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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

March 9, 2000

Norbert O. Gannon, D.D.S., Chairman
State Board of Dentistry
116 Pine Street
Harrisburg, PA 17105

Re: Regulation #16A-465 (#1960)
Expanded Function Dental Assistants

Dear Chairman Gannon:

We spoke with your staff on March 9, 2000, concerning four issues that could be corrected or clarified by tolling. We recommend that you consider the following revisions:

- 1. Section 33.103. Examinations. - Inconsistency with Preamble:** The Preamble states that in Subsection 33.103(d) the two words "for licensure" were deleted. However, these two words are still in this subsection in the final-form regulation. These two words should be deleted.
- 2. Section 33.105. Biennial renewal of licenses and certificates. - Typographical error:** This section was updated to add the word "certificate" to references concerning biennial renewal. However, this change was not made at the beginning of the third sentence in Subsection (a) that states: "Upon renewing their licenses..." The phrase should be changed to "Upon renewal..."
- 3. Section 33.114. First certification examinations. - Duplicate subsections:** This section now includes five subsections (a) - (e) which were part of the proposed regulation and three new subsections (a) - (c) in the final-form. We believe the Board intended to delete the first five subsections. The first five need to be marked for deletion by strikeouts pursuant to the Commission's regulations at 1 Pa. Code § 307.2(c)(6)(iii).
- 4. Section 33.205a. Practice as an expanded function dental assistant. - Typographical error:** New language was added to the end of Subparagraph 33.205a(a)(1)(vii). However, the old period mark was not moved. Period marks now appear in front of the new phrase in the middle of the sentence and at the end of the sentence. The first period should be deleted.

If the Board chooses to toll the review period, it must deliver written notice to the House Professional Licensure Committee, Senate Consumer Protection and Professional Licensure Committee and Commission on the same day. The written notice must be delivered prior to any Committee action on the regulation, or before the end of the Committees' review period on March 20, 2000, whichever occurs first.

Norbert O. Gannon, Chairman
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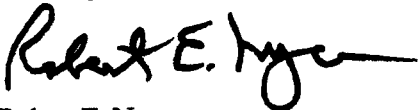
As required by Section 307.5 of our regulations, written notice must include:

1. A citation to the section(s) the Board is considering revising,
2. A description of the revisions being contemplated, and
3. An explanation of how the revisions will satisfy our concerns.

If the Commission objects to tolling the review period, we will notify you and the Committees within two business days after receipt of your tolling notice. In that event, the review period will not be tolled and the Commission will consider your regulation at our public meeting on March 23, 2000. If the Commission does not object, the review period is tolled for up to 30 days beginning with receipt of your letter and ending on the day you resubmit the regulation.

If you have any questions, please call me at 783-5506.

Sincerely,



Robert E. Nyce
Executive Director

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cc: Honorable Mario J. Civera, Jr.
Honorable William W. Rieger
Honorable Clarence D. Bell
Honorable Lisa M. Boscola
Thomas A. Hutton, Esq.
David J. DeVries, Esq.
Deborah B. Eskin
Dorothy Childress
Honorable Kim Pizzingrilli