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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Amy Demboski
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: September 4, 2020

RE: Filed Permanent Regulations: Board of Dental Examiners

Board of Dental Examiners regulations re: examinations, registration with PDMP controlled substance prescription database, and administration of opioids to patients (12 AAC 28.940; 12 AAC 28.953; 12 AAC 28.957)

Attorney General File:	2020200378
Regulation Filed:	9/4/2020
Effective Date:	10/4/2020
Print:	236, January 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis
Sher Zinn, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF DENTAL EXAMINERS


The attached two pages of regulations, dealing with examinations, registration with the prescription drug monitoring program (PDMP), and the use of an opioid for acute dental pain, are hereby certified to be a correct copy of the regulation changes that the Board of Dental Examiners adopted at its August 7, 2020 meeting, under the authority of AS 08.36.070; AS 08.36.110; AS 08.36.234; AS 08.36.355; and AS 17.30.200, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Dental Examiners paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 8/7/2020
Anchorage, Alaska

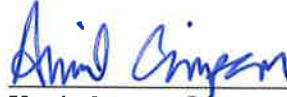
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Dr. David Nielson, President
Board of Dental Examiners

April Simpson for

FILING CERTIFICATION

I, [↑]Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on September 4th, 2020 at 1:28 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for 

Kevin Meyer, Lieutenant Governor

Effective: October 4, 2020.

Register: 236, January 2021.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on December 11th, 2018.



Kevin Meyer
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**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 28. Board of Dental Examiners.

« Publisher: At the end of the introductory language of 12 AAC 28.940 (b)(8)(B), after "characteristics", change the semicolon to a colon »

12 AAC 28.940(b)(8)(B)(ii) is repealed:

« bold and underline not necessary »

(ii) **repealed** 10 / 4 / 2020 ; ~~PATIENT-BASED~~

~~-PERIODONTICS TESTING;~~

12 AAC 28.940(b)(8)(B)(iii) is amended to read:

examination

(iii) constructive response **or objective structured clinical exam**

testing that includes **diagnosis and** treatment planning, **periodontics, restorative dentistry, oral pathology, medical considerations, prescription writing and**

prosthodontics;

« Publisher: At the end of 12 AAC 28.940 (b)(8)(B)(iv), change the colon to a semicolon »
« Publisher: In 12 AAC 28.940 (b)(8)(B)(v), after "testing" change the period to a comma, and after "bridge prep" change the colon to a semicolon »

12 AAC 28.940(b)(8)(B)(vi) is amended to read:

(vi) ^(a) patient based, **or if passed before December 31, 2020, a**

mannequin based operative examination that includes one class II posterior alloy or composite procedure, and one additional operative procedure, either anterior class III or posterior class II; or

(Eff. 1/28/2000, Register 153; am 8/15/2001, Register 159; am 1/15/2003, Register 165; am 1/22/2004, Register 169; am 4/27/2007, Register 182; am 10/19/2008, Register 188; am 12/2/2012, Register 204; am 12/15/2013, Register 208; am 9/26/2018, Register 227; am 5/1/2019, Register 230; am 3/5/2020, Register 233; am 10 / 4 / 2020, Register 236)

Authority: AS 08.36.070 AS 08.36.110

Register 236, January 2020 PROFESSIONAL REGULATIONS

12 AAC 28.953 is repealed and readopted to read:

12 AAC 28.953. Registration with the prescription drug monitoring program controlled substance prescription database. A licensed dentist under this chapter who holds a federal Drug Enforcement Administration registration number must

(1) register with the prescription drug monitoring program (PDMP) controlled substance prescription database (not later than) (after) within 30 days of initial licensure or registration with the Drug Enforcement Administration (DEA), whichever is later; and

(2) comply with the requirements of AS 17.30.200 and 12 AAC 52.865. (Eff. 9/26/2018, Register 227; am 10 / 4 / 2020, Register 236)

Authority: AS 08.36.070 AS 08.36.234 AS 17.30.200
AS 08.36.110

12 AAC 28 is amended by adding a new section to read:

12 AAC 28.957. Maximum dosage of an opioid for acute pain. A dentist prescribing or dispensing an opioid for acute dental pain under AS 08.36.355 may ~~shall~~ not exceed 60 morphine milligram equivalents (MME) a day. (Eff. 10 / 4 / 2020, Register 236)

Authority: AS 08.36.070 AS 08.36.355