direction of elected officers.
- (5) The names and addresses of each officer.
- (6) A copy of the study club's bylaws.
- (7) The names of at least five (5) members of the study club.
- (8) A statement that the study club will conduct regular meetings.
- (9) A statement that the study club will maintain written attendance records of all meetings, which shall be submitted to the board upon request.
- (10) A description of the types of programs or activities the study club intends to present.

(c) The **written request application** for approval must be signed by an officer of the study club.

(d) Approval of a study club will be valid for a maximum period of two (2) years as long as the club remains in compliance with subsection (b). The study club is responsible for applying to the board for renewal of approval. (*State Board of Dentistry; 828 IAC 1-5-1; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1015; filed Mar 26, 1993, 5:00 p.m.: 16 IR 1952; filed Sep 1, 2000, 2:20 p.m.: 24 IR 22; readopted filed Apr 11, 2001, 3:21 p.m.: 24 IR 2896*)

SECTION 3. 828 IAC 1-5-1.5 IS ADDED TO READ AS FOLLOWS:

828 IAC 1-5-1.5 Study club sponsor approval; expiration

Authority: IC 25-13-2-10; IC 25-14-3-12

Affected: IC 25-13-2-2; IC 25-14-3-2

Sec. 1.5. (a) A study club continuing education sponsor approval issued by the board shall be valid for the remainder of the approval period in effect on the date the approval was issued.

(b) The approval issued by the board expires on March 2 of even-numbered years.

(c) The approval is not renewable. A new application and fee for study club continuing education sponsor approval must be filed for each license period.

(d) The approval of a study club sponsor issued by the board:

(1) prior to the effective date of this rule; and

(2) that is current and good standing;

shall remain valid until March 2, 2004. (*State Board of Dentistry; 828 IAC 1-5-1.5*)

SECTION 4. 828 IAC 1-5-2 IS AMENDED TO READ AS FOLLOWS:

828 IAC 1-5-2 Application for approval of organizations or individuals

Authority: IC 25-13-2-10; IC 25-14-3-12

Affected: IC 25-13-2-2; IC 25-14-3-2

Sec. 2. (a) This section applies to organizations or individuals referred to in IC 25-13-2-2(18) and IC 25-14-3-2(18).

(b) Individuals or organizations applying for approval must submit a **written request an application and a fee** for approval **at least thirty (30) days prior to the date of the individual's or organization's presentation of a program for as a sponsor of continuing education credit for dentists and/or dental hygienists.** Programs presented:

(1) prior to the receipt of approval; or

(2) after the withdrawal or termination of approval of the individual or organization;

by the board shall not count toward continuing education requirements.

(c) The **written request application** for approval shall include the following:

- (1) The name of the sponsoring individual or organization.
- (2) The address and telephone number of the individual or organization.
- (3) The following for organizations:
 - (A) A copy of all documents relating to the formation and continued existence of the organization.
 - (B) A description of the specific purposes for which the organization was formed.
 - (C) For each individual in the organization with direct responsibility for teaching and conducting an educational program of the organization, a vita or resume listing all educational and relevant work experience.
- (4) For individuals, a vita or resume listing all educational and relevant work experience.
- (5) A list of each educational program presented or sponsored by the individual or organization for five (5) years prior to the date of the request for approval.
- (6) The following for each program listed under subdivision (5) given in the prior two (2) years:
 - (A) The date and location of the program.
 - (B) A brief summary of the content of the program.
 - (C) The name and the academic and professional background of the lecturer.
 - (D) The number of clock hours of continuing education credit granted by a state licensing or similar regulatory authority for the program.
- (7) A description of the course evaluation technique utilized for all educational programs.
- (8) A sample of the certificate awarded for the completion of all educational programs, if available.
- (9) A list of all anticipated programs to be presented or sponsored during the requested approval period, if available.
- (10) A description of the types of programs or activities the individual or organization intends to present.
- (11) A description of the method to be used for monitoring attendance.

(d) The individual or organization is responsible for monitoring attendance in such a way that verification of attendance throughout the program can be reliably assured.

~~(e) Approval of the individual or organization will be valid for a maximum period of two (2) years. The individual or organization is responsible for applying to the board for renewal of approval. (State Board of Dentistry; 828 IAC 1-5-2; filed Jan 28, 1992, 5:00 p.m.: 15 IR 1015; filed Mar 26, 1993, 5:00 p.m.: 16 IR 1953; filed Sep 1, 2000, 2:20 p.m.: 24 IR 22; readopted filed Apr 11, 2001, 3:21 p.m.: 24 IR 2896)~~

SECTION 5. 828 IAC 1-5-2.5 IS ADDED TO READ AS FOLLOWS:

828 IAC 1-5-2.5 Individual or organization sponsor approval; expiration

Authority: IC 25-13-2-10; IC 25-14-3-12

Affected: IC 25-13-2-2; IC 25-14-3-2

Sec. 2.5. (a) Approval of an individual or organization as a sponsor of continuing education issued by the board shall be valid for the remainder of the approval period in effect on the date the approval was issued.

(b) The approval issued by the board expires on March 2 of even-numbered years.

(c) The approval is not renewable. A new application and fee for an individual or organization continuing education sponsor approval must be filed for each license period.

(d) The approval of a sponsor issued by the board:

(1) prior to the effective date of this rule; and

(2) that is current and in good standing;

shall remain valid until March 2, 2004. (State Board of Dentistry; 828 IAC 1-5-2.5)

SECTION 6. 828 IAC 1-6-1 IS AMENDED TO READ AS FOLLOWS:

828 IAC 1-6-1 Renewal requirements; basic life support certification

Authority: IC 25-13-1-5; IC 25-13-1-8; IC 25-14-1-13

Affected: IC 25-13-2-6; IC 25-13-2-9

Sec. 1. (a) Applicants for dental hygiene license renewal must be certified in or successfully complete a course in basic life support. ~~A course in basic life support shall include lecture and hands-on use of the following:~~

- ~~(1) Adult one-rescuer cardiopulmonary resuscitation.~~
- ~~(2) Adult two-rescuer cardiopulmonary resuscitation.~~
- ~~(3) Child one-rescuer cardiopulmonary resuscitation.~~
- ~~(4) Airway obstruction and devices.~~

(b) Courses on health care provider cardiopulmonary resuscitation or cardiopulmonary resuscitation for the professional rescuer meet the requirements of this rule.

(c) At the time of renewal of the license, the applicant must submit, as a part of the renewal application, a sworn statement signed by the applicant attesting that the applicant has fulfilled the requirement to complete a course in basic life support.

(d) A waiver of the requirement to complete a course in basic life support will only be granted for medical conditions or disabilities that prevent the dental hygienist from complying with the basic life support requirement. All requests for waivers of the basic life support requirement must be submitted in writing with the renewal application. A physician's statement documenting the disability or medical condition must be submitted with the request.

(e) The board will conduct an audit for compliance in conjunction with the audit conducted under IC 25-13-2-9.

~~(d)~~ (f) In order to comply with IC 25-13-1-8(b)(3), a course in basic life support must be successfully completed during each two (2) year license period.

~~(e)~~ (g) If a dental hygienist is audited for compliance with the requirement for completion of a basic life support course, at the time of the audit the dental hygienist must submit ~~either:~~ **any of the following:**

(1) A copy of the cardiopulmonary resuscitation card showing the date of issuance and the date of expiration or date it is due for renewal. ~~or~~

(2) A copy of the attendance sheet for the course that has been signed by the instructor and includes the date the course was given and certifies that the applicant successfully completed the course.

(3) Proof of reasonable cause for noncompliance. A waiver will only be granted for medical conditions or disabilities that prevent the dental hygienist from complying with the basic life support requirement. All requests for waivers of the basic life support requirement must be submitted in writing. A physician's statement documenting the disability or medical condition must be submitted with the request.

(State Board of Dentistry; 828 IAC 1-6-1; filed Aug 29, 1997, 8:45 a.m.: 21 IR 107; readopted filed Apr 11, 2001, 3:21 p.m.: 24 IR 2896)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 2, 2002 at 10:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the State Board of Dentistry will hold a public hearing on proposed rules concerning fees related to approval of sponsors of continuing education; approval of study clubs as sponsors of continuing education; approval of organizations or individuals as sponsors of continuing education; and renewal requirements for dental hygienists. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Lisa R. Hayes
Executive Director
Health Professions Bureau