

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control      Department or Agency: Board of Dental Examiners of Alabama  
Rule No.: 270-X-3.06

Rule Title: 270-X-3.06 Direct Supervision Defined.

     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? N/A

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

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\*\*\*\*\*  
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.

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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 

Date: 9/24/13

(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-3.06 Direct Supervision Defined.

INTENDED ACTION: To amend the rule to reflect current standard of care regarding direct supervision.

SUBSTANCE OF PROPOSED ACTION:

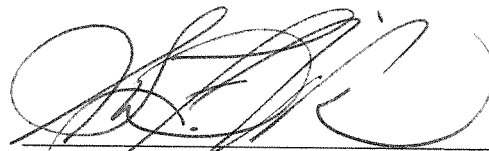
TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:30 p.m. on Thursday, December 5, 2013. Comments should be directed to Kevin Lane, Assistant to the Executive Director, at 5346 Stadium Trace Pky., Ste. 112 Hoover, AL 35244 or via electronic mail at [BDEAL@dentalboard.org](mailto:BDEAL@dentalboard.org) or via telephone at 205-985-7267.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, December 5, 2013

CONTACT PERSON AT AGENCY:

Mr. Kevin Lane  
Assistant to the Executive Director  
5346 Stadium Trace Pky., Ste. 112  
Hoover, AL 35244  
(205) 985-7267



Susan F. Wilhelm, Esq., Executive Director  
Board of Dental Examiners of Alabama

**Board of Dental Examiners of Alabama**

NOTICE OF INTENDED ACTION

**270-X-3.06 Direct Supervision Defined.**

Direct supervision is defined as supervision by a dentist who authorizes the intraoral procedure to be performed, is physically present in the dental facility and available during performance of the procedure, ~~examines the patient during the procedure~~ and takes full professional responsibility for the completed procedure.

Statutory Authority Code of Alabama (1975), §§34-9-2, 34-9-27, 34-9-43.

Original Rule Filed: September 28, 1982, Amended Filed December 7, 2011, Adopted February 3, 2012