

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §104.2, concerning continuing education providers. The Board conducted a review of the continuing education providers in accordance with this rule, and voted to review the provider Dental Risk Solutions, LLC. The Board sent a notice to the mailing address of record for Dental Risk Solutions, LLC, and informed it that the Board will consider whether to remove or reclassify it as a provider during its next scheduled meetings on February 20-21, 2025. The notice was returned to the Board as “Unable to Forward.” The Board voted to remove Dental Risk Solutions, LLC as a continuing education provider at the February 2025 meeting.

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 proposed 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 the number of individuals subject to the rule’s applicability; and (8) the proposed rule does not positively or adversely affect the state’s economy.

COST TO REGULATED PERSONS: This proposed rule does not impose a cost on a regulated person and, therefore, is not subject to Tex. Gov’t. Code §2001.0045.

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 adopted rule and has found it to be within the Board's authority to adopt.

<rule>

§104.2. Providers.

(a) (No change.)

(b) (No change.)

(c) (No change.)

(d) (No change.)

(e) Continuing Education courses endorsed by the following providers will meet the criteria for acceptable continuing education hours if such hours are certified by the following providers:

- (1) American Dental Association--Continuing Education Recognition Program (CERP);
- (2) American Dental Association, its component, and its constituent organizations;
- (3) Academy of General Dentistry and its constituents and approved sponsors;
- (4) Dental/dental hygiene schools and programs accredited by the Commission on Dental Accreditation of the American Dental Association;
- (5) American Dental Association approved specialty organizations;
- (6) American Dental Hygienists' Association, its component, and its constituent organizations;
- (7) American Medical Association approved specialty organizations;
- (8) American Medical Association approved hospital courses;
- (9) National Dental Association, its constituent, and its component societies;
- (10) National Dental Hygienists' Association, its constituent, and its component societies;
- (11) Medical schools and programs accredited by the Standards of the Medical Specialties, the American Medical Association, the Advisory Board for Osteopathic Specialists and Boards of Certification, or the American Osteopathic Association;

(12) The Commission on Dental Competency Assessments-The Western Regional Examining Board-The Council of Interstate Testing Agencies (CDCA-WREB-CITA), States Resources for Testing and Assessments (SRTA), and Central Regional Dental Testing Services Inc. (CRDTS);

(13) American Academy of Dental Hygiene;

(14) American Dental Education Association;

(15) American Heart Association;

(16) Texas Dental Hygiene Educators' Association;

(17) Dental Laboratory Association of Texas;

(18) Dental Assisting National Board;

(19) American Dental Assistants Association and its constituent organizations;

(20) The Compliance Division, LLC;

(21) Dental Compliance Specialists, LLC; and

(22) Other entities approved by the Board as shown in the attached graphic for this section.

[Attached Graphic](#)

Figure: 22 TAC §104.2(e)(22)

Other entities approved by the Board per 22 TAC §104.2:

A. Texas School of Sleep Medicine and Technology;

B. Boyd W. Shephard, D.D.S., J.D; and

~~[C.] [Dental Risk Solutions, LLC; and]~~

C. ~~[D.]~~ American Association of Dental Boards – Accredited Continuing Education Program (AADB-ACE)