



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

BOARD OF DENTAL EXAMINERS

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Heidi Hedberg, Commissioner
P.O. Box 110601
Juneau, AK 99811

Dear Commissioner Hedberg,

The Alaska Board of Dental Examiners respectfully submits this correspondence to provide historical context, articulate our concerns, and advocate for a collaborative and practical approach regarding dental radiographic equipment regulation now under your department's purview.

1. Historical Role of the Board

Prior to 2022, our Board governed the registration, inspection, and regulation of dental X-ray equipment, providing oversight with dental-specific expertise—striking a balance between safety and operational viability.

2. Transfer of Authority

In 2022, legislative revisions transferred dental X-ray regulatory authority to the Department of Health, despite our proven track record in effective and appropriate oversight. However, the Dental Board did not have the authority to hire or appoint radiologic inspectors under the prior structure, so authority for registration and inspection was transferred to the Department of Health.

3. Safety of Dental Radiology

Dental radiography in the U.S. maintains a stellar safety record—utilizing low radiation doses, modern equipment, and standardized protocols—with minimal risk to patients and staff.

- Handheld dental X-ray units such as the Aribex NOMAD and MaxRay Cocoon are FDA-cleared under 21 CFR 872.1800, affirming their safety when used in accordance with manufacturer protocols, including backscatter shielding.
- Peer-reviewed studies and national experience confirm that handheld devices, when properly used, deliver radiation exposure comparable to stationary wall-mounted units for both patient and operator.
- Most states permit handheld devices without limiting them to “necessity only” scenarios, relying instead on equipment safety features, operator training, and periodic inspections.

4. Concerns with New Regulations

The newly adopted regulations:

- Lack specificity for dentistry and contain ambiguous provisions that are difficult to interpret in clinical settings.
- Impose significant compliance burdens and costs without evidence-based safety improvements.
- Introduce the highest financial regulatory burden in the profession, which will increase the cost of services and create another barrier to access to care.
- Restrict handheld device use to “necessity only” cases, which disproportionately impacts rural and underserved communities where stationary units are not feasible due to space, infrastructure, or patient mobility limitations.
- Pose implementation challenges given the logistical difficulty of inspecting numerous dispersed dental facilities in Alaska.

5. Absence of Collaboration

Despite assurances of joint rulemaking and implementation cooperation, the Department did not engage with our Board during the drafting process, resulting in regulations that do not reflect practice realities or the operational needs of Alaska’s dental professionals.

6. Scope of Regulatory Authority

The statute and regulations are intended to address the inspection and registration of equipment—not to duplicate or override the OSHA Ionizing Radiation Standard already applicable to dental settings (29 CFR 1910.1096), which provides enforceable requirements for dose limits, hazard surveys, personal monitoring, signage, and operator training.

Conclusion & Request

The Alaska Board of Dental Examiners strongly urges the Department to immediately pause the implementation of the new regulations and to revisit these in direct partnership with our Board. We propose establishing a joint working group between the Radiological Health Program and the Board to:

1. Review current scientific literature and national regulatory models for handheld dental X-ray devices;
2. Ensure regulations protect patients and operators without limiting access to safe, effective diagnostic tools—particularly in rural and underserved communities; and
3. Avoid duplication of existing OSHA requirements while ensuring compliance and safety.

We believe collaborative rulemaking will ensure clarity, practicality, and enhanced safety, while preserving access to essential diagnostic technology for all Alaskans.

We remain ready to meet at your earliest convenience to discuss a cooperative path forward.

Respectfully submitted,
Jonathan P. Woller, DMD
Chair, Alaska Board of Dental Examiners