



PENNSYLVANIA  
ACADEMY of  
GENERAL DENTISTRY



December 2, 2020

Jackie Wiest Lutz, Board Counsel  
State Board of Dentistry  
PO Box 69523  
Harrisburg, PA 17106-9523

Ms. Lutz,

Thank you for the opportunity to share our comments regarding Proposed Rulemaking 16A-4634 regarding Fees. PAGD respects the financial pressures that are shouldered by the board and that deficits must be addressed, but feels the proposed increases are excessive, do not leave adequate implementation time, and should be accompanied by greater transparency.

### **Excessiveness**

In comparison to current fees, the proposed fees for biennial renewals for dentists, hygienists, EFDAs, and PHDHPs increase by approximately 18 percent in the first renewal period, 40 percent in the second, and 67 percent in the third. The proposed fees for initial application for dentists increase by 18/30/41 percent, 47/60/76 percent for EFDAs, 87/104/124 percent for hygienists, and 300/340/375 percent for PHDHPs. Here are the percentage increases by 2025 for all categories:

- Initial dentist application – 41 percent
- Initial hygienist application – 124 percent
- Initial EFDA application – 76 percent
- Initial PHDHP application – 375 percent
- Initial local anesthesia application – 200 percent
- Dentist criteria application – 41 percent
- Hygienist criteria application – 124 percent
- EFDA criteria application – 124 percent
- Fictitious name application – 123 percent
- EFDA program application – 89 percent
- Renewal dentist application – 64 percent
- Renewal hygienist application – 67 percent
- Renewal EFDA application – 69 percent
- Renewal PHDHP application – 67 percent
- Renewal local anesthesia application – 67 percent
- Restricted faculty application – 276 percent
- Initial unrestricted anesthesia application – 80 percent
- Initial Permit I anesthesia application – 80 percent
- Initial Permit II anesthesia application – 420 percent
- Renewal unrestricted anesthesia application – 65 percent
- Renewal Permit I anesthesia application – 65 percent
- Renewal Permit II anesthesia application – 64 percent

PAGD feels that these fee increases are excessive and arbitrary in nature and appear to owe a greater comparative relationship to the fees in other states than the financial need of the board.

This will have an adverse impact on small businesses that pay the licensing fees of their staff. Practices that require their staff to pay their own licensing fees could find recruiting and hiring more difficult, leading to diminished capacity and an adverse effect on access to care.

### **Timing**

The proposed rulemaking was published in the Pennsylvania Bulletin on November 14, 2020. The public comment period lasts until December 14, 2020. Following closure of the public comment period, IRRC and standing committees then submit comments to the board by January 13, 2021. Even if the board were to consider and respond to all comments received at its January 17, 2021 meeting, the response and any amendments would need to be returned in the final form regulation to IRRC, a public meeting would need to be conducted, and the regulation would need to be published as final before renewal notices are sent, which will likely be around February 1, 2021. When the last increase was passed in July of 2012, the increase was not implemented until the 2015 renewal period. For these reasons, PAGD recommends that the fee increases for biennial renewals begin with the 2023 renewal cycle instead of 2021.

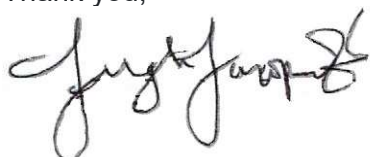
### **Transparency**

While we appreciate the information provided by the Bureau of Finance and Operations at previous board meetings and in the Pennsylvania Bulletin, PAGD believes an increase of this nature should be accompanied with a full financial breakdown of the needs of the board. Explanations for board income and expenses could potentially help to relieve opposition from the members of PAGD and other stakeholder groups.

Most notably, what are the reasons for the dramatic rise in expenses between FY12/13 and FY 18/19? The major cost centers had large rises in expenses over that six-year time period: Enforcement and Investigations rose by 15 percent, Departmental Services rose by 43 percent, Legal Expenses (Administration, Prosecution, and Counsel) rose by 62 percent, and BPOA Administration rose by 65 percent. This results in an overall 40 percent rise in expenses. This compares to an approximate income rise of 14 percent over the same time.

Thank you for your consideration in addressing our concerns. If you have questions, please contact PAGD Executive Director Steve Neidlinger at 717-737-4682 or [steve@pennagd.org](mailto:steve@pennagd.org).

Thank you,



Leigh Jacopetti-Kondraski, DMD  
President  
Pennsylvania Academy of General Dentistry

CC: Independent Regulatory Review Commission  
Rep. David Hickernell, House Professional Licensure Committee  
Rep. Harry Readshaw, House Professional Licensure Committee  
Sen. Robert Tomlinson, Senate Consumer Protection and Professional Licensure Committee  
Sen. Lisa Boscola, Senate Consumer Protection and Professional Licensure Committee