



Dentists/Hygienists Proposed Regulations - FAQ

October 2016

1. Why are new fees being proposed?

By law, fees must be analyzed annually and set to approximately recover the cost of program operations. Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations ... to implement the adjustments."

Program expenses have slowly been depleting its surplus for several years, and the program will be very close to deficit by the end of this fiscal year. Although fees were increased in FY2015, they were not set high enough to stem the program's depleting surplus. Barring any unforeseen circumstances, this increase will stabilize the program and prevent the need for an even larger increase later. The division proposes increasing licensing fee amounts in order to comply with the statute listed above, as well as to continue to deliver its current level of service for the dental licensing program.

The Director of the Division of Corporations, Business and Professional Licensing will adopt fees after considering all public comments. Fees will become effective 30 days after signed by the Lieutenant Governor. The division will post this information on the website and begin sending out renewal applications to current licensees at that time.

2. Why is the licensing program in deficit?

Program expenses have slowly been depleting its surplus for several years, and the program will be very close to deficit by the end of this fiscal year. Although fees were increased in FY2015, they were not set high enough to stem the program's depleting surplus. Barring any unforeseen circumstances, this increase will stabilize the program and prevent the need for an even larger increase later.

The division director and CBPL staff walk through the program's latest fiscal reports regularly and are available to provide additional information or answer questions.

The latest reconciled fiscal reports are always available at commerce.alaska.gov/web/cbpl.

3. What are the proposed fees for licensure?

Fees proposed for the 2017-2019 licensing period are below. Fees in **bold** and underlined are proposed; those without such treatment are current fees.

- Fees for dental hygienists:
 - nonrefundable application fee for
 - initial license, \$100;
 - courtesy license, \$50;
 - initial restorative function endorsement, **\$100**;
 - local anesthetic permit, **\$100**.
 - license fee for all or part of the initial biennial license period, **\$200**;
 - biennial license renewal fee, **\$200**;
 - local anesthetic permit, **\$100**;
 - credential review fee, \$110;
 - local anesthetic permit renewal fee, **\$100**;
 - courtesy license fee, \$50;
 - restorative function endorsement fee, for all or part of the initial endorsement period, \$60;
 - restorative function endorsement renewal fee, \$60.

- Fees for dentists:
 - nonrefundable application fee for
 - initial license by examination, \$600;
 - courtesy license, \$50;
 - parenteral sedation or general anesthetic permit, \$100.
 - nonrefundable application and review fee for license by credentials, \$1,000;
 - license fee for all or part of the initial biennial license period, **\$450**;
 - biennial license renewal fee, **\$450**;
 - parenteral sedation permit fee for all or part of the initial biennial permit period, \$1,000;
 - biennial parenteral sedation permit renewal fee, **\$350**;
 - general anesthetic permit fee for all or part of the initial biennial permit period, \$1,000;
 - biennial general anesthetic permit renewal fee, **\$350**;
 - courtesy license fee, \$50.

- Fees for submission of dental and dental hygiene continuing education courses for approval under 12 AAC 28.410:
 - initial continuing education course submittal fee, **\$50**;
 - continuing education course resubmittal fee, **\$50**.

4. How are the estimated costs determined? What do licensing fees pay for?

AS 08.01.065 requires *all costs* of regulating the profession to be borne by its licensees. The regulatory requirements enacted in other states have no bearing on Alaska's state statute; therefore, the cost of licensure in another state is not a reasonable barometer of what should be charged in Alaska.

The proposed fees are based on the known costs of a similarly sized and structured licensing program. The law requires licensees to adhere to many provisions, and it gives ample authority to the division to determine many of the requirements of licensure. For example:

- The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.
- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or an individual practices the profession without a license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.
- Alaska statutes defer to the division to adopt necessary regulations for management of the licensing program. This requires division and investigator travel, legal support, and other resources the division need to comply with the expectations of law. The Alaska Administrative Code prescribes the requirements for public notice and adoption of agency regulations, the cost of which is borne by the licensing program.

Do you have a question that is not answered here? Please email marilyn.zimmerman@alaska.gov so it can be added.