

ARKANSAS REGISTER



Proposed Rule Cover Sheet

Secretary of State
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Name of Department Arkansas Department of Health

Agency or Division Name Div. of Health Related Boards & Commissions

Other Subdivision or Department, If Applicable Arkansas State Board of Dental Examiners

Previous Agency Name, If Applicable _____

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Name of Rule IX: Credentials Required in Issuing Dental or Dental Hygiene License

Newspaper Name Arkansas Democrat Gazette

Date of Publishing August 19-21, 2022

Final Date for Public Comment September 19, 2022

Location and Time of Public Meeting TBD



Arkansas Department of Health

Arkansas State Board of Dental Examiners
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Governor Asa Hutchinson

José Romero, MD, Secretary of Health

Meredith Rogers, Executive Director

PROPOSED AMENDMENT TO THE ARKANSAS STATE BOARD OF DENTAL EXAMINERS

PURPOSE

The Arkansas Department of Health is seeking Governor Hutchinson's review of proposed amendments to the Board of Dental Examiners Rule promulgated by the Board.

BACKGROUND

Pursuant to ACA 17-82-208 the Board has authority to promulgate rules necessary to carry out the functions of the Board. Legislation was enacted in the previous session that affected the Board's administrative functions and amendment to the rules would be required. The Board and legal counsel prepared the attached amendment as a result of this legislation. The Board approved these proposed amendments at their September 10, 2021 meeting.

KEY POINTS

The proposed amendment contains the following changes:

- Updates the description of eligible uniformed service members/veterans and their spouses.
- Details the process for expediting licensure for eligible military members and their spouses.
- Grants temporary licensure for 90 days while awaiting the fulfillment of all licensure requirements.
- Extends the date that a license expires for a deployed service member and spouse.
- Grants a full exemption from continuing education requirements for 180 days following the date of the service member's return from deployment.

DISCUSSION

The rule change uses model language prepared by the Attorney General's office to comply with legislative changes that affect multiple boards.

RECOMMENDATION

We recommend that the proposed amendment to the Board's rules be approved as proposed by the Board.

State of Arkansas As Engrossed: S1/19/21 S1/26/21
93rd General Assembly **A Bill**
Regular Session, 2021

SENATE BILL 78

By: Senators Hill, D. Wallace, T. Garner, Irvin, J. Hendren, J. English, Flipppo
By: Representatives Lynch, Cozart, Brown, Evans

For An Act To Be Entitled

AN ACT TO ESTABLISH THE ARKANSAS OCCUPATIONAL
LICENSING OF UNIFORMED SERVICE MEMBERS, VETERANS, AND
SPOUSES ACT OF 2021; TO MODIFY THE AUTOMATIC
OCCUPATIONAL LICENSURE REQUIREMENTS FOR UNIFORMED
SERVICES MEMBERS, RETURNING UNIFORMED SERVICES
VETERANS, AND THEIR SPOUSES; TO DECLARE AN EMERGENCY;
AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH ARKANSAS OCCUPATIONAL
LICENSING OF UNIFORMED SERVICE MEMBERS,
VETERANS, AND SPOUSES ACT OF 2021; AND TO
DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 17-1-106 is repealed.

~~17-1-106. Automatic licensure for active duty service members,
returning military veterans, and spouses — Definitions.~~

~~(a) As used in this section:~~

~~(1) "Automatic licensure" means the granting of occupational
licensure without an individual's having met occupational licensure
requirements provided under this title or by the rules of the occupational
licensing entity;~~

~~(2) "Occupational licensing entity" means an office, board,
commission, department, council, bureau, or other agency of state government~~



1 ~~having authority to license, certify, register, permit, or otherwise~~
2 ~~authorize an individual to engage in a particular occupation or profession;~~
3 ~~(3) "Occupational licensure" means a license, certificate,~~
4 ~~registration, permit, or other form of authorization required by law or rule~~
5 ~~that is required for an individual to engage in a particular occupation or~~
6 ~~profession; and~~

7 ~~(4) "Returning military veteran" means a former member of the~~
8 ~~United States Armed Forces who was discharged from active duty under~~
9 ~~circumstances other than dishonorable.~~

10 ~~(b)(1) An occupational licensing entity shall grant automatic~~
11 ~~licensure to engage in an occupation or profession to an individual who is~~
12 ~~the holder in good standing of a substantially equivalent occupational~~
13 ~~license issued by another state, territory, or district of the United States~~
14 ~~and is:~~

15 ~~(A) An active duty military service member stationed in~~
16 ~~the State of Arkansas;~~

17 ~~(B) A returning military veteran applying for licensure~~
18 ~~within one (1) year of his or her discharge from active duty; or~~

19 ~~(C) The spouse of a person under subdivisions (b)(1)(A)~~
20 ~~and (b)(1)(B) of this section.~~

21 ~~(2) However, an occupational licensing entity shall be required~~
22 ~~to provide automatic licensure if the proposed rules are not approved as~~
23 ~~required under subdivision (d)(2) of this section.~~

24 ~~(c) An occupational licensing entity may submit proposed rules~~
25 ~~recommending an expedited process and procedure for occupational licensure~~
26 ~~instead of automatic licensure as provided under subsection (b) of this~~
27 ~~section to the Administrative Rules Subcommittee of the Legislative Council.~~

28 ~~(d) The Administrative Rules Subcommittee of the Legislative Council~~
29 ~~shall:~~

30 ~~(1) Review the proposed rules of an occupational licensing~~
31 ~~entity as submitted for public comment and at least thirty (30) days before~~
32 ~~the public comment period ends under the Arkansas Administrative Procedure~~
33 ~~Act, § 25-15-201 et seq.; and~~

34 ~~(2) Approve the proposed rules submitted under subsection (c) of~~
35 ~~this section based on:~~

36 ~~(A) A determination of whether the expedited process and~~

1 ~~procedure provide the least restrictive means of accomplishing occupational~~
2 ~~licensure; and~~

3 ~~(B) Any other criteria the Administrative Rules~~
4 ~~Subcommittee of the Legislative Council determines necessary to achieve the~~
5 ~~objectives of this section.~~

6 ~~(c) The Administrative Rules Subcommittee of the Legislative Council~~
7 ~~may:~~

8 ~~(1) Establish a subcommittee to assist in the duties assigned~~
9 ~~under this section;~~

10 ~~(2) Assign information filed with the Administrative Rules~~
11 ~~Subcommittee of the Legislative Council under this section to one (1) or more~~
12 ~~subcommittees of the Legislative Council, including without limitation a~~
13 ~~subcommittee created under subdivision (c)(1) of this section; or~~

14 ~~(3) Delegate its duties under this section to one (1) or more~~
15 ~~subcommittees of the Legislative Council, subject to final review and~~
16 ~~approval of the Administrative Rules Subcommittee of the Legislative Council.~~

17 ~~(f) An occupational licensing entity shall:~~

18 ~~(1) Submit proposed rules authorized under subsection (c) of~~
19 ~~this section to the Administrative Rules Subcommittee of the Legislative~~
20 ~~Council for review and approval before the proposed rules are promulgated~~
21 ~~under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and~~

22 ~~(2) Provide to the House Committee on Aging, Children and Youth,~~
23 ~~Legislative and Military Affairs an annual report stating the number of~~
24 ~~automatic licenses and expedited occupational licenses granted under this~~
25 ~~section to:~~

26 ~~(A) Active duty military service members stationed in the~~
27 ~~State of Arkansas;~~

28 ~~(B) Returning military veterans applying within one (1)~~
29 ~~year of their discharge from active duty; or~~

30 ~~(C) The spouse of a person under subdivisions (f)(2)(A)~~
31 ~~and (f)(2)(B) of this section.~~

32
33 SECTION 2. Arkansas Code Title 17, Chapter 1, is amended to add an
34 additional chapter to read as follows:

35 Chapter 4 – Arkansas Occupational Licensing of Uniformed Service Members,
36 Veterans, and Spouses Act of 2021

1
2 17-4-101. Title.

3 This chapter shall be known and may be cited as the "Arkansas
4 Occupational Licensing of Uniformed Service Members, Veterans, and Spouses
5 Act of 2021".
6

7 17-4-102. Legislative findings and intent.

8 (a) The General Assembly finds that:

9 (1) Arkansas sets the bar as a national leader in addressing
10 employment barriers faced by uniformed service members, uniformed service
11 veterans, and their spouses in attaining occupational licensure;

12 (2) Arkansas is one (1) of only four (4) states to successfully
13 address eight (8) or more of the ten (10) issues affecting uniformed service
14 families identified by the United States Department of Defense;

15 (3) Of the United States Department of Defense's ten (10) issues
16 in fiscal year 2020, four (4) of the issues concern occupational licensure of
17 spouses of uniformed service members;

18 (4) Annually, fourteen and a half percent (14.5%) of spouses of
19 uniformed service members move across state lines as opposed to one and one-
20 tenth percent (1.1%) of civilians;

21 (5) States can continue to improve the attainment of
22 occupational licensure and to eliminate barriers impeding employment of
23 spouses of uniformed service members following a move across state lines;

24 (6) Acts 2019, No. 820, established provisions for the granting
25 of automatic occupational licensure or expedited occupational licensure to
26 active-duty service members, recently separated veterans, and their spouses
27 who hold occupational licensure in good standing in another jurisdiction; and

28 (7) Additional steps need to be taken to clarify, simplify, and
29 elevate the occupational licensure process for uniformed service members,
30 uniformed service veterans, and their spouses.

31 (b) It is the intent of the General Assembly to address occupational
32 licensure barriers that impede the launch and sustainability of civilian
33 occupational careers and employment faced by uniformed service members,
34 uniformed service veterans, and their spouses due to frequent uniformed
35 service assignment by:

36 (1) Providing:

1 (A) Automatic occupational licensure or expedited
2 occupational licensure to current license holders to expedite their entry
3 into the workforce of this state;

4 (B) Temporary or provisional licensure to initial
5 licensure candidates while expediting full licensure;

6 (C) Legislative oversight of rulemaking by occupational
7 licensing entities to ensure removal of occupational licensure barriers faced
8 by uniformed service members, uniformed service veterans, and their spouses;
9 and

10 (D) Guidance to assure effective rulemaking and clear
11 license application instructions to uniformed service members, uniformed
12 service veterans, and their spouses;

13 (2) Recognizing uniformed service education, training,
14 experience, and credentials of uniformed service members and uniformed
15 service veterans applying for initial occupational licensure; and

16 (3) Extending licensure expiration and any continuing education
17 required for occupational licensure renewal when a uniformed service member
18 is deployed.

19
20 17-4-103. Definitions.

21 As used in this chapter:

22 (1) "Automatic occupational licensure" means the granting of
23 occupational licensure without an individual's having met occupational
24 licensure requirements provided under this title or by the rules of the
25 relevant occupational licensing entity;

26 (2) "Occupational licensing entity" means an office, board,
27 commission, department, council, bureau, or other agency of state government
28 having authority to license, certify, register, permit, or otherwise
29 authorize an individual to engage in a particular occupation or profession,
30 not including occupations or professions within the judicial branch of
31 government or occupations or professions subject to the superintending
32 control of the Supreme Court;

33 (3) "Occupational licensure" means a license, certificate,
34 registration, permit, or other form of authorization required by law or rule
35 that is required for an individual to engage in a particular occupation or
36 profession;

1 (4) "Uniformed service member" means:

2 (A) An active or reserve component member of the United
3 States Air Force, United States Army, United States Coast Guard, United
4 States Marine Corps, United States Navy, United States Space Force, or
5 National Guard;

6 (B) An active component member of the National Oceanic and
7 Atmospheric Administration Commissioned Officer Corps; or

8 (C) An active or reserve component member of the United
9 States Commissioned Corps of the Public Health Service; and

10 (5) "Uniformed service veteran" means a former member of the
11 United States uniformed services discharged under conditions other than
12 dishonorable.

13
14 17-4-104. Applicability.

15 Unless otherwise stated in this chapter, this chapter applies to:

16 (1) A uniformed service member stationed in the State of
17 Arkansas;

18 (2) A uniformed service veteran who resides in or establishes
19 residency in the State of Arkansas; and

20 (3) The spouse of:

21 (A) A person listed in subdivision (1) or (2) of this
22 section;

23 (B) A uniformed service member who is assigned a tour of
24 duty that excludes the uniformed service member's spouse from accompanying
25 the uniformed service member and the spouse relocates to this state; and

26 (C) A uniformed service member who is killed or succumbs
27 to his or her injuries or illness in the line of duty if the spouse
28 establishes residency in the state.

29
30 17-4-105. Automatic occupational licensure.

31 An occupational licensing entity shall grant automatic occupational
32 licensure to engage in an occupation or profession to an individual who is:

33 (1) Listed in § 17-4-104; and

34 (2) The holder in good standing of occupational licensure with
35 similar scope of practice issued by another state, territory, or district of
36 the United States.

1
2 17-4-106. Expedited occupational licensure.

3 (a)(1) An occupational licensing entity may submit proposed rules
4 recommending an expedited process for the attainment of occupational
5 licensure instead of automatic occupational licensure as provided under § 17-
6 4-105 to the Administrative Rules Subcommittee of the Legislative Council.

7 (2) The proposed rules described in subdivision (a)(1) of this
8 section shall include temporary or provisional occupational licensure
9 provisions with a term of ninety (90) days or more.

10 (3) The occupational licensing entity shall provide automatic
11 occupational licensure if the proposed expedited occupational licensure rules
12 are not approved as required by § 17-4-109.

13 (b)(1) An occupational licensing entity shall expedite the process for
14 initial occupational licensure for an individual who is listed in § 17-4-104.

15 (2) An occupational licensing entity shall provide the applicant
16 under subdivision (b)(1) of this section with a temporary or provisional
17 license upon receipt of required documentation or the successful completion
18 of any examination required by the relevant occupational licensing entity to
19 enable the applicant to secure employment in his or her occupation or
20 profession.

21
22 17-4-107. Acceptance of uniformed service education, training,
23 experience, or service-issued credential.

24 An occupational licensing entity shall accept relevant and applicable
25 uniformed service education, training, or service-issued credential toward
26 occupational licensure qualifications or requirements when considering an
27 application for initial licensure of an individual who is:

28 (1) A uniformed service member; or

29 (2) A uniformed service veteran who makes an application within
30 one (1) year of his or her discharge from uniformed service.

31
32 17-4-108. Extension of license expiration and continuing education
33 requirements.

34 (a) An occupational licensing entity shall extend the expiration date
35 of an occupational licensure for a deployed uniformed service member or his
36 or her spouse for one hundred eighty (180) days following the date of the

1 uniformed service member's return from deployment.

2 (b)(1) An occupational licensing entity shall allow a full or partial
3 exemption from a continuing education requirement that is required as a
4 component of occupational licensure for an individual who is listed in
5 subsection (a) of this section until one hundred eighty (180) days following
6 the date of the uniformed service member's return from deployment.

7 (2) An occupational licensing entity that allows full or partial
8 exemption from continuing education requirements may require evidence of
9 completion of continuing education before granting a subsequent occupational
10 licensure or authorizing the renewal of an occupational licensure.

11
12 17-4-109. Legislative oversight of rules.

13 (a) The Administrative Rules Subcommittee of the Legislative Council
14 shall:

15 (1) Review the proposed rules of an occupational licensing
16 entity as submitted for public comment at least thirty (30) days before the
17 public comment period ends under the Arkansas Administrative Procedure Act, §
18 25-15-201 et seq.; and

19 (2) Approve the proposed rules submitted under § 17-4-106 based
20 on:

21 (A) A determination of whether the expedited process
22 provides the least restrictive means of attaining occupational licensure; and

23 (B) Any other criteria the Administrative Rules
24 Subcommittee of the Legislative Council determines necessary to achieve the
25 objectives of this section.

26 (b) The Administrative Rules Subcommittee of the Legislative Council
27 may:

28 (1) Establish a further subcommittee to assist in the duties
29 assigned to the Administrative Rules Subcommittee of the Legislative Council
30 under this section;

31 (2) Assign information filed with the Administrative Rules
32 Subcommittee of the Legislative Council under this section to one (1) or more
33 subcommittees of the Legislative Council, including without limitation a
34 subcommittee created under subdivision (b)(1) of this section; or

35 (3) Delegate the duties of the Administrative Rules Subcommittee
36 of the Legislative Council under this section to one (1) or more

1 subcommittees of the Legislative Council, which shall be subject to the final
2 review and approval of the Administrative Rules Subcommittee of the
3 Legislative Council.

4
5 17-4-110. Responsibilities of occupational licensing entities.

6 An occupational licensing entity shall:

7 (1) Submit proposed rules authorized under § 17-4-106 to the
8 Administrative Rules Subcommittee of the Legislative Council for review and
9 approval before the proposed rules are promulgated under the Arkansas
10 Administrative Procedure Act, § 25-15-201 et seq.;

11 (2) If the proposed rules are not approved as required under §
12 17-4-109, provide automatic occupational licensure to an individual listed in
13 § 17-4-104;

14 (3) Post prominently on the occupational licensing entity's
15 website a link entitled "Military Member Licensure" that directly leads to
16 information applicable to an individual listed in § 17-4-104; and

17 (4) Provide to the House Committee on Aging, Children and Youth,
18 Legislative and Military Affairs an annual report stating the number of
19 individuals granted automatic occupational licensure and expedited
20 occupational licensure under this chapter.

21
22 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly of the State of Arkansas that current laws and
24 administrative rules regarding the issuance of occupational licenses,
25 certificates, and permits are barriers and create a hardship for uniformed
26 service members, uniformed service veterans, and their spouses; that
27 additional expedited processes, automatic licensure, and extended expiration
28 dates of occupational licenses, certificates, and permits is needed to ensure
29 that uniformed service members, uniformed service veterans, and their spouses
30 may practice their chosen occupation or profession in the State of Arkansas;
31 and that this act is immediately necessary to remove barriers and hardships
32 in obtaining occupational licenses, certificates, and permits for uniformed
33 service members, uniformed service veterans, and their spouses. Therefore, an
34 emergency is declared to exist, and this act being immediately necessary for
35 the preservation of the public peace, health, and safety shall become
36 effective on:

- 1 (1) The date of its approval by the Governor;
2 (2) If the bill is neither approved nor vetoed by the Governor,
3 the expiration of the period of time during which the Governor may veto the
4 bill; or
5 (3) If the bill is vetoed by the Governor and the veto is
6 overridden, the date the last house overrides the veto.

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9 /s/Hill

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12 APPROVED: 2/23/21
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QUESTIONNAIRE
FOR FILING PROPOSED RULES WITH THE
ARKANSAS LEGISLATIVE COUNCIL

DEPARTMENT/AGENCY Arkansas Department of Health

DIVISION Division of Health Related Boards & Commissions/Arkansas State Board of Dental Examiners

DIVISION DIRECTOR Matt Gilmore/Meredith Rogers

CONTACT PERSON Meredith Rogers

ADDRESS 101 E. Capitol Avenue, Suite 111, Little Rock AR 72201

PHONE NO. (501) 682-2085 **FAX NO.** (501) 682-3543 **E-MAIL** meredith.rogers@arkansas.gov

NAME OF PRESENTER AT COMMITTEE MEETING Meredith Rogers

PRESENTER E-MAIL meredith.rogers@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question completely using layman terms. You may use additional sheets if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this
- D. Rule" below.
- E. Submit two (2) copies of the Questionnaire and Financial Impact Statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Jessica C. Sutton
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201

- 1. What is the short title of this rule? Credentials required in issuing dental/dental hygiene license
- 2. What is the subject of the proposed rule? Licensure for uniformed service members/veterans & spouses (Act 135 of 2021)
- 3. Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☒

If yes, please provide the federal rule, regulation, and/or statute citation.

- 4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?
Yes ☐ No ☒

If yes, what is the effective date of the emergency rule? _____

When does the emergency rule expire? _____

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes ☐ No ☐

5. Is this a new rule? Yes ☐ No ☒ If yes, please provide a brief summary explaining the rule.

Act 135 of 2021 requires this revision.

Does this repeal an existing rule? Yes ☐ No ☒ If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes ☒ No ☐ If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."

The proposed amendment updates the description of eligible uniformed service members/veterans and their spouses, details the process for expediting licensure for military members and spouses, grants temporary licensure for 90 days while awaiting fulfillment of licensure requirements, extends the license expiration date for deployed service members and spouses, and grants an exemption from continuing education requirements for 180 days following the return from deployment.

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation.

Ark Code Annotated Section 17-90-204

7. What is the purpose of this proposed rule? Why is it necessary?

The purpose of this proposed rule is to maintain compliance with Act 135 of 2021 concerning licensure for uniformed service members/veterans and their spouses.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).

<https://www.healthy.arkansas.gov/programs-services/topics/arkansas-state-board-of-dental-examiners>

9. Will a public hearing be held on this proposed rule? Yes ☒ No ☐ If yes, please complete the following:

Date: 01/14/2022

Time: 9:00 am

Place: 101 E. Capitol Avenue (Cox Conference Room-basement), Little Rock AR 72201

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

01/14/2022

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

02/01/2022

12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice. See attached

13. Please provide proof of filing the rule with the Secretary of State as required pursuant to Ark. Code Ann. § 25-15-204(e). See attached

14. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

Arkansas State Dental Association (Billy Tarpley, Executive Director)

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Health

DIVISION Division of Health Related Boards & Commissions/Arkansas State Board of Dental Examiners

PERSON COMPLETING THIS STATEMENT Meredith Rogers

TELEPHONE NO. (501) 682-2085

FAX NO. (501) 682-3543

EMAIL: meredith.rogers@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two (2) copies with the Questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Credentials required in issuing dental/dental hygiene license

1. Does this proposed, amended, or repealed rule have a financial impact? Yes ☐ No ☒
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes ☒ No ☐
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes ☒ No ☐

If an agency is proposing a more costly rule, please state the following:

- a) How the additional benefits of the more costly rule justify its additional cost;

n/a

- b) The reason for adoption of the more costly rule;

n/a

- c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and

n/a

- d) Whether the reason is within the scope of the agency's statutory authority, and if so, please explain.

n/a

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

Next Fiscal Year

General Revenue \$ 0.00
Federal Funds \$ 0.00
Cash Funds \$ 0.00
Special Revenue \$ 0.00
Other (Identify) \$ 0.00

Total \$ 0.00

General Revenue \$ 0.00
Federal Funds \$ 0.00
Cash Funds \$ 0.00
Special Revenue \$ 0.00
Other (Identify) \$ 0.00

Total \$ 0.00

b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

General Revenue \$ 0.00
Federal Funds \$ 0.00
Cash Funds \$ 0.00
Special Revenue \$ 0.00
Other (Identify) \$ 0.00

Total \$ 0.00

General Revenue \$ 0.00
Federal Funds \$ 0.00
Cash Funds \$ 0.00
Special Revenue \$ 0.00
Other (Identify) \$ 0.00

Total \$ 0.00

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

Next Fiscal Year

\$ 0

\$ 0

n/a

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

Next Fiscal Year

\$ 0

\$ 0

n/a

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?
Yes ☐ No ☒

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

Article IX: CREDENTIALS REQUIRED IN ISSUING DENTAL OR DENTAL HYGIENE LICENSE

I. Licensure for Active Military Uniformed Service Members

1. Definitions:

- a. ~~As used in this section, "returning military uniformed service veteran" means a former member of the United States Armed Forces Uniformed Services who was discharged from active duty under circumstances other than dishonorable.~~

2. Licensure:

- a. ~~Pursuant to Act 248 of 2017, the Arkansas State Board of Dental Examiners shall allow the following individuals to secure employment with a temporary license, certificate, or permit while completing the application process for full licensure or certification or permitting if the individual is the holder in good standing of a substantially equivalent license, certificate, or permit issued by another state:~~

- ~~(1) An active duty military service member stationed in the State of Arkansas;~~
~~(2) A returning military veteran applying within one (1) year of his or her discharge from active duty; or~~
~~(3) The spouse of a person under subdivisions (b)(1) and (2) of this section.~~

- ba. The Arkansas State Board of Dental Examiners shall expedite the process and procedures for full licensure, certification, or permitting for the following individuals:

- (1) An active-duty military uniformed service member stationed in the State of Arkansas;
- (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas~~A returning military veteran applying within one (1) year of his or her discharge from active duty; or~~
- (3) The spouse of:

- (a) aA person under subdivisions (ea)(1) and-or (2) of this section;
- (b) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or
- (c) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

- c. ~~When considering an application for full licensure, certification, or permitting for an active duty military service member stationed in the State of Arkansas or a returning military veteran applying within one (1) year of his or her discharge from active duty, the Arkansas State Board of Dental Examiners:~~

- ~~(1) Shall consider whether or not the applicant's military training and experience in the area of licensure, certification, or permitting is substantially similar to experience or education required for licensure, certification, or permitting; and~~
- ~~(2) Shall accept the applicant's military training and experience in the area of licensure, certification, or permitting in lieu of experience or education required for licensure, certification, or permitting if the state board or commission determines the military~~

b. The Board shall accept relevant and applicable uniformed service education, training, or service-issued credential toward licensure requirements when considering an application for initial licensure of an individual who is:

- (1) A uniformed service member; or
- (2) A uniformed service veteran who makes an application within one (1) year of his or her discharge from uniformed service.

c. The Board shall grant expedited licensure upon receipt of all of the below:

- (1) Payment of the applicable fee;
- (2) An application showing the applicant meets all applicable licensure, certification, or permitting requirements;
- (3) Evidence that the applicant is a qualified applicant under subdivision 2(a) of this section.

3. Military Temporary License

a. The Board's Director shall issue a temporary license immediately upon receipt of the application and the other documentation required under subdivision 2(c) of this section.

b. The temporary license shall be effective for 90 days or until the Board determines whether the application meets the applicable licensure, certification, or permitting requirements.

4. The expiration date of a license for a deployed uniform service member or spouse will be extended for one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.

5. A full exemption from continuing education requirements will be allowed for a deployed uniform service member or spouse until one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.

Article IX: CREDENTIALS REQUIRED IN ISSUING DENTAL OR DENTAL HYGIENE LICENSE

I. Licensure for Uniformed Service Members

1. Definitions:

As used in this section, "uniformed service veteran" means a former member of the United States Uniformed Services discharged under circumstances other than dishonorable.

2. Licensure:

a. The Arkansas State Board of Dental Examiners shall expedite the process and procedures for full licensure, certification, or permitting for the following individuals:

- (1) An uniformed service member stationed in the State of Arkansas;
- (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
- (3) The spouse of:
 - (a) A person under subdivisions 2(a)(1) or (2) of this section;
 - (b) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or
 - (c) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

b. The Board shall accept relevant and applicable uniformed service education, training, or service-issued credential toward licensure requirements when considering an application for initial licensure of an individual who is:

- (1) A uniformed service member; or
- (2) A uniformed service veteran who makes an application within one (1) year of his or her discharge from uniformed service.

c. The Board shall grant expedited licensure upon receipt of all of the below:

- (1) Payment of the applicable fee;
- (2) An application showing the applicant meets all applicable licensure, certification, or permitting requirements;
- (3) Evidence that the applicant is a qualified applicant under subdivision 2(a) of this section.

3. Military Temporary License

a. The Board's Director shall issue a temporary license immediately upon receipt of the application and the other documentation required under subdivision 2(c) of this section.

b. The temporary license shall be effective for 90 days or until the Board

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determines whether the application meets the applicable licensure, certification, or permitting requirements.

4. The expiration date of a license for a deployed uniform service member or spouse will be extended for one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.

5. A full exemption from continuing education requirements will be allowed for a deployed uniform service member or spouse until one hundred and eighty (180) days following the date of the uniformed service member's return from deployment.