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REVIEW COMMISSION

Pennsylvania Dental Association

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September 22, 1999

Commissioner Dorothy Childress  
P.O. Box 2649  
Harrisburg, PA 17105-2649

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Dear Commissioner Childress:

Thank you for allowing the Pennsylvania Dental Association (PDA) the opportunity to comment on the proposed amendments to Chapter 43b (relating to the Commissioner of Professional and Occupations Affairs) as set forth in Annex A, Schedule of Civil Penalties, Guidelines for Imposition of Civil Penalties and Procedures for Appeal (49 PA. COD-E CH 43b.14a).

Section §43b.14a, the schedule of civil penalties for dentists, dental hygienists and expanded function dental assistants, lists civil penalties for violations of practicing on a lapsed license. The PDA is concerned that dentists who have made a good faith effort to comply with proposed regulations, but are denied a license on the grounds of non-compliance with those proposed regulations are subject to such penalties.

During the 1999 relicensure period, several dentists made a good faith effort to comply with the law by obtaining certification to administer cardiopulmonary resuscitation (CPR) from a bona fide charitable organization, but were denied licenses because they had not obtained certification from the American Heart Association or the Red Cross. The State Board of Dentistry narrowed the law's requirement of certification to these two organizations in its draft regulations. Although the regulations had not been reviewed by standing committees of the House and Senate, the Independent Regulatory Review Commission and the Attorney General's office, the State Board of Dentistry required dentists to comply with the regulations as if they were already law.

Dentists are all required to have 30 continuing education hours for the 2001 relicensure period, however, the State Board of Dentistry has not yet submitted the final proposed regulations for continuing education to the Independent Regulatory Review Commission (IRRC), nor has the PDA been provided with a copy. Currently, Pennsylvania dentists do not know whether or not the continuing education courses they take will be acceptable under the final regulations yet they are expected to comply.

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The PDA understands that the deadline for the State Board of Dentistry to submit the regulations to IRRC is August 11, 2000. At that point, the regulations still have several steps to pass through in the regulatory review process before they become law. It is possible that the regulations still may not be law by the April 2000 relicensure deadline.

Thank you for taking our concerns into consideration. If you have any questions or concerns, please contact Courtney Morgan in the PDA Central Office at (717) 234-5941, ext. 108.

Sincerely,



Ronald D. Bushick, D.M.D.  
President

CC: Camille Kostelac-Cherry, Esq., CEO

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