

**NOTICE OF INTENT TO ADOPT PROPOSED NEW RULES TO
THE GEORGIA BOARD OF DENTISTRY,
CHAPTER 150-14, DENTAL APPLICANCES, CAPS, COVERINGS,
PROSTHESES AND COSMETIC COVERINGS.,
RULE 150-14-.01 DEFINITIONS.,
150-14-.02 FABRICATION OF DENTAL APPLICANCES, CAPS,
COVERINGS, PROSTHESES AND COSMETIC COVERINGS IS
THE PRACTICE OF DENTISTRY.,
150-14-.03 RESPONSIBILITY OF LICENSED DENTIST., AND
NOTICE OF PUBLIC HEARING.**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Board of Dentistry (hereinafter "Board") proposes new rules 150-14-.01 Definitions., 150-14-.02 Fabrication of Dental Appliances, Caps, Coverings, Prosthesis and Cosmetic Coverings is the Practice of Dentistry., and 150-14-.03 Responsibility of Licensed Dentist., (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed new rules and a synopsis of the proposed new rules, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed new rules, and a synopsis of the proposed new rules may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Board of Dentistry's web page at <http://www.sos.state.ga.us/plb/dentistry>. Copies may also be requested by contacting the Georgia Board of Dentistry office at 478-207-2440.

A public hearing is scheduled to begin at 9:30 a.m. on May 11, 2007 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217 to provide the public an opportunity to comment upon and provide input into the proposed new rules. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. To ensure their consideration, written comments must be received on or before May 4, 2007. Written comments should be addressed to Don Munday, Acting Division Director, Secretary of State, Professional Licensing Boards Division, Georgia Board of Dentistry, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-207-1699.

The proposed new rules will be considered for adoption by the Georgia Board of Dentistry at its meeting scheduled to begin at 9:35 a.m. on May 11, 2007 at the Professional Licensing Boards Division, 237 Coliseum Dr., Macon, GA 31217. According to the Department of Law, State of Georgia, the Georgia Board of Dentistry has the authority to adopt the proposed new rules pursuant to authority contained in O.C.G.A. §§ 43-11-1, 43-11-7, 43-11-8, and 43-11-17.

At its meeting on February 23, 2007 the Board voted that the formulation and adoption of -this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-11-1, 43-11-7, 43-11-8, and 43-11-17.

Also, at its meeting on February 23, 2007, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-11-1, 43-11-7, 43-11-8, and 43-11-17 to adopt or implement differing actions for businesses as listed at O.C.G.A. §50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of dentistry.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. §50-13-4.

This 19th day of March, 2007.

Don Munday
Acting Division Director
Professional Licensing Boards

Posted: March 19, 2007

**SYNOPSIS OF PROPOSED NEW RULES FOR THE
GEORGIA BOARD OF DENTISTRY,
CHAPTER 150-14, DENTAL APPLICANCES, CAPS, COVERINGS,
PROSTHESES AND COSMETIC COVERINGS.,
RULE 150-14-.01 DEFINITIONS.**

Purpose: The purpose of the new rule is to define terms used in O.C.G.A. §43-11-17(a)(6).

Main Features: The main features of the new rule defines terms used in O.C.G.A. §43-11-17(a)(6).

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

150-14-.01 Definitions

(1) “Appliance” means any fixed or removable structure which may or may not be made with an impression of a human mouth or extraoral facial structures or any portion of the human mouth, teeth, gums or jaw used to prevent adverse dental conditions, including but not limited to changing the appearance of teeth, changing the shape and shade of teeth, protect teeth, effecting the position of teeth or repairing or replacing missing or damaged teeth. In addition, appliances shall also include any device that gains a desired dental or medical result by using the teeth or surrounding oral structures as support.

(2) “Cap” shall mean any fixed or removable artificial structure created with a model or impression of a natural or artificial tooth and used or worn as a covering on that natural or artificial tooth.

(3) “Cosmetic covering” means any fixed or removable artificial structure or product used or worn as a covering on natural or artificial human teeth created with a model, impression or any other measuring device including but not limited to computer assisted design (CAD), of the human mouth or any portion thereof and used solely for cosmetic purposes. Cosmetic covering shall include, but not be limited to, such structures commonly known as “grills.”

(4) “Covering” means any item that is used to permanently or temporarily place over a natural or prosthetic tooth.

(5) “Dentist” shall mean an individual who is licensed in this State pursuant O.C.G.A. §43-11-1(9).

(6) “Fabricate” means to create, design or construct any structure, whether artificial or naturally occurring, defined by this rule as a dental appliance, cap, covering, prosthesis or cosmetic covering.

(7) “Prosthesis” means:

(a) Prosthesis: Artificial replacement of any part of the human body.

(b) Dental prosthesis: Any device or appliance replacing one or more missing teeth and/or, if required, associated structures. This term includes but is not limited to abutment crowns and abutment inlays/onlays, bridges, dentures, obturators, and gingival prostheses.

(c) Definitive prosthesis: Prosthesis to be used over an extended period of time.

(d) Fixed prosthesis: Non-removable dental prosthesis that is solidly attached to abutment teeth, roots or implants.

(e) Fixed-removable prosthesis: Combined prosthesis, one or more parts of which are fixed, and the other(s) attached by devices that allow their detachment, removal and reinsertion by a dentist only.

(f) Interim prosthesis: A provisional prosthesis designed for use over a limited period of time.

(g) Removable prosthesis: Complete or partial prosthesis, which can be removed and reinserted by a patient.

(8) "Theatrical purposes" shall mean any fabricated product defined by this rule that is only used during activities of the performing arts and removed immediately after such use.

Authority O.C.G.A. §§ 43-11-1, 43-11-7, 43-11-8, and 43-11-17.

**SYNOPSIS OF PROPOSED NEW RULES FOR THE
GEORGIA BOARD OF DENTISTRY,
CHAPTER 150-14, DENTAL APPLICANCES, CAPS, COVERINGS,
PROSTHESES AND COSMETIC COVERINGS.,
RULE 150-14-.02 FABRICATION OF DENTAL APPLICANCES, CAPS,
COVERINGS, PROSTHESES AND COSMETIC COVERINGS
IS THE PRACTICE OF DENTISTRY.**

Purpose: The purpose of the new rule specifies that the fabrication of dental appliances, caps, coverings, prostheses and cosmetic coverings is considered the practice of dentistry pursuant to O.C.G.A §43-11-17(a)(6).

Main Features: The main features of the new rule specifies that the fabrication of dental appliances, caps, coverings, prostheses and cosmetic coverings is considered the practice of dentistry pursuant to O.C.G.A §43-11-17(a)(6).

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

150-14-.02 Fabrication of Dental Appliances, Caps, Coverings, Prostheses and Cosmetic Coverings is Practice of Dentistry

(1) The fabrication of any dental appliance, cap, covering, prosthesis or cosmetic covering, as defined by this chapter, is included in the practice of dentistry as defined by O.C.G.A. § 43-11-17.

(2) No person shall fabricate any dental appliance, cap, covering, prosthesis or cosmetic covering, as defined by this chapter, unless he or she is licensed to practice dentistry or working under the prescription of a licensed dentist. Nothing in this chapter shall prohibit a physician licensed pursuant to Article 2, Chapter 34, Title 43 of the Official Code of Georgia from performing any act within the scope of his or her license.

(3) This rule shall not apply to any structure that is used solely for theatrical purposes as defined by this chapter.

Authority O.C.G.A. §§ 43-11-1, 43-11-7, 43-11-8, and 43-11-17.

**SYNOPSIS OF PROPOSED NEW RULES FOR THE
GEORGIA BOARD OF DENTISTRY,
CHAPTER 150-14, DENTAL APPLICANCES, CAPS, COVERINGS,
PROSTHESES AND COSMETIC COVERINGS.,
RULE 150-14-.03 RESPONSIBILITY OF LICENSED DENTIST.**

Purpose: The purpose of the new rule specifies that the ultimate responsibility for patient care when fabricating a dental appliance, cap, covering, prosthesis or cosmetic covering lies with the licensed dentist.

Main Features: The main features of the new rule specifies that the ultimate responsibility for patient care when fabricating a dental appliance, cap, covering, prosthesis or cosmetic covering lies with the licensed dentist.

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

150-14-.03 Responsibility of Licensed Dentist

The dentist is responsible for the safety of the patient when he or she fabricates or directs any other person to fabricate and the dentist delivers any dental appliance, cap, covering, prosthesis or cosmetic covering under this chapter.

Authority O.C.G.A. §§ 43-11-1, 43-11-7, 43-11-8, and 43-11-17.