

BEFORE THE BOARD OF DENTISTRY
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the proposed amendment) NOTICE OF PUBLIC HEARING
of ARM 24.138.403 mandatory certification,) ON PROPOSED AMENDMENT
24.138.502 initial licensure of dentists by) AND REPEAL
examination, 24.138.503 initial licensure of)
hygienists by examination, 24.138.505 dentist)
licensure by credentials, 24.138.506 dental)
hygienist licensure by credentials, 24.138.507)
dentist licensure by credentials for specialists,)
24.138.508 dental hygiene local anesthetic)
agent certification, 24.138.511 denturist)
application requirements, 24.138.514)
application to convert an inactive status license)
to an active status license, 24.138.518)
renewals, 24.138.525 reactivation of an)
expired license, 24.138.530 licensure of retired)
or nonpracticing dentist or dental hygienist for)
volunteer service, and repeal of 24.138.524)
reactivation of a lapsed license)

TO: All Concerned Persons

1. On August 17, 2007, at 9:00 a.m., a public hearing will be held in room B-07, 301 South Park Avenue, Helena, Montana to consider the proposed amendment and repeal of the above-stated rules.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Dentistry (board) no later than 5:00 p.m., on August 10, 2007, to advise us of the nature of the accommodation that you need. Please contact Traci Collett, Board of Dentistry, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2390; Montana Relay 1-800-253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; e-mail dlibsdden@mt.gov.

3. GENERAL STATEMENT OF REASONABLE NECESSITY: As part of the periodic review of its administrative rules, the board is proposing revisions throughout the rules. Some of the proposed amendments are technical in nature, such as renumbering or amending punctuation within certain rules following amendment and to comply with ARM formatting requirements. Similar technical changes replace out-of-date terminology for current language, delete unnecessary or redundant sections, and amend rules for consistency, simplicity, and ease of use. Authority and implementation cites are being amended throughout to accurately

reflect all statutes implemented through the rule and to provide the complete sources of the board's rulemaking authority.

The board has determined it is reasonably necessary to amend the rules throughout and add pediatric advanced life support (PALS) certification to those certification types already accepted by the board for licensure. The board concluded that requiring active status licensees maintain any one of the three types of certification adequately and equally protects the public.

Accordingly, the board has determined that reasonable necessity exists to generally amend certain rules at this time. Where additional specific bases for a proposed action exist, the board will identify those reasons immediately following that rule.

4. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

24.138.403 MANDATORY CPR CERTIFICATION (1) All licensed active status dentists, dental hygienists, and denturists shall possess a current cardiopulmonary resuscitation (CPR), ~~or advanced cardiac life support (ACLS), or pediatric advanced life support (PALS)~~ card.

(2) Licensees shall maintain a current CPR, ~~or ACLS, or PALS~~ card on the premises and provide a copy to the board upon request.

(3) Licensees shall affirm the expiration date of the CPR, ~~or ACLS, or PALS~~ card on the renewal. The board may audit a licensee for compliance of a current CPR, ~~or ACLS, or PALS~~ card. An active licensee who practices without a current CPR, ~~or ACLS, or PALS~~ card may be subject to disciplinary action by the board.

(4) remains the same.

AUTH: 37-1-131, 37-4-205, 37-29-201, MCA

IMP: 37-1-131, 37-4-307, 37-29-201, 37-29-401, MCA

24.138.502 INITIAL LICENSURE OF DENTISTS BY EXAMINATION (1) and (1)(a) remain the same.

(b) certification of successful passage of a board approved regional clinical practical examination. ~~The board accepts, in satisfaction of the practical part, successful completion of an examination administered by the Western Regional Examining Board (WREB) or by the Central Regional Dental Testing Service (CRDTS) taken after January 1, 2000. Both examinations~~ Examinations shall be valid for the purpose of initial licensure for a period of five years from the date of successful passage of the examination;

(c) remains the same.

(d) verification of graduation from a dental school accredited by the American Dental Association Commission on Dental Accreditation, or its successor. Verification must consist of an original dental school transcript and a diploma. The board may accept ~~or~~ a letter from the dean of the school of dentistry, program director, or the dean's equivalent attesting to the program of study, and that graduation status was attained to process the application; however, a license will not be issued until the transcript is received in the board office;

- (e) and (f) remain the same.
- (g) a copy of the applicant's current CPR, ~~or~~ ACLS, or PALS card;
- (h) through (4) remain the same.

AUTH: 37-1-131, 37-4-205, MCA
IMP: 37-1-131, 37-4-301, MCA

REASON: It is reasonably necessary to amend this rule to align terminology with the statutory requirement of passage of a regional clinical examination at 37-4-301, MCA. A national dental clinical practical examination is currently under development in the United States, which is anticipated to eventually replace all individual regional clinical examinations. The board is amending this rule after determining that the regional examinations have already evolved into fundamentally the same clinical exam, and that it no longer matters which regional service administers the examination.

The board is amending this rule to replace the requirement of a diploma as part of the verification of an applicant's dental school graduation. This requirement was inadvertently stricken from the rule in a prior rulemaking notice. The board is further clarifying that the board accepts letters attesting to an applicant's graduation to begin processing an application, but that no license will be issued by the board until receipt of an official dental school transcript. This is not a new requirement or process, but is being clarified to address questions by dentist licensure applicants.

24.138.503 INITIAL LICENSURE OF DENTAL HYGIENISTS BY EXAMINATION (1) and (1)(a) remain the same.

(b) certification of successful passage of a board approved regional clinical practical examination. ~~The board accepts, in satisfaction of the practical part, successful completion of an examination administered by the Western Regional Examining Board (WREB) or by the Central Regional Dental Testing Service (CRDTS) taken on or after January 1, 2000. Both examinations~~ Examinations shall be valid for the purpose of initial licensure for a period of five years from the date of successful passage of the examination;

(c) remains the same.

(d) verification of graduation from a dental hygiene school accredited by the American Dental Association Commission on Dental Accreditation, or its successor. Verification must consist of an original dental hygiene school transcript and a diploma. ~~The board may accept~~ or a letter from the dean of the school of dental hygiene, program director, or dean's equivalent attesting to the program of study, and that graduation status was attained to process the application; however, a license will not be issued until the transcript is received in the board office;

(e) and (f) remain the same.

(g) a copy of the applicant's current CPR, ~~or~~ ACLS, or PALS card;

(h) and (i) remain the same.

(2) The applicant shall not be physically or mentally impaired by use of addictive drugs, alcohol, or any other drugs or substances, or by mental or physical illness, which in the determination of the board renders the individual unfit or incapable of practicing dental hygiene.

(3) and (4) remain the same.

AUTH: 37-1-131, 37-4-205, MCA

IMP: 37-1-131, 37-4-401, 37-4-402, MCA

REASON: It is reasonably necessary to amend this rule to align terminology with the statutory requirement of passage of a regional clinical examination at 37-4-402, MCA. A national dental hygiene clinical practical examination is currently under development in the United States, which is anticipated to eventually replace all individual regional clinical examinations. The board is amending this rule after determining that the regional examinations have already evolved into fundamentally the same clinical exam, and that it no longer matters which regional service administers the examination.

The board is amending this rule to replace the requirement of a diploma as part of the verification of an applicant's dental hygiene school graduation. This requirement was inadvertently stricken from the rule in a prior rulemaking notice. The board is further clarifying that the board accepts letters attesting to an applicant's graduation to begin processing an application, but that no license will be issued by the board until receipt of an official dental hygiene school transcript. This is not a new requirement or process, but is being clarified to address questions by dental hygiene applicants.

24.138.505 DENTIST LICENSURE BY CREDENTIALS (1) The board shall ~~provide for licensing of~~ license a dentist without additional examination, except a jurisprudence examination, if the applicant meets each of the following:

(a) ~~submits an~~ a completed application ~~on a form provided by the board or its designee;~~

(b) pays the appropriate fees, including credentialing fee, jurisprudence exam fee, and application fee;

(c) and (c)(i) remain the same.

(ii) has successfully passed the national board dental examination and submits an original Joint Commission on National Dental Examinations score card; and

(iii) has successfully completed a board approved regional clinical practical examination for licensure ~~administered by the Western Regional Examining Board (WREB) or one which is substantially equivalent to the current WREB examination, or administered on or after January 1, 2000, by the Central Regional Dental Testing Service (CRDTS), or a combination of examinations which are substantially equivalent to the current WREB examination approved by the Montana Board of Dentistry. Applicants using any examination(s) other than WREB or CRDTS, as defined above, will be reviewed~~ or any state clinical practical examination. The board shall review all state clinical practical examinations on a case-by-case basis to determine approval for licensure. ;

~~(iv)~~ (d) ~~is in good standing~~ submits license verifications from all jurisdictions where the applicant is licensed or has held a license. If the dentist is employed by the federal government, ~~the dentist must be in good standing~~ applicant shall submit a letter of explanation for any discipline with the employing federal agency;

~~(v)~~ (e) provides evidence that the applicant is currently engaged in the practice of clinical, direct patient care dentistry, and has been actively practicing within the last five years immediately preceding application, for a total accumulation of 3000 hours of experience, as demonstrated by any or all of the following information:

(A) through (D) remain the same but are renumbered (i) through (iv).

~~(E)~~ (v) documentation from a commanding officer regarding length of service, duties and responsibilities, and any adverse actions or restrictions, if the dentist is serving in the United States federal service;

~~(F)~~ (vi) documentation from the dean or appropriate administration of the institution regarding length and terms of employment, and ~~their~~ the applicant's duties and responsibilities, and any adverse actions or restrictions, if the dentist is employed by a dental school; and or

~~(G)~~ (vii) proof of hours completed within a residency program, to be credited toward the dental practice requirement, if the dentist is practicing within a residency program; ;

~~(vi)~~ (f) submits documentation of all unresolved or adverse decisions based on complaints, investigations, review procedures, or other disciplinary proceedings undertaken by a state, territorial, local, or federal dental licensing jurisdiction, dental society, or law enforcement agency relating to criminal or fraudulent activity, dental malpractice, or negligent dental care;

~~(vii)~~ (g) submits evidence the applicant has completed at least 60 hours of continuing education related to clinical dentistry in the three years immediately preceding application for a license in this state. Courses submitted must meet board approvals as defined in ARM 24.138.2102; and

~~(viii)~~ (h) certifies that the applicant is not physically or mentally impaired by use of addictive drugs, alcohol, or any other drug or substance, or by mental or physical illness which in the determination of the board renders the individual unfit or incapable of practicing dentistry;

~~(d)~~ (i) submits a current CPR, ACLS, or PALS card; and

~~(e)~~ (j) provides affidavits from three persons not related to the candidate, of ~~of~~ regarding the applicant's good moral character; and ;

~~(f) submits copies of all other state professional licenses.~~

~~(2) The jurisprudence examination must be successfully passed once the application for licensure has been approved. Applicants must shall successfully pass the jurisprudence examination with a final grade of at least 75 percent, prior to issuance of a license.~~

AUTH: 37-1-131, 37-4-205, MCA

IMP: 37-1-131, 37-1-304, MCA

REASON: It is reasonably necessary to amend this rule to align terminology with the statutory requirement of passage of a regional clinical examination at 37-4-301, MCA. A national dental clinical practical examination is currently under development in the United States, which is anticipated to eventually replace all individual regional clinical examinations. The board is amending this rule after determining that the regional examinations have already evolved into fundamentally

the same clinical exam, and that it no longer matters which regional service administers the examination. Because the few remaining state-offered clinical exams may vary in both content and administration, the board will continue to review all state exams on a case-by-case basis.

The board is amending this rule to no longer require credentialing applicants submit proof of good standing in all jurisdictions where a dental license is held. The board has never denied licensure for the sole reason of having past discipline on another state's license. The board already requires license verifications from other jurisdictions, which include information on disciplinary actions taken. Following amendment, the board will also require that applicants explain any discipline received while under federal employment.

24.138.506 DENTAL HYGIENIST LICENSURE BY CREDENTIALS

(1) through (1)(d) remain the same.

(e) proof that the applicant has practiced dental hygiene ~~continuously~~ for a minimum of ~~500~~ 1000 hours ~~during in the one-year immediately~~ two years prior to application;

(f) a copy of the applicant's current CPR, ACLS, or PALS card;

(g) affidavits from ~~three~~ two persons not related to the candidate, ~~of~~ regarding the applicant's good moral character;

(h) and (i) remain the same.

(2) The applicant may not be physically or mentally impaired by use of addictive drugs, alcohol, or any other drugs or substances, or by mental or physical illness, which in the determination of the board renders the individual unfit or incapable of practicing dental hygiene.

(3) and (4) remain the same.

AUTH: 37-1-131, 37-4-205, MCA

IMP: 37-1-131, 37-1-304, MCA

REASON: It is reasonable and necessary to amend the dental hygiene practice requirement for credentialing applicants. The board has determined that situations exist where an applicant may have difficulty practicing continuously for 500 hours in a single year. The board concluded that requiring 1000 hours of dental hygiene practice in the two years prior to application would ensure competency of applicants in current practices and adequately protect the public.

The board is also amending the rule to decrease the number of affidavits required to prove a credentialing applicant's good moral character. Following the amendment, the number of required affidavits will be the same for all dental hygiene licensure applicants, whether by examination or credentialing.

24.138.507 DENTIST LICENSURE BY CREDENTIALS FOR SPECIALISTS

(1) remains the same.

(a) submits an a completed application ~~on a form provided by the board or its designee~~;

(b) pays the appropriate fees, including a credentialing fee, a jurisprudence exam fee, and an application fee;

(c) through (c)(iii) remain the same.

(A) a board approved general dentistry clinical ~~practice~~ practical examination for licensure ~~administered by a testing agency~~; and

(B) a specialty residency of at least two years accredited by CODA or its successor, or a specialty approved by the board; ~~;~~

~~(iv)~~ (d) provides license verifications from is in good standing in all jurisdictions where the applicant is licensed or has held a license. If employed by the federal government, the applicant shall ~~be in good standing~~ submit a letter of explanation for any discipline with the employing federal agency;

~~(v)~~ (e) provides evidence that the applicant is currently engaged in the practice of clinical, direct patient care dentistry; and has been actively practicing within the last five years immediately preceding application, for a total accumulation of 3000 hours of experience as demonstrated by any or all of the following:

(A) and (B) remain the same but are renumbered (i) and (ii).

~~(C)~~ certification of not less than 1000 hours per year in clinical direct patient care dentistry;

(D) and (E) remain the same but are renumbered (iii) and (iv).

~~(F)~~ (v) documentation from a commanding officer regarding length of service, duties and responsibilities, and any adverse actions or restrictions, if the applicant is serving in the United States federal service; ~~or~~

~~(G)~~ (vi) documentation from the dean or appropriate administration of the institution regarding length and terms of employment, and the applicant's duties, and responsibilities, and any adverse actions or restrictions, if the applicant is employed by a dental school; or

(vii) proof of hours completed within a residency program, to be credited toward the dental practice requirement, if the dentist is practicing within a residency program.

~~(vi)~~ (f) submits evidence the applicant has completed at least 60 hours of continuing education related to clinical dentistry in the three years immediately preceding application for a Montana license. Courses submitted must meet continuing education requirements as defined in board rule; ~~and~~

~~(vii)~~ (g) certifies that the applicant is not physically or mentally impaired by use of addictive drugs, alcohol, or any other drug or substance, or by mental or physical illness which, in the determination of the board, renders the applicant unfit or incapable of practicing dentistry;

~~(d)~~ (h) submits documentation of all unresolved or adverse decisions based on complaints, investigations, review procedures, or other disciplinary proceedings undertaken by a state, territorial, local, or federal dental licensing jurisdiction, dental society, or law enforcement agency relating to criminal or fraudulent activity, dental malpractice, or negligent dental care;

(e) remains the same but is renumbered (i).

~~(f)~~ (j) submits a current CPR, or ACLS, or PALS card; and

~~(g)~~ (k) provides affidavits from three persons not related to the applicant regarding the applicant's good moral character; ~~and~~ ~~;~~

~~(h)~~ submits copies of all other state professional licenses.

(2) A minimum Applicants shall successfully pass the jurisprudence examination with a final grade of at least 75 percent is required for passage of the jurisprudence examination prior to issuance of a license.

AUTH: 37-1-131, 37-4-205, MCA

IMP: 37-1-131, 37-1-304, ~~37-4-301~~, MCA

REASON: It is reasonably necessary to amend this rule to no longer require specialist credentialing applicants submit proof of good standing in all jurisdictions where a dental license is held. The board has never denied licensure for the sole reason of having past discipline on another state's license. The board already requires license verifications from other jurisdictions, which include information on disciplinary actions taken. Following amendment, the board will also require that applicants explain any discipline received while under federal employment.

It is reasonable and necessary to amend the dental practice requirement for specialist credentialing applicants to correspond with requirements for dentist credentialing applicants at ARM 24.138.505. The board has determined that it is not necessary to require that specialist credentialing applicants prove active practice of at least 1000 hours each year prior to application. The board concluded that requiring a total of 3000 hours of dental practice within the five years prior to application would still ensure operative competency of these applicants in current practices and continue to effectively protect the public.

The board is also amending this rule to allow specialist credentialing applicants to submit hours practiced within residency programs as part of the active practice requirement. The board already allows this for dentist credentialing applicants and determined it is reasonable and necessary to also permit specialist credentialing applicants to do the same.

24.138.508 DENTAL HYGIENE LOCAL ANESTHETIC AGENT

CERTIFICATION (1) through (2)(a) remain the same.

(b) a copy of the applicant's current CPR, ~~or~~ ACLS, or PALS card;

(c) through (3)(a) remain the same.

(b) a copy of the applicant's current CPR, ~~or~~ ACLS, or PALS card;

(c) through (e) remain the same.

(i) a letter from the school with the school seal affixed (photocopies will not be accepted); ~~or~~

(ii) remains the same.

(iii) a notarized copy of the dental or dental hygiene transcript with the local anesthetic agent course recorded; ~~;~~

(f) through (4)(b) remain the same.

(c) submit a copy of the applicant's current CPR, ~~or~~ ACLS, or PALS card;

(d) remains the same.

(i) a letter from the school with the school seal affixed (photocopies will not be accepted); ~~or~~

(ii) remains the same.

(iii) a notarized copy of the dental or dental hygiene transcript with the local anesthetic agent course recorded; ~~;~~

(e) and (f) remain the same.

AUTH: 37-1-131, 37-4-205, 37-4-402, MCA

IMP: 37-1-131, 37-4-401, 37-4-402, MCA

24.138.511 DENTURIST APPLICATION REQUIREMENTS (1) through (2)(j) remain the same.

(k) a copy of a current CPR, ~~or~~ ACLS, or PALS card;

(l) affidavits from three persons not related to the candidate, ~~of~~ regarding the candidate's good moral character;

(m) through (5) remain the same.

AUTH: 37-1-131, 37-29-201, MCA

IMP: 37-1-131, 37-29-303, 37-29-306, MCA

24.138.514 APPLICATION TO CONVERT AN INACTIVE STATUS LICENSE TO AN ACTIVE STATUS LICENSE (1) and (2) remain the same.

(3) The board may consider a licensee request to convert an inactive status license to active status upon written request to the board if the applicant provides, ~~but is not limited to,~~ the following:

(a) through (d)(ii) remain the same.

(iii) 36 hours of continuing education for a dentist, for the three most current renewal years; ~~;~~

(e) a current CPR, ~~or~~ ACLS, or PALS card; and

(f) remains the same.

(4) If the applicant has been out of practice for longer than five years, the applicant shall provide evidence of, ~~but not limited to,~~ the following:

(a) and (a)(i) remain the same.

(ii) a board approved regional or state examination within the most recent five years; ~~;~~

(b) through (c)(ii) remain the same.

(iii) 36 hours of continuing education for a dentist for the three most current years; ~~;~~

(d) a current CPR, ~~or~~ ACLS, or PALS card; and

(e) and (5) remain the same.

AUTH: 37-1-131, 37-1-319, 37-4-205, 37-29-201, MCA

IMP: 37-1-131, 37-1-319, ~~37-4-307, 37-4-406, 37-29-201~~, MCA

24.138.518 RENEWALS (1) through (2)(c) remain the same.

(d) ~~all active licensees shall~~ submit a completed affirmation statement and the expiration date of the active licensees' current CPR, ~~or~~ ACLS, or PALS card.

(3) remains the same.

AUTH: 37-1-131, 37-1-141, 37-4-205, 37-29-201, MCA

IMP: 37-1-131, 37-1-141, ~~37-4-307, 37-4-406~~, 37-29-306, MCA

24.138.525 REACTIVATION OF AN EXPIRED LICENSE (1) remains the same.

- (a) a copy of a current CPR, ~~or~~ ACLS, or PALS card;
- (b) a license verification from all jurisdictions where the licensee is licensed or has held a license if the license has been expired longer than six months; and
- (c) through (c)(iii) remain the same.

AUTH: 37-1-131, 37-1-141, 37-4-205, 37-29-201, MCA

IMP: 37-1-131, 37-1-141, MCA

REASON: The board determined it is reasonably necessary to amend this rule to only require reactivating licensees submit license verifications when the expiration is longer than six months. Reactivation is available to licensees with expired licenses anywhere from 46 days to within two years past the renewal date. The board concluded that to require license verification only when a license is expired longer than six months will still protect the public and ensure that current information is obtained but will not place an inordinate and unnecessary burden upon board staff.

24.138.530 LICENSURE OF RETIRED OR NONPRACTICING DENTIST OR DENTAL HYGIENIST FOR VOLUNTEER SERVICE (1) through (1)(c)(i) remain the same.

- (ii) if the applicant has been out of practice for longer than five years, the applicant shall provide, ~~but is not limited to~~:
 - (A) remains the same.
 - (B) a board approved regional or state examination within the most recent five years; ~~;~~
 - (d) verification that the applicant has maintained for at least ten years prior to retirement, full licensure in good standing in Montana, another state or jurisdiction, Canada, ~~or~~ the United States armed forces;
 - (e) remains the same.
 - (f) a copy of a current CPR, ~~or~~ ACLS, or PALS card; and
 - (g) through (4) remain the same.

AUTH: 37-1-131, 37-1-141, ~~37-4-204~~, 37-4-340, MCA

IMP: 37-1-131, 37-1-141, 37-4-340, MCA

5. The rule proposed to be repealed is as follows:

24.138.524 REACTIVATION OF A LAPSED LICENSE found at ARM page 24-12061.

AUTH: 37-1-141, 37-4-205, 37-29-201, MCA

IMP: 37-1-141, MCA

REASON: It is reasonably necessary to repeal this rule as the board determined that the requirements at 37-1-141, MCA, and in department rule are

sufficient for reactivation of lapsed licenses. The board concluded that there is no need for additional requirements when licensees reactivate a license within 45 days of the renewal date and is repealing this rule as unnecessary.

6. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Dentistry, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or by e-mail to dlibsdden@mt.gov, and must be received no later than 5:00 p.m., August 27, 2007.

7. An electronic copy of this Notice of Public Hearing is available through the department and board's site on the World Wide Web at www.dentistry.mt.gov. The department strives to make the electronic copy of this Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

8. The Board of Dentistry maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all Board of Dentistry administrative rulemaking proceedings or other administrative proceedings. Such written request may be mailed or delivered to the Board of Dentistry, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2305, e-mailed to dlibsdden@mt.gov, or made by completing a request form at any rules hearing held by the agency.

9. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

10. Darcee L. Moe, attorney, has been designated to preside over and conduct this hearing.

BOARD OF DENTISTRY
PAUL SIMS, D.D.S., PRESIDENT

/s/ DARCEE L. MOE
Darcee L. Moe
Alternate Rule Reviewer

/s/ KEITH KELLY
Keith Kelly, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State July 16, 2007