

**WEST VIRGINIA
SECRETARY OF STATE
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ADMINISTRATIVE LAW DIVISION**

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

Form #5

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Board of Dental Examiners TITLE NUMBER: 5

CITE AUTHORITY: §30-4-6

RULE TYPE: PROCEDURAL INTERPRETIVE

EXEMPT LEGISLATIVE RULE

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 9

TITLE OF RULE BEING PROPOSED: Application Procedures for Licensure or Certificate

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS July 27, 2005


Authorized Signature

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July 26, 2005

The Honorable Betty Ireland
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

Dear Secretary Ireland:

The West Virginia Board of Dental Examiners in session July 25, 2005, approved for filing the enclosed Notice of Agency Adoption of the procedural rule CSR §5-9 titled Application Procedures for Licensure or Certificate.

Please return to us one copy of the enclosed filing with the filing date shown for our records.

If further information is needed, please do not hesitate to contact me at your earliest convenience.

Very truly yours,

Handwritten signature of John F. Parkulo in black ink.
JOHN F. PARKULO
Executive Secretary

JFP/smc
Enclosures

**TITLE 5
PROCEDURAL RULE
WEST VIRGINIA BOARD OF DENTAL EXAMINERS**

**SERIES 9
APPLICATION PROCEDURES FOR LICENSURE OR CERTIFICATION**

FILED
2005 JUL 27 A 11:33
OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

§5-9-1. General.

1.1. Scope. -- This rule regulates the requirements for licensure or permit for a dentist, dental specialist, dental hygienist and/or dental assistant.

1.2. Authority. -- W. Va. Code §30-4-6

1.3. Filing Date. -- July 27, 2005

1.4. Effective Date. -- July 27, 2005

§5-9-2. Definitions.

As used in this rule, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

2.1. "Board" means the West Virginia Board of Dental Examiners;

2.2. "License" means a document issued by the board upon original licensure as a dentist, dental specialist or dental hygienist.

2.3. "Certificate" means a document issued by the board to a dental hygienist or dental assistant to perform expanded duties requiring a board approved course and examination.

2.4. "Dental Specialist" means a person issued a license to practice only one certain branch of dentistry.

§5-9-3. Application for Licensure of a Dentist

3.1. Persons seeking licensure as a dentist shall submit an application to the Board prescribed by the Board.

3.2. Each applicant shall submit a fee for application as set forth in the Board's fee schedule.

3.3. Each applicant shall submit evidence of graduation with a diploma from an approved dental college, school or dental department of a university shall be submitted by being attached to the appropriate portion of the application. A letter from the dental college, school or dental department of a university verifying the applicants diploma bearing the school or registrar's seal or official transcript bearing the school or registrar's seal may be accepted in lieu of the application portion and must be sent directly from the college or university to the Board's office.

3.4. Each applicant shall submit evidence of the applicant's successful completion of the examination administered by the Joint Commission on National Dental Examinations sent directly from the Commission to the Board's office.

3.5. Each applicant shall submit evidence of the applicant's successful completion of an examination by a regional and/or state clinical board approved by the Board sent directly from the regional or state board to the Board's office.

3.6. Each applicant shall successfully complete the West Virginia Dental Law Examination.

3.7. Each applicant shall submit verification of good standing of all health care licenses ever held in any jurisdiction by way of a formal letter from each entity issuing said licenses bearing said entities official seal or stamp sent directly to the Board's office.

3.8. Each applicant shall submit verification of good moral character by two letters of recommendation from persons who know the applicant professionally. Letters shall be sent directly to the Board office by way of mail or facsimile from the persons writing them. Letters from the applicant's family or teachers from their dental college or university will not be accepted.

3.9. Each applicant shall be personally interviewed with the West Virginia Board of Dental Examiners and/or appointed person by the Board who is or are Board Members or past Board Members. Applicants who are or have been given the law exam in a mass examination at a dental hygiene school within the boundaries of the State of West Virginia are exempted from this requirement.

§5-9-4. Application of Licensure of a Dentist from out of State

4.1. Persons seeking licensure as a dentist shall submit an application to the Board prescribed by the Board.

4.2. Each applicant shall submit a fee for application as set forth in the Board's fee schedule.

4.3. Each applicant shall submit evidence that he or she holds a license to practice dentistry in another state which was granted after completion of educational requirements substantially equivalent to those required in this state by way of a formal letter from the state issuing said license bearing said state's official seal or stamp sent directly to the Board's office or by submitting evidence of graduation with a diploma from an approved dental college, school or dental department of a university by being attached to the appropriate portion of the application. A letter from the dental college, school or dental department of a university verifying the applicants diploma bearing the school or registrar's seal or official transcript bearing the school or registrar's seal may be accepted in lieu of the application portion and must be sent directly from the college or university to the Board's office.

4.4 Each applicant shall submit evidence of the applicant's successful completion of the examination administered by the Joint Commission on National Dental Examinations sent directly from the Commission to the Board's office.

4.5. Each applicant shall submit evidence of the applicant's successful completion of an examination by a regional and/or state clinical board approved by the Board sent directly from the regional or state board to the Board's office.

4.6. Each applicant shall successfully complete the West Virginia Dental Law Examination.

4.7. Each applicant shall submit verification of good standing of all health care licenses ever held in any jurisdiction by way of a formal letter from each entity issuing said licenses indicating

he or she is not currently being investigated by a disciplinary authority of another state, does not have charges pending against his or her license to practice dentistry and has never had a license to practice dentistry revoked bearing said entities official seal or stamp sent directly to the Board's office.

4.8. Each applicant shall submit verification of good moral character by two letters of recommendation from persons who know the applicant professionally. Letters shall be sent directly to the Board office by way of mail or facsimile from the persons writing them. Letters from the applicant's family or teachers from their dental college or university will not be accepted.

4.9. Each applicant shall be personally interviewed with the West Virginia Board of Dental Examiners and/or appointed person by the Board who is or are Board Members or past Board Members.

§5-9-5. Application of Licensure of a Dental Hygienist

5.1. Persons seeking licensure as a dental hygienist shall submit an application to the Board prescribed by the Board.

5.2. Each applicant shall submit a fee for application as set forth in the Board's fee schedule.

5.3. Each applicant shall submit evidence of graduation with a degree in dental hygiene from an approved dental hygiene program of a college, school or dental department of a university shall be submitted by being attached to the appropriate portion of the application. A letter from the dental college, school or dental department of a university verifying the applicants diploma bearing the school or registrar's seal or official transcript bearing the school or registrar's seal may be accepted in lieu of the application portion and must be sent directly from the college or university to the Board's office.

5.4. Each applicant shall submit evidence of the applicant's successful completion of the examination administered by the Joint Commission on National Dental Examinations sent directly from the Commission to the Board's office.

5.5. Each applicant shall submit evidence of the applicant's successful completion of an examination by a regional and/or state clinical board approved by the Board sent directly from the regional or state board to the Board's office.

5.6. Each applicant shall successfully complete the West Virginia Dental Law Examination.

5.7. Each applicant shall submit verification of good standing of all health care licenses ever held in any jurisdiction by way of a formal letter from each entity issuing said licenses bearing said entities official seal or stamp sent directly to the Board's office.

5.8. Each applicant shall submit verification of good moral character by two letters of recommendation from persons who know the applicant professionally. Letters shall be sent directly to the Board office by way of mail or facsimile from the persons writing them. Letters from the applicant's family or teachers from their dental hygiene college or university will not be accepted.

5.9. Each applicant shall be personally interviewed with the West Virginia Board of Dental Examiners and/or appointed person by the Board who is or are Board Members or past Board Members. Applicants who are or have been given the law exam in a mass examination at a dental hygiene school within the boundaries of the State of West Virginia are exempted from this

requirement.

§5-9-6. Application for Licensure of a Dental Hygienists from out of State

6.1. Persons seeking licensure as a dental hygienist shall submit an application to the Board prescribed by the Board.

6.2. Each applicant shall submit a fee for application as set forth in the Board's fee schedule.

6.3. Each applicant shall submit evidence he or she holds a dental hygiene license in another state which was granted after completion of educational requirements substantially equivalent to those required in this state by way of a formal letter from the state issuing said license bearing said state's official seal or stamp sent directly to the Board's office or by submitting evidence of graduation with a degree in dental hygiene from an approved dental hygiene program of a college, school or dental department of a university shall be submitted by being attached to the appropriate portion of the application. A letter from the dental college, school or dental department of a university verifying the applicants diploma bearing the school or registrar's seal or official transcript bearing the school or registrar's seal may be accepted in lieu of the application portion and must be sent directly from the college or university to the Board's office.

6.4. Each applicant shall submit evidence of the applicant's successful completion of the examination administered by the Joint Commission on National Dental Examinations sent directly from the Commission to the Board's office.

6.5. Each applicant shall submit evidence of the applicant's successful completion of an examination by a regional and/or state clinical board approved by the Board sent directly from the regional or state board to the Board's office.

6.6. Each applicant shall successfully complete the West Virginia Dental Law Examination.

6.7. Each applicant shall submit verification of good standing of all health care licenses ever held in any jurisdiction by way of a formal letter from each entity issuing said licenses bearing said entities official seal or stamp sent directly to the Board's office.

6.8. Each applicant shall submit verification of good moral character by two letters of recommendation from persons who know the applicant professionally. Letters shall be sent directly to the Board office by way of mail or facsimile from the persons writing them. Letters from the applicant's family or teachers from their dental hygiene college or university will not be accepted.

6.9. Each applicant shall be personally interviewed with the West Virginia Board of Dental Examiners and/or appointed person by the Board who is or are Board Members or past Board Members.

§5-9-7. Application for Licensure as a Dental Specialist

7.1. Persons seeking licensure as a dental specialist must obtain a dental license before applying for a license as a dental specialist.

7.2. Persons seeking licensure as a dental specialist shall submit an application to the Board prescribed by the Board.

7.3. Each applicant shall submit a fee for application as set forth in the Board's fee schedule.

7.4. Each applicant shall submit evidence of graduation of a board recognized specialty program accredited by the Commission on Dental Accreditation or its successor agency by being attached to the appropriate portion of the application. A letter from the specialty program verifying the applicants diploma bearing the program or registrar's seal or official transcript bearing the program or registrar's seal may be accepted in lieu of the application portion and must be sent directly from the program to the Board's office.

7.5. Each applicant shall submit verification of good standing of all health care licenses ever held in any jurisdiction by way of a formal letter from each entity issuing said licenses bearing said entities official seal or stamp sent directly to the Board's office.

7.6. Each applicant shall submit verification of good moral character by two letters of recommendation from persons who know the applicant professionally. Letters shall be sent directly to the Board office by way of mail or facsimile from the persons writing them. Letters from the applicant's family or teachers from their dental college, university or specialty program will not be accepted.

7.7. Each applicant shall be personally interviewed by the West Virginia Board of Dental Examiners and/or appointed person by the Board who is or are Board Members or past Board Members or an appointed member of the applicant's specific specialty branch.

§5-9-8. Certificate to Perform Expanded Duties

8.1. Dental Hygienists or Dental Assistants seeking a certificate to perform expanded duties that require a board approved course and examination shall submit an application to the Board prescribed by the Board.

8.2. Each applicant shall submit a fee for application as set forth in the Board's fee schedule.

8.3. Each applicant shall submit evidence of successful completion of a board approved course by being attached to the appropriate section of the application or submitting a copy of a certificate of completion of a board approved course along with their application.

8.4. Each applicant shall submit evidence of passage of a board approved examination by being attached to the appropriate section of the application or being sent directly by the examining entity to the Board's office.

8.5. Each applicant for local anesthesia and/or nitrous oxide monitoring shall submit a copy of a current health care provider BLS/CPR card with their application.

§5-9-9. Compensation and Expenses

9.1 Board Members, appointed past Board Members or members of specialty branches shall be paid and reimbursed expenses pursuant to §30-1-11 and §30-4-16 of the West Virginia Code.

A notice was disseminated to the entire roster of licensed dentists and dental hygienists concerning the comment period for these proposed rules. There were no comments received regarding the content of these proposed rules. Therefore, no changes were made to the rules.