

THE FLORIDA BOARD OF DENTISTRY

ANNUAL REGULATORY PLAN 2020-2021

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2020). The Plan covers the period beginning October 1, 2020 and ending September 30, 2021.

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2020 Legislative Session which creates or modifies the duties or authority of the Board of Dentistry. §120.74(1)(a), Fla. Stat. (2020).

Law Enacted or Modified on or after Oct. 1, 2019	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
Ch. 2020-133, Laws of Fla., Eff. July 1, 2020 (HB 713)	Amended: Section 23 of the Bill amended § 466.006, Fla. Stat.	64B5-2.0146(2), F.A.C. 64B5-2.013, F.A.C.	No Yes	N/A October 2020	N/A December 2020	The statute is clear on its face and the companion rule may be updated for clarification purposes only.

Ch. 2020-133, Laws of Fla., Eff. July 1, 2020 (HB713)	Reenacted: Sections 24 through 26 of the Bill reenact §§ 466.0067; 00671; 00672, Fla. Stat.	None	No	N/A	N/A	The health access dental rules were not repealed in anticipation of the reenactment of these provisions. Therefore, rulemaking is already complete.
<u>See Also</u> Ch. 2020- 47, Laws of Fla., Eff. July 1, 2020 (HB1461: Health Access Dental License)	Reenacted the same statutes.	None	No	N/A	N/A	Same as above.
Ch. 2020-133, Laws of Fla., Eff. July 1, 2020 (HB713)	Amended: Section 27 of the Bill amended §466.007, Fla. Stat.	64B5-2.0135, F.A.C.	Yes	October 2020	December 2020	N/A
Ch. 2020-133, Laws of Fla., Eff. July 1, 2020 (HB713)	Amended: Section 27 of the Bill amended §466.017, Fla. Stat.	None	No	N/A	N/A	This provision does not mandate rulemaking and merely codifies what the Board already required by Rule.

Ch. 2020-125, Laws of Fla, Eff. July 1, 2020 (HB 115).	Created §120.82, Fla. Stat.; Amended §456.0635, Fla. Stat., and §456.074, Fla. Stat., and Repealed §456.0721, Fla. Stat.	All application rules.	No	N/A	N/A	All applications are already adopted and incorporated and are not in conflict with this Bill, but all applications will be updated for clarification, uniformity and ease of use.
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PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Dentistry intends to implement through rulemaking by July 1, 2021 that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2021. §120.74(1)(b), Fla. Stat. (2020).

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
<u>Chapter 64B5</u> , F.A.C. (Board of Dentistry)	Multiple / Various Chapter 456 and Chapter 466, Fla. Stat.	Clarify, Simplify and Increase Efficiency. Review all application forms for necessary updates and to amend the Health History Questions within the application; create uniformity and increase ease of use for applicant to expedite license review and increase business productivity.
<u>Chapter 65B5-2</u> , F.A.C. (Examination and Licensure of Dentists and Dental Hygienists).	Multiple / Various under Chapter 456 and 466 of the Florida Statues.	Update this Chapter after finalization of 2020 Comprehensive Rule Review Project and to implement amendments from 2020 legislation as identified in Part I.
<u>Chapter 64B5-7</u> , F.A.C. (Dental Practice Permits).	Multiple / Various under Chapter 456 and 466 of the Florida Statues.	Clarify, Simplify, and Increase Efficiency via update to all applications and implement statutory changes from the 2020 legislation as identified in Part I.

<u>64B5-9.011</u> , F.A.C. (Radiography Training for Dental Assistants).	§§ 466.017(7), Fla. Stat.	Clarify, Simplify, and Increase Efficiency through updates to the incorporated application.
<u>64B5-10.007</u> , F.A.C. (Retired Status and Reactivation of Retired Status License).	§ 456.036, Fla. Stat.	Clarify, Simplify and Increase Efficiency through updates to the reactivation requirements.
<u>64B5-12.0185</u> , F.A.C. (Standard for Board Approval of Pro Bono Programs)	§456.013, Fla. Stat.	Clarify, Simplify and Increase Efficiency related to receiving CE credit for providing pro bono services.
<u>64B5-13.0045</u> , F.A.C. (Minor Violations).	§ 456.073, Fla. Stat.	Clarify, Simplify, Increase Efficiency and Reduce unnecessary regulatory burden.
<u>64B5-13.0046</u> , F.A.C. (Citation Authority).	§456.077, Fla. Stat.	Clarify, Simplify, Increase Efficiency and Reduce unnecessary regulatory burden.
<u>64B5-13.005</u> , F.A.C. (Disciplinary Guidelines).	§§456.072(2); 456.079(1); and 466.028, Fla. Stat.	Clarify, Simplify and Update.
<u>Chapter 64B5-14</u> , F.A.C (Anesthesia).	§466.017, Fla. Stat.	Clarify, Simplify, Increase Efficiency. Completed entire Chapter rewrite from last ARP and will continue review for incorporating updated applications.
<u>64B5-16.001</u> , F.A.C. (Definitions of Remediable Tasks and Supervision Levels).	§§ 466.023; 466.0235; 466.024; 466.003, Fla. Stat.	Clarify, Simplify and Increase Efficiency. The rule will be reviewed to determine needed updates to eliminate confusion.

<u>64B5-16.002</u> , F.A.C. (Required Training).	§466.023 and 024, Fla.Stat.	Clarify, Simplify, Increase Efficiency.
<u>64B5-16.005</u> , F.A.C. (Remediable Tasks Delegable to Dental Assistants).	§466.024, Fla. Stat.	Clarify, Simplify, Increase Efficiency and Reduce Regulatory Costs.
<u>64B5-16.006</u> , F.A.C. (Remediable Tasks Delegable to Dental Hygienist).	§§466.017; 466.023; 466.024, Fla. Stat.	Clarify, Simplify, Increase Efficiency, and Reduce Regulatory Costs.
<u>64B5-25.007</u> , F.A.C. (Disposition of Biohazardous Waste).	§466.028(1)(u), Fla. Stat.	Clarify, Simplify, Increase Efficiency.

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat. (2020).

There are not any updates to the prior year's annual regulatory plan.

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2020)

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Dentistry regularly reviews all its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 30th day of June 2015 with continuing board review through August 2020. The Board is currently completing a 2020 Comprehensive Review for the Office of Fiscal Accountability and Regulatory Reform.

/S/ *Naved Fatmi, D.M.D.*
Electronic Signature
Naved Fatmi, D.M.D.
Chair of the Board of Dentistry

September 4, 2020
Date Signed

/S/ *David D. Flynn, Esquire*
Electronic Signature
David D. Flynn, Esquire
Senior Assistant Attorney General
Counsel to the Board of Dentistry

September 4, 2020
Date Signed