

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §101.2, pertaining to dental licensure by examination. The proposed amendment reflects the merger of Central Regional Dental Testing Service (CRDTS) with the States Resources for Testing and Assessments (SRTA). The proposed amendment also changes the remediation requirements by allowing applicants to take a remediation course before or after passing an examination.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this rule will be the protection of public safety and welfare.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) the implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule does not create a new regulation; (6) the proposed rule does not expand an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to official_rules_comments@tsbde.texas.gov for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

No statutes are affected by this proposed rule.

Legal counsel for the Board has reviewed the proposed rule and has found it to be within the Board's authority to adopt.

<rule>

§101.2. Licensure by Examination.

(a) In addition to the general qualifications for licensure contained in §101.1 of this chapter (relating to General Qualifications for Licensure), an applicant for licensure by examination who is a graduate of an accredited school must present proof that the applicant:

- (1) Has graduated and received either the "DDS" or "DMD" degree from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association (CODA);
- (2) Has taken and passed the examination for dentists given by the American Dental Association Joint Commission on National Dental Examinations; and
- (3) Has taken and passed the appropriate general dentistry live patient or hands-on simulation clinical examination administered by a regional examining board designated by the Board.

(b) In addition to the general qualifications for licensure contained in §101.1 of this chapter, an applicant for licensure by examination who is a graduate of a non-accredited school must present proof that the applicant:

- (1) Has graduated from a dental school that is not CODA-accredited;
- (2) Has successfully completed training in an American Dental Association-approved specialty in a CODA-accredited education program that consists of at least two years of training as specified by the Council on Dental Education;
- (3) Has taken and passed the examination for dentists given by the American Dental Association Joint Commission on National Dental Examinations; and
- (4) Has taken and passed the appropriate general dentistry live patient or hands-on simulation clinical examination administered by a regional examining board designated by the Board. Many regional examining boards require prior written approval by the participating member state in order for graduates of non-accredited schools to be tested. Prior to submitting an application for regional examination, graduates of non-accredited schools must obtain such permission from the Board.

(c) Designated regional examining boards.

(1) The following regional examining boards have been designated as acceptable by the Board as of the effective dates shown:

(A) The Commission on Dental Competency Assessments-The Western Regional Examining Board-The Council of Interstate Testing Agencies (CDCA-WREB-CITA), August 1, 2022; and

(B) Central Regional Dental Testing Service-States Resources for Testing and Assessments (CRDTS-SRTA), January 6, 2025. [~~Central Regional Dental Testing Service, January 1, 2002; and~~]

[~~(C) States Resources for Testing and Assessments (SRTA), January 1, 2005.~~]

(2) Examination results will be accepted for seven years from the date of the examination.

(d) Remediation.

(1) If an applicant for Texas dental licensure fails three general dentistry live patient or hands-on simulation clinical examination attempts, the applicant must complete 80 hours of a Board-approved clinical remediation course through a CODA-accredited dental school. [~~before approval will be issued to take another live patient or hands-on simulation clinical examination.~~]

(2) If an applicant fails four or more general dentistry live patient or hands-on simulation clinical examination attempts, the applicant must complete one of the following [~~before approval will be issued to take another live patient or hands-on simulation clinical examination~~]:

(A) the repetition of the final year of a graduate dental program from a CODA-accredited dental school; or

(B) the completion of a Board-approved clinical remediation course offered by a CODA-accredited dental school, consisting of no less than 1,000 clinical hours.

(3) All programs of clinical remediation require prior approval by the Board. Applicants will be responsible for locating, identifying and obtaining approval from the Board prior to registration for any program.

(4) Re-examination must be accomplished within 18 months of [following] the date of either the completion of the clinical remediation course or the repetition of the final year of a graduate dental program as required in subsection (d)(1)-(3) of this section. [~~the Board approves a remediation program for the applicant.~~]

(e) An applicant who takes an examination after January 1, 2019, must also successfully complete the periodontics and prosthodontics sections of an exam approved under subsection (c)(1) of this section.