

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

In the matter of the amendment of ) NOTICE OF AMENDMENT  
ARM 24.138.402 and 24.138.504 )  
pertaining to fee schedules and )  
clinical exam criteria )

TO: All Concerned Persons

1. On April 29, 2022, the Board of Dentistry (board) published MAR Notice No. 24-138-82 regarding the public hearing on the proposed amendment of the above-stated rules, at page 565 of the 2022 Montana Administrative Register, Issue No. 8.

2. On May 20, 2022, a public hearing was held on the proposed amendment of the above-stated rules via the videoconference and telephonic platform. Comments were received by the May 27, 2022, deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: Several commenters thanked the board for offering alternatives to single encounter-based patient exams, believing they reduce restrictions on portability and licensure, reduce burdens on practitioners, and improve mobility.

RESPONSE 1: The board agrees and appreciates all comments received in the rulemaking process.

COMMENT 2: One commenter stated the manikin-based exam was just as good as the patient-based exam the commenter took when initially licensed in 2005. The commenter appreciated that the rule change will allow the commenter's licensure here.

RESPONSE 2: The board agrees and appreciates all comments received in the rulemaking process.

4. The board has amended ARM 24.138.402 and 24.138.504 exactly as proposed.

BOARD OF DENTISTRY  
DIANNE KLEMMANN, RDH, PRESIDENT

/s/ DARCEE L. MOE  
Darcee L. Moe  
Rule Reviewer

/s/ LAURIE ESAU  
Laurie Esau, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State July 26, 2022.