

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Board of Dental Examiners of Alabama

Rule No.: 270-X-4.09

Rule Title: Criteria And Fees For Mobile Dental Facilities Or Portable Dental Operations

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly
Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's
Police power and the protection of the public health,
Safety, or welfare? Yes

Is there another, less restrictive method of regulation
Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or
Indirectly increasing the costs of any goods or services
Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public
Than the harm that might result from the absence of
The proposed rule? No

Are all facets of the rulemaking process designed solely
For the purpose of, and so they have, as their primary
Effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by
a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama,
1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the
requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all
applicable filing requirements of the Administrative Procedure Division of the Legislative
Reference Service.

Signature of certifying officer Blannett

Date: 12/6/11

(DATE FILED)
(STAMP)

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Dental Examiners of Alabama

RULE NO. & TITLE: 270-X-4.09 Criteria And Fees For Mobile Dental Facilities Or Portable Dental Operations.

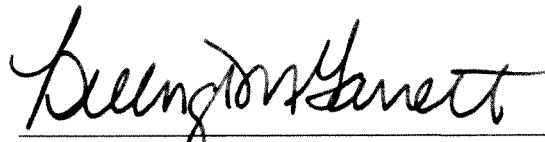
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to correctly site statutory authority and to require that any and all mobile/portable operations comply with provisions of the Americans with Disabilities Act

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:30 p.m. on Friday, February 3, 2012. Comments should be directed to Sonya Lankford, Financial Secretary, at 5346 Stadium Trace Pky., Ste. 112 Hoover, AL 35244 or via electronic mail at BDEAL@dentalboard.org or via telephone at 205-985-7267.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, February 3, 2012

CONTACT PERSON AT AGENCY: Ms. Sonya Lankford
Financial Secretary
5346 Stadium Trace Pky., Ste. 112
Hoover, AL 35244
(205) 985-7267



Billington M. Garrett, *Counsel*
Board of Dental Examiners of Alabama

Board of Dental Examiners of Alabama

NOTICE OF INTENDED ACTION

RULE NUMBER: 270-X-4.09

TITLE OF RULE: Criteria And Fees For Mobile Dental Facilities Or Portable Dental Operations.

(1) All applications for a Certificate of Registration to operate a mobile dental facility or portable dental operation must be complete and comply with all the requirements of Code of Alabama, (1975), §34-9-6.1. The required initial application or renewal will not be acted upon if not fully completed. The initial application or any renewal must be forms approved by the Board.

(2) No initial Certification of Registration to operate a mobile dental facility or portable dental operation shall be issued until there has been an inspection by the Board or its authorized representative. If there is a determination as a result of the inspection that the application will not be granted, a list of the deficiencies noted shall be provided to the applicant within ten (10) days from the date of the inspection. If the applicant desires another inspection, a request must be made in writing to the Board.

(3) No Certificate of Registration or renewal thereof shall be issued until the required fee is paid.

(4) The fee for the initial Certificate of Registration and the required inspection shall be an amount to be determined by the Board. In the event of an unsuccessful inspection, the applicant will be required to submit an additional amount to be determined by the Board for re-inspection.

(5) The fee for renewal of the Certificate of Registration shall be an amount to be determined by the Board.

(6) Any and all Mobile Dental Facilities/Portable Dental Operations must comply with applicable provisions of the Americans with Disabilities Act.

Statutory Authority ~~Code of Ala. 1975, Code of Alabama (1975), §§ 34-9-6.01, 34-9-16, 34-9-43(10), Act No. 2008-279.~~

Original Rule Filed: July 24, 2009, Amended: Filed November ____, 2011