

REQUEST FOR TECHNICAL CHANGE

AGENCY: Board of Dental Examiners

RULE CITATION: 21 NCAC 16T .0101

DEADLINE FOR RECEIPT: April 6, 2016

NOTE WELL: *This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made. Approval of any rule is contingent upon making technical changes as set forth in G.S. 150B-21.10.

Submission for Permanent Rule form – In box 6, the publication date for the Notice of Text is said to have been September 18, 2015. This is incorrect – the date sought is the date the Notice of Text was published in the N.C. Register, pursuant to G.S. 150B-19.1(c). The correct date appears to have been October 15, 2015. Please confirm this date and, if necessary, correct and resubmit the form.

Submission for Permanent Rule form – Please add the address of the web link to the Board's notice, as required by G.S. 150B-21.2(c)(2a).

Submission for Permanent Rule form – In box 6, please also confirm the hearing and adoption dates and, if necessary, correct and resubmit the form.

Rule .0101, line 4 – what does “complete” mean – does this mean that the entire record must be maintained for the prescribed period, regardless how old the earliest portions of the record may be?

Line 4 – records must be maintained “for a period of at least 10 years” – but 10 years after when? Presumably, after the last treatment date or the creation of the most recent record. Please clarify.

Line 6 – insert a comma after “address”

Line 11 – insert a comma after “dispensed”

Line 16 – the word “final” has been replaced with “orthodontic” – please explain this change with particular regard to whether rule as changed differs substantially from the rule as published in the Register.

Line 19 – replace “all narcotics” with “each narcotic”

Jason S. Thomas
Commission Counsel
Date submitted to agency: March 22, 2016

Line 23 – replace “December 15, 2015” with “May 1, 2016”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason S. Thomas
Commission Counsel
Date submitted to agency: March 22, 2016

21 NCAC 16T .0101 is amended with changes as published in 30:08 NCR 899 as follows:

21 NCAC 16T .0101 RECORD CONTENT

A dentist shall maintain complete treatment records on all patients for a period of at least 10 years. Treatment records may include such information as the dentist deems appropriate but shall include:

- ~~(a)~~(1) Patient's full name, address and treatment dates;
- ~~(b)~~(2) Patient's nearest relative or responsible party;
- ~~(c)~~(3) Current health history;
- ~~(d)~~(4) Diagnosis of condition;
- ~~(e)~~(5) Specific treatment rendered and by whom;
- ~~(f)~~(6) Name and strength of any medications prescribed, dispensed or administered along with the quantity and date provided;
- ~~(g)~~(7) Work orders issued during the past two years;
- ~~(h)~~(8) Treatment plans for patients of record, except that treatment plans are not required for patients seen only on an emergency basis;
- ~~(i)~~(9) Diagnostic radiographs, orthodontic final study models, and other diagnostic aids, if taken;
~~and~~
- ~~(j)~~(10) Patients' financial records and copies of all insurance claim ~~forms~~; forms; and
- (11) Rationale for prescribing all narcotics.

History Note: Authority G.S. 90-28; 90-48;
Eff. October 1, 1996;
Amended Eff. December 31, 2015; July 1, 2015.