BEFORE THE BOARD OF DENTISTRY
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of ARM 24.138.304 definition of nonroutine application, 24.138.3101 general standards for specialties, and 24.138.3102 specialty advertising ) NOTICE OF AMENDMENT

TO: All Concerned Persons

1. On December 7, 2018, the Board of Dentistry published MAR Notice No. 24-138-75 regarding the public hearing on the proposed amendment of the above-stated rules, at page 2361 of the 2018 Montana Administrative Register, Issue No. 23.

2. On January 7, 2019, a public hearing was held on the proposed amendment of the above-stated rules in Helena. One comment was received by the January 8, 2019 deadline.

3. The board has thoroughly considered the comment received. A summary of the comment and the board response follows:

COMMENT 1: Several commenters opined that the proposed language of ARM 24.138.3102(1) seems to claim that the Commission on Dental Accreditation (CODA) recognizes accreditation agencies, which is incorrect. The commenters stated that CODA is an accreditation agency recognized by the United States Department of Education and suggested the board amend the rule for clarity.

RESPONSE 1: The board agrees and has amended the rule accordingly.

4. The board has amended ARM 24.138.304 and 24.138.3101 exactly as proposed.

5. The board has amended ARM 24.138.3102 with the following changes, stricken matter interlined, new matter underlined:

   24.138.3102 SPECIALTY ADVERTISING (1) The board finds that terms stating or implying that a dentist is a specialist in some field of dentistry are terms of art indicating that the dentist has completed an accredited post-doctoral educational program in that field of at least two years. Therefore, a licensed dentist seeking specialty recognition must have successfully completed a post-doctoral program in a specialty area of dentistry consisting of at least two full-time years and which is accredited by an accreditation agency that is recognized by the Commission on Dental Accreditation.
   (2) through (5) remain as proposed.
BOARD OF DENTISTRY
GEORGE JOHNSTON, DDS
PRESIDENT

/s/ DARCEE L. MOE            /s/ GALEN HOLLENBAUGH
Darcee L. Moe               Galen Hollenbaugh, Commissioner
Rule Reviewer               DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State April 16, 2019.