

THE FLORIDA BOARD OF DENTISTRY

ANNUAL REGULATORY PLAN 2018-19

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2018). The Plan covers the period beginning October 1, 2018 and ending September 30, 2019.

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2018 Legislative Session which creates or modifies the duties or authority of the Board of Dentistry. §120.74(1)(a), Fla. Stat. (2018).

Law Enacted or Modified on or after Oct. 1, 2017	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. 2018-13, §1, Laws of Fla., Effective July 1, 2018 (HB 21)	§456.0301, F.S. (Requirements for instruction on controlled substance prescribing)	64B5-12.013, F.A.C. (Continuing Education Requirements ...)	Yes	5/16/2018 Vol. 44/96	6/15/2018 Vol. 44/96 Eff. 8/06/2018	N/A
		64B5-12.0135, F.A.C. (Licensees Excused From Continuing Education ...)	Yes	5/16/2018 Vol. 44/96	6/15/2018 Vol. 44/96 Eff. 8/06/2018	N/A

Ch. 2018-13, §2, Laws of Fla., Effective July 1, 2018 (HB21)	§456.072(1)(gg), F.S. (Grounds for discipline; penalties; enforcement)	<u>64B5-13.005</u> , F.A.C. (Disciplinary Guidelines)	No	5/16/2018 Vol. 44/96	Prior to September 15, 2018	The Board's disciplinary guideline rule already has a guideline in place that covers the violation (§456.072(1)(gg), F.S.). Therefore, rulemaking is not mandatory; however, the Board is updating the rule for clarification purposes.
Ch. 2018-13, §3, Laws of Fla. Effective July 1, 2018 (HB21)	§456.44, F.S. (Controlled substance prescribing)	<u>64B5-17.0045</u> , F.A.C. (Standards for the Prescribing of Controlled Substances for the Treatment of Acute Pain)	Yes	5/16/2018 Vol. 44/96	Anticipated Mid to Late- October 2018	N/A
Ch. 2018-13, §10, Laws of Fla. Effective July 1, 2018 (HB21)	§893.055, F.S. (Prescription drug monitoring program)	<u>64B5-13.0046</u> , F.A.C. (Citation Authority)	Yes	5/16/2018 Vol. 44/96	6/15/2018 Vol. 44/117 Eff. 8/06/2018	N/A

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, 2019 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, 2019. §120.74(1)(b), Fla. Stat. (2018).

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, F.S.	Clarify, Simplify and Increase Efficiency. Review all application forms for necessary updates and to capture DEA registration for Dentists.
<u>64B5-13.005</u> , F.A.C. (Disciplinary Guidelines)	§§456.072(2); 456.079(1); 466.028, F.S.	Clarify
<u>Chapter 64B5-14</u> , F.A.C (Anesthesia)	§466.017, F.S.	Clarify, Simplify, Increase Efficiency and Delete obsolete, unnecessary, or redundant provisions
<u>64B5-16.001</u> , F.A.C. (Definitions of Remediable Tasks and Supervision Levels)	§§ 466.003; 466.024, F.S.	Clarify, Simplify and Increase Efficiency

<u>64B5-16.XXXX</u>	§§466.024; 466.023, F.S.	Create new rule to reduce regulatory burden and costs and increase access to dental care by exploring adding a new delegable task to dental auxiliaries – Restorative Functions
<u>64B5-16.005</u> , F.A.C. (Remediable Tasks Delegable to Dental Assistants)	§466.024, F.S.	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, F.S.	Clarify, Simplify, Increase Efficiency, and Reduce Regulatory Costs
<u>64B5-16.007</u> , F.A.C. (Levels of Supervision for Dental Hygienists)	§§466.023; 466.024, F.S.	Clarify, Simplify, and Increase Efficiency by Repeal of obsolete rule through consolidation

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. (2018).

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

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2018)

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 2018.

/S/ T.J. Tejera, D.M.D., M.D.

Electronic Signature

T.J. Tejera, D.M.D., M.D.

Chair of the Board of Dentistry

September 05, 2018

Date Signed

/S/ David D. Flynn, Esquire

Electronic Signature

David D. Flynn, Esquire

Assistant Attorney General

Counsel to the Board of Dentistry

September 05, 2018

Date Signed